

138 FERC ¶ 61,139
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;
Philip D. Moeller, John R. Norris,
and Cheryl A. LaFleur.

Columbia Gas Transmission, LLC

Docket No. RP12-378-000

ORDER APPROVING REQUEST FOR WAIVER OF TARIFF PROVISION

(Issued February 27, 2012)

1. On February 10, 2012, Columbia Gas Transmission, LLC (Columbia) filed a petition for waiver of the provision of section 36.2 of the General Terms and Conditions (GT&C) of its tariff which requires it to file its annual Transportation Cost Rate Adjustment (TCRA) by March 1, 2012. On February 15, 2012, Columbia revised its request to clarify that it is seeking an extension of time to file its TCRA until May 1, 2012 so that it will have a June 1, 2012 effective date. For good cause shown we will grant Columbia's request for waiver. Accordingly, Columbia is required to submit its 2012 TCRA Filing by May 1, 2012, with a June 1, 2012 effective date, as requested.

I. Background

2. Columbia currently recovers the costs incurred for the transmission and compression of gas by others through a TCRA surcharge to its base rates. Section 36 of the GT&C of Columbia's tariff governs how Columbia's TCRA rates are established and annually updated. Pursuant to Section 36 Columbia adjusts its TCRA rates annually by filing with the Commission on or before March 1, with such adjustment to become effective April 1.

3. On July 1, 2011, Columbia filed a Periodic TCRA Filing in Docket No. RP11-2253-000 to recover certain increases in third-party transportation costs which it maintained were incurred to both serve its markets and fill storage because of declining gas receipts in the northern Ohio portion of its system. On July 28, 2011, the Commission accepted and suspended Columbia's Filing, subject to the outcome of a

technical conference, which was held on September 8, 2011.¹ On January 20, 2012, the Commission issued an order accepting Columbia's Periodic TCRA Filing.²

4. Columbia states that since its July 1, 2011 Filing, it has been working collaboratively with its customers through meetings and more informal communications to evaluate potential lower cost solutions to the reduction in receipts in northern Ohio. Columbia states it intends to hold another meeting with its customers in mid-March to further these discussions now that the Commission has issued its ruling on the Periodic TCRA Filing.

II. Waiver Request

5. Columbia requests waiver of the filing date requirement of GT&C section 36.2 in order to permit it an extension to file its 2012 TCRA Filing until May 1, 2012, so that its next filing would be effective June 1, 2012. Columbia explains that the outcome of the discussions with its shippers could impact the TCRA rates proposed by Columbia and that if Columbia and its shippers can reach an agreement on an alternative solution to ensure sufficient supplies in northern Ohio, it could potentially reduce the amount of costs Columbia proposes to recover through the TCRA as well as the TCRA rate.

III. Public Notice, Intervention, and Comments

6. Notice of Columbia's Filing was issued on February 15, 2012. Interventions and protests were due February 17, 2012. Pursuant to Rule 214, 18 C.F.R. § 385.214 (2011), all timely filed motions to intervene and any unopposed motions to intervene out-of-time filed before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt this proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

IV. Discussion

7. In support of its request for waiver, Columbia states that it is attempting to reach an agreement with its shippers on an alternative solution to ensure sufficient supplies to the northern Ohio portion of its system. The Commission is encouraged by the attempts of the parties on Columbia's system to address this problem collaboratively and fully supports such efforts. Therefore the Commission will grant Columbia's request for a two month extension to file its annual TCRA Filing for good cause shown. Pursuant to its tariff, Columbia is still required to true-up its previous estimates and adjust for any

¹ *Columbia Gas Transmission, LLC*, 136 FERC ¶ 61,062 (2011).

² *Columbia Gas Transmission, LLC*, 138 FERC ¶ 61,044 (2012).

under- or over-recoveries, so the extension of time by the instant waiver will be revenue neutral. Accordingly, by May 1, 2012, Columbia is required to submit its 2012 TCRA Filing, to be effective June 1, 2012, in accordance with its tariff.

The Commission orders:

Columbia's request for waiver is approved, so that Columbia is required to make its 2012 TCRA Filing by May 1, 2012.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.