

143 FERC ¶ 61,197
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

May 31, 2013

In Reply Refer To:
Enterprise TE Products Pipeline
Company LLC
Docket No. IS12-203-000

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Dear Counsel:

1. On April 3, 2013, Enterprise TE Products Pipeline Company LLC (Enterprise TE) and the Shipper Parties¹ in the above-captioned proceeding filed an offer of settlement (Settlement) pursuant to Rule 602 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.602 (2012). The Settlement resolves all issues set for hearing in the Commission's Order Accepting and Suspending Tariff Filing, Subject to Refund, and Establishing Hearing Procedures, 139 FERC ¶ 61,036 (2012). On April 10, 2013, Commission Trial Staff filed initial comments supporting the Settlement. No other comments on the Settlement were filed. The Settlement was certified to the Commission as uncontested on April 15, 2013, 143 FERC ¶ 63,002 (2013).

2. The Settlement establishes new refined petroleum products and natural gas liquids settlement rates on Enterprise TE's system in place of the rates that are the subject of the protests. In consideration of the establishment of these new "Settlement Rates" the Shipper Parties have agreed to withdraw their protests, and have filed a joint notice with the Commission seeking the withdrawal of the protests upon fulfillment of two conditions: the Settlement becoming effective under its terms, and the Commission's receipt of written certification that Enterprise TE has made payments required by the Settlement.

3. As no objections to the Settlement were submitted, the Settlement Rates will become effective on the date upon which the Commission issues an order approving the Settlement without modification or condition. The Parties agree that the Settlement Rates shall remain in effect for the remainder of the "Settlement Period," defined as expiring two (2) years from the effective date of the Settlement.

4. Section V.E. of the Settlement provides that the Settlement may not be altered or amended except by agreement in writing signed by all the Parties thereto. The Settlement provides that the Commission retains the right to review any changes to the Settlement that are not uncontested under the just and reasonable standard of the Interstate Commerce Act.

¹ The Propane Group (the members of which are identified in Appendix A attached to the Settlement), the Refined Products Group (the members of which are identified in Appendix A of the Settlement) BP Products North America, Inc., Chevron Products Company, CITGO Petroleum Corporation, Phillips 66 Company, Inergy Propane LLC, MarkWest Hydrocarbon, Inc., and Murphy Oil USA, Inc.

5. The Settlement appears fair and reasonable and in the public interest, and it is hereby approved without modification. The Commission also grants the Joint Conditional Notice of Withdrawal of Protests, attached as Appendix B to the Settlement, subject to the conditions stated in that motion.² Commission approval of this Settlement does not constitute approval of, or precedent regarding, any principle or issue involved in these proceedings.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

² Upon fulfillment of the conditions in Appendix B to the Settlement, i.e., the Settlement's becoming effective under its terms and the Commission's receipt of written certification that Enterprise TE has made payments required by the Settlement, Docket No. IS12-203-000 will be terminated.