

142 FERC ¶ 61,139  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

February 21, 2013

In Reply Refer To:  
CenterPoint Energy - Mississippi River  
Transmission, LLC  
Docket No. RP13-469-000

CenterPoint Energy – Mississippi River Transmission, LLC  
PO Box 21734  
Shreveport, Louisiana 71151

Attention: Lawrence O. Thomas  
Senior Director

Reference: Proposal to Adjust Fuel Percentages

Dear Mr. Thomas:

1. On January 22, 2013, CenterPoint Energy - Mississippi River Transmission, LLC (MRT) submitted for filing updated workpapers to support a restatement of fuel use percentages applicable to MRT's transportation services under the three-zone approach proposed in its section 4 rate proceeding in Docket No. RP12-955-000.<sup>1</sup> MRT requests a waiver of section 22 of the General Terms and Conditions (GT&C) of its FERC NGA Gas Tariff to allow, upon motion by MRT, the updated and restated fuel use percentages to go into effect March 1, 2013. MRT states that, on or before February 28, it will file to move the fuel use percentages and all other suspended tariff records into effect. The Commission finds that good cause has been shown to grant MRT's request for a one-time waiver of section 22 of its GT&C.

2. Section 22 of MRT's GT&C sets out the provisions under which MRT establishes its Fuel Use and Lost and Unaccounted for Gas (LUF&G) percentages. This section

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<sup>1</sup> See *CenterPoint Energy – Mississippi River Transmission, LLC*, 140 FERC ¶ 61,253 (2012) (September 28 Rate Order).

requires MRT to adjust its Fuel Use and LUGF percentages November 1 of each year, based on actual data for the twelve-month period prior to June 30 of that year. Section 22 of the GT&C does not expressly state that MRT may file interim proposals to adjust the fuel percentages. In accordance with section 22 of the GT&C, MRT last updated its fuel percentages on November 1, 2012, in Docket No. RP12-1043-000.<sup>2</sup>

3. On August 22, 2012, MRT submitted a general rate case in Docket No. RP12-955-000. As part of that filing, MRT proposed a new three-zone fuel structure to replace the existing two-zone fuel structure. The Commission's September 28 Rate Order in this proceeding, among other things, accepted and suspended the three-zone tariff records until March 1, 2013, and set MRT's rates for hearing. MRT formulated the fuel use percentages in Docket No. RP12-955-000 before it updated its fuel percentages effective November 1, 2012, in Docket No. RP12-1043-000.

4. By the instant filing, MRT proposes to restate the fuel use percentages approved in Docket No. RP12-1043-000 and effective November 1, 2012, so that they recover on a three-zone rate basis, the same fuel quantity as currently being collected by MRT on a two-zone basis. MRT states that it will include the revised fuel uses percentages when, on or before February 28, 2013, it files a motion with the Commission to place into effect on March 1, 2013, the tariff records suspended by the September 28 Rate Order.

5. Public notice of MRT's filing was issued on January 29, 2013, with interventions, comments and protests due as provided under section 154.210 of the Commission's regulations (18 C.F.R. § 154.210 (2012)). Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214 (2012)), all timely motions to intervene and any motions to intervene out of time filed before the issuance date of this order are granted. Laclede Gas Company (Laclede) filed comments.

6. Laclede asserts that it estimates that its transportation fuel costs under MRT's proposed three-zone rate structure will increase 14 percent over its fuel costs under MRT's existing two-zone structure. Laclede states that the increased transportation fuel costs will, in turn, require it to increase its nominations of gas into the MRT system. Laclede states that consistent with its stated position in the general section 4 rate case, it seeks assurances from the Commission that, in the event that MRT's three-zone rate structure becomes effective subject to refund on March 1, 2013, but litigation of MRT's section 4 rate case results in requiring MRT to retain the current two-zone rate structure, Laclede's transportation nominations will be reduced retroactively to March 1, 2013.

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<sup>2</sup> *CenterPoint Energy – Mississippi River Transmission, LLC*, 141 FERC ¶ 61,080 (2012) (October 31 Fuel Order).

Laclede states that the Commission should clarify that if the two-zone fuel rate is reinstated, MRT will be required to make Laclede whole for the increased gas Laclede was required to nominate during the period that the three-zone rate structure is in effect.

7. In the instant filing, MRT is seeking a one-time waiver to seek an out-of-cycle adjustment that brings the current fuel rate percentages into conformance with the three-zone rate structure contained in suspended tariff records from MRT's NGA section 4 general rate case. MRT's request for waiver demonstrates that it is not proposing to change the quantity of gas being recovered through the fuel tracker. In these circumstances, the Commission finds good cause has been shown to grant MRT's request for a one-time waiver of section 22 of its GT&C.

8. In the event that the two-zone rate structure is reinstated as part of the ongoing general rate proceeding, Laclede will have the opportunity as part of the proceeding to pursue a claim to be made whole for the damages it suffered for the period the three-zone rate structure was in effect.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.