

143 FERC ¶ 61,182
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

May 30, 2013

In Reply Refer To:
TC Offshore LLC
Docket No. RP13-872-000

John A. Roscher
Director, Rates and Tariffs
TC Offshore LLC
717 Texas Street
Suite 2400
Houston, TX 77002-2761

Dear Mr. Roscher:

1. On May 1, 2013, TC Offshore LLC (TC Offshore) filed two revised tariff records¹ pursuant to the cashout provisions of Section 6.15.5 of the General Terms and Conditions (GT&C) of its tariff. The revised tariff records contain two different proposals for Section 4.2 of TC Offshore's tariff. For its primary proposal, TC Offshore, requests a waiver of Section 6.15.5 to retain the currently effective Cashout Price Surcharge of \$0.00 per dekatherm (Dth) for Section 4.2. TC Offshore's alternate proposal provides a Cashout Price Surcharge of \$0.1245 per Dth for Section 4.2, based on two months of data. As discussed below and for good cause shown, we grant TC Offshore a waiver of Section 6.15.5 of the GT&C of its tariff to allow it to continue charging a cashout price surcharge of \$0.00 per dekatherm. The revised tariff record for TC Offshore's primary proposal² is accepted effective June 1, 2013, as proposed. The revised tariff record for TC Offshore's alternate proposal³ is rejected as moot.

¹ TC Offshore LLC; FERC NGA Gas Tariff; TC Offshore Tariffs: [4.2 - Statement of Rates, Statement of Surcharges, 1.0.0 A](#); [4.2 - Statement of Rates, Statement of Surcharges, 1.0.0 B](#).

² [4.2 - Statement of Rates, Statement of Surcharges, 1.0.0 A](#).

³ [4.2 - Statement of Rates, Statement of Surcharges, 1.0.0 B](#).

2. TC Offshore states that it was placed into service on November 1, 2012, and has experienced monthly cashout activity for only two months: November 2012 and December 2012. TC Offshore further states that it has determined that such limited cashout data is inadequate to accurately calculate the annual Cashout Price Surcharge. In light of this, TC Offshore's primary proposal would defer collection of the November 2012 and December 2012 cashout activity and consolidate that data with its 2013 cashout activity to be included in its next annual cashout filing, which is due on May 1, 2014. TC Offshore states that the cashout activity collected over the fourteen-month period will provide it more representative data from which to calculate a Cashout Price Surcharge. As such, TC Offshore proposes no change to the current Cashout Price Surcharge of \$0.00 per Dth and requests any Commission waivers necessary to permit TC Offshore to continue charging the current Cashout Price Surcharge.

3. TC Offshore states that alternatively, and consistent with the requirements of tariff Section 6.15.5 of its GT&C, it filed an alternate revised Section 4.2 tariff record, and supporting workpapers, reflecting TC Offshore's first annual report of net cashout activity on its pipeline system. Using the cashout activity for November and December of 2012, TC Offshore has calculated a Cashout Price Surcharge of \$0.1245 per Dth. TC Offshore states that it proposes this alternate tariff record and its supporting workpapers in the event the Commission does not grant its requested waiver and rejects the primary proposal tariff record.

4. Public notice of the filing was issued on May 2, 2013. Interventions and protests were due as provided in section 154.210 of the Commission's regulations.⁴ Pursuant to Rule 214,⁵ all timely filed motions to intervene and any unopposed motions to intervene out-of-time before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

5. The Commission finds good cause to grant the waiver requested by TC Offshore to retain the currently effective Cashout Price Surcharge of \$0.00 per Dth. The Commission agrees with TC Offshore that a Cashout Price Surcharge based on only two months of cashout activity may not be representative of its annual cashout activity, whereas deferring the November 2012 and December 2012 cashout activity would provide fourteen months of cashout activity allowing for more representative data from

⁴ 18 C.F.R. § 154.210 (2012).

⁵ 18 C.F.R. § 385.214 (2012).

which to calculate a Cashout Price Surcharge. The Commission grants TC Offshore's requested waiver of Section 6.15.5 of its GT&C and accepts the primary revised tariff record to become effective June 1, 2013, as proposed. The alternate revised tariff record is rejected as moot.

By direction of the Commission.

Kimberly D. Bose,
Secretary.