

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

December 4, 2003

In Reply Refer To:  
Viking Gas Transmission Company  
Docket No. RP04-49-000

Viking Gas Transmission Company  
P.O. Box 542500  
Omaha, NE 68154-8500

Attention: Raymond D. Neppl, Vice President  
Regulatory Affairs & Market Services

Reference: Revisions to Capacity Release Provisions

Dear Mr. Neppl:

1. On November 5, 2003, Viking Gas Transmission Company (Viking) filed revised tariff sheets<sup>1</sup> to modify certain capacity release provisions. Specifically, Viking proposes to clarify in Section XXI of its General Terms and Conditions that when a shipper releases capacity for the remaining contract term, the releasing shipper may either designate the release: (1) "temporary," whereby it retains contractual rights such as the right-of-first-refusal; or, (2) "permanent," whereby the replacement shipper assumes all contractual rights. Viking also proposes an attendant change to Section XXI(11). Viking proposes a December 5, 2003, effective date for its revised tariff sheets.

2. Viking's proposed tariff changes conform to Commission policy<sup>2</sup> and benefit releasing shippers by providing additional flexibility. Accordingly, we accept Viking's revised tariff sheets effective December 5, 2003, as proposed.

3. Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR § 385.214). Pursuant to Rule 214, all timely motions to intervene are

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<sup>1</sup> Ninth Revised Sheet No. 69 and Tenth Revised Sheet No. 82 to its FERC Gas Tariff, First Revised Volume No. 1.

<sup>2</sup> See Texas Eastern Transmission Corporation, 63 FERC ¶ 61,100 at 61,467 (1993).

granted and any motions filed to intervene out-of-time are granted as of the date of this order. Granting late intervention at this state of the proceedings will not disrupt the proceeding or place undue additional burden on existing parties. No party filed a protest or adverse comments.

By direction of the Commission.

Magalie R. Salas,  
Secretary.

Cc: All Parties

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