

143 FERC ¶ 61,284
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

June 27, 2013

In Reply Refer To:
Ruby Pipeline, L.L.C.
Docket No. RP13-951-000

Ruby Pipeline, L.L.C.
Post Office Box 1087
Colorado Springs, CO 80944

Attention: Ms. M. Catherine Rezendes
Director, Rates, Ruby Pipeline L.L.C.

Ladies and Gentlemen:

1. On May 31, 2013, Ruby Pipeline, L.L.C. (Ruby) filed revised tariff records¹ to reflect changes to its Fuel Percentage, Lost and Unaccounted for (FL&U) Percentage and its Electric Power Cost (EPC) rate. Ruby requests limited waiver of sections 13 and 28 of the General Terms and Conditions (GT&C) of its tariff, so that it may calculate these rates by (a) offsetting the prior period net lost and unaccounted-for (L&U) over-collection quantities against the prior period Fuel Percentage under-collection quantities and (b) deferring recovery of 160,000 Dth of its prior period Fuel Percentage under-collection quantity. As discussed below, we grant Ruby's request for limited waiver of its tariff and accept the tariff records listed in footnote 1 effective July 1, 2013, as requested.

2. Sections 13 and 28 of Ruby's GT&C require Ruby to adjust its Fuel Percentage, L&U Percentage, and its EPC rate at least once every three months. The tariff records in Ruby's most recent FL&U filing in Docket No. RP13-647-000 were accepted effective April 1, 2013.² In that filing, Ruby deferred recovery of approximately one half of the

¹ Ruby Pipeline, L.L.C., FERC NGA Gas Tariff, Ruby Tariff, [Part II: Stmt. of Rates, Section 1 - Service Rates, 7.0.0](#), [Part II: Stmt. of Rates, Section 2 - Fuel and L&U Rates, 7.0.0](#).

² See *Ruby Pipeline, L.L.C.*, 142 FERC ¶ 61,225 (2013).

fuel and EPC under-collection in order to moderate the increases in the FL&U reimbursement percentages and the EPC reimbursement rates.³

3. For the period of July 2013 through September 2013, when the proposed rates will be in effect, Ruby expects lower throughput due to seasonal trends. Ruby projects throughput to drop to approximately 830,000 dekatherms per day (Dth/day) and anticipates relying primarily on the use of electrically powered compression during the period the rates subject to the instant filing are effective.

4. The prior period FL&U deficiencies are computed using data from January through March 2013, consistent with Ruby's tariff that requires the true-up calculations to be based on information two calendar months prior to the date of the filing. Ruby states that, during the data collection period, it under-collected fuel quantities of 427,468 Dth but over-collected L&U quantities of 145,387 Dth. Ruby requests a waiver of its tariff to permit it to offset those under-collected fuel quantities with over-collected L&U quantities, resulting in a net under-collection of fuel during the January to March 2013 period of 282,081 Dth.

5. In order to moderate what would have been a significantly higher fuel retention rate related to those true-up volumes, Ruby also requests a waiver of its tariff to permit it to defer 160,000 Dth of previously deferred fuel gas. Ruby states that it will include the remaining deferred quantity in its next quarterly FL&U filing.

6. Applying its fuel mechanism and these waivers, Ruby proposes to increase its total Fuel Reimbursement Percentage from 0.30 percent to 0.58 percent, with all of the increase directly related to the prior period adjustment from both the data collection period and prior deferral of under-collections. Ruby also proposes to increase its total EPC Charge from \$.040 per Dth to \$.052 per Dth. Furthermore, Ruby proposes to increase its total L&U Reimbursement Percentage component from 0.00 percent to 0.01percent based on the L&U experienced during the data collection period.

7. Public notice of the filing was issued on June 3, 2013. Interventions and protests were due as provided in section 154.210 of the Commission's regulations (18 C.F.R. § 154.210 (2012)). Pursuant to Rule 214 (18 C.F.R. § 385.214 (2012)), all timely filed motions to intervene and any unopposed motion 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 the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

³ Ruby deferred 320,000 dekatherms (Dth) of uncollected fuel and \$700,000 of under-collected EPC.

8. Based upon its review of the filing, the Commission accepts the tariff records listed in footnote 1, effective July 1, 2013. The Commission finds good cause exists to grant limited waiver of sections 13 and 28 of Ruby's GT&C so that, in calculating the rates in this filing, Ruby may (a) offset the prior period net L&U over-collection quantities against the prior period Fuel Percentage under-collection quantities and (b) defer recovery of 160,000 Dth of its prior period Fuel Percentage under-collection quantity.

By direction of the Commission. Chairman Wellinghoff is not participating.

Kimberly D. Bose,
Secretary.