

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Nora Mead Brownell, and Suedeen G. Kelly.

Colorado Interstate Gas Company

Docket No. RP01-350-013

ORDER GRANTING PETITION TO AMEND STIPULATION AND AGREEMENT

(Issued April 12, 2006)

1. March 29, 2006, Colorado Interstate Gas Company (CIG) filed a petition requesting an amendment of its settlement agreement approved by the Commission in Docket No. RP01-350-000, *et al.* on August 5, 2002.¹ CIG requests that the settlement agreement be amended to extend the date by which it is required to file new, system-wide base rates. CIG requests the effective date of new rates be extended from December 1, 2006, to January 1, 2007. In this order we grant the petition.

Background

2. On May 23, 2002, CIG filed an uncontested offer of settlement in its section 4 rate change proceeding in Docket No. RP01-350-000, *et al.* Article V of the settlement stated that the settlement rates would remain in effect until the date on which they are superseded by a system-wide change in rates effectuated pursuant to section 4 or 5 of the Natural Gas Act, and that “in that regard, CIG shall be obligated to file a new system-wide rate case proposing new base tariff rates to be effective no later than October 1, 2006.” On August 5, 2002, the Commission issued an order accepting the offer of settlement.² On February 17, 2006, the Commission issued an order approving CIG’s January 6, 2006 petition to modify the settlement to change the effective date of new system wide rates from October 1, 2006 to December 1, 2006.³

¹ *Colorado Interstate Gas Co.*, 100 FERC ¶ 61,154 (2002).

² *Id.*

³ *Colorado Interstate Gas Co.*, 114 FERC ¶ 61,173 (2006).

Instant Filing

3. CIG states that it has conducted informal settlement negotiations regarding its future system-wide base rates with interested parties, including shippers and customers, to discuss the possibility of resolving issues in the upcoming filing.⁴ It states the consensus among the parties is that it would be worthwhile to continue to pursue possible settlement, but there is insufficient time under the existing schedule, since CIG must file its rate case by May 30, 2006 in order to meet the requirement in its amended stipulation and agreement.⁵ Accordingly, CIG requests that the effective date for its new system-wide base rates be extended from December 1, 2006, to January 1, 2007.

4. CIG states it has a record of settlement of section 4 rate cases and if settlement can be achieved, its shippers and the Commission would save substantial time, effort and money in the prosecution of such a case. CIG states that it believes that parties either support or will not oppose this petition. In order to proceed to meet the existing schedule, CIG requires a response to its petition within approximately 14 days but no later than April 28, 2006 because of the time needed for preparation of a general system wide rate case filing by May 30, 2006.

Public Notice and Interventions

5. CIG's petition to amend the Stipulation and Agreement was noticed on April 6, 2006, with comments, interventions and protests due on April 10, 2006. No protests or comments in opposition to the petition were filed. Pursuant to Rule 214 (18 C.F.R. § 385.214 (2005)), all timely-filed motions to intervene and any motions to intervene out-of time before the issuance date of this order are granted.

Discussion

6. The petition appears to be in the public interest and will be granted to permit an additional 30 days for the parties to continue to negotiate future system-wide base rates for CIG's transportation and storage services.

⁴ CIG lists these parties supporting or not opposed to the petition: Aquila, Inc., Atmos Energy Corp., BP Energy Co., Chevron U.S.A., Inc., Colorado Springs Utilities, ExxonMobil Gas and Power Marketing, Inc., Kinder Morgan, Inc., Public Service Co. of Colorado and Tenaska Marketing Ventures.

⁵ *Colorado Interstate Gas Co.*, 114 FERC ¶ 61,173 (2006).

The Commission orders:

Pursuant to the Commission's Rules of Practice and Procedure, particularly Rule 207, (18 C.F.R. § 385.207 (2005)), the petition of CIG to amend its stipulation and agreement in Docket No. RP01-350-000, *et al.* is hereby granted.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.