

172 FERC ¶ 61,246  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Neil Chatterjee, Chairman;  
Richard Glick and James P. Danly.

Enable Oklahoma Intrastate Transmission, LLC

Docket Nos. PR20-61-000  
PR20-61-001

ORDER ON STATEMENT OF OPERATING CONDITIONS AND MARKET-BASED  
RATES FOR PARK AND LOAN SERVICES

(Issued September 17, 2020)

1. On May 19, 2020, as supplemented on June 26, 2020, Enable Oklahoma Intrastate Transmission, LLC (Enable Oklahoma) filed a revised Statement of Operating Conditions Applicable to Storage Services (Storage SOC)<sup>1</sup> pursuant to section 311(a)(2) of the Natural Gas Policy Act of 1978 (NGPA),<sup>2</sup> and section 284.123<sup>3</sup> of the Commission's regulations. Enable Oklahoma proposes to provide interruptible natural gas park and loan services at market-based rates. Enable Oklahoma proposes an effective date of May 19, 2020. As discussed below, we accept the Storage SOC effective May 19, 2020.<sup>4</sup>

**Background**

2. Enable Oklahoma states that it owns and operates the Wetumka and Stuart natural gas storage facilities, both of which are located in Oklahoma and are connected to Enable Oklahoma's intrastate natural gas pipeline system. Enable Oklahoma provides certain

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<sup>1</sup> Enable Oklahoma Intrastate Transmission, LLC, FERC NGPA Gas Tariff, Enogex LLC SOC Database, [Tariff, Enogex Storage Statement of Operating Conditions, 0.0.4](#).

<sup>2</sup> 15 U.S.C. § 3371(a)(2) (2012).

<sup>3</sup> 18 C.F.R. § 284.123 (2019).

<sup>4</sup> Enable Oklahoma refiled its SOC because the original filing in Docket No. PR20-61-000, while identical in substance, was submitted under an incorrect filing code. The tariff record filed in Docket No. PR20-61-000, [Tariff, Enable Oklahoma Storage Statement of Operating Conditions, 0.0.3](#) is rejected as moot.

interstate storage services through these storage facilities pursuant to NGPA section 311, as described in its Storage SOC.

3. Under its currently effective Storage SOC, Enable Oklahoma is authorized to provide market-based rates for both firm and interruptible storage services.<sup>5</sup> Enable Oklahoma states that it has received requests from customers and prospective customers interested in purchasing park and loan services. Accordingly, Enable Oklahoma states that it proposes to expand the service offerings under its Storage SOC to include these services. According to Enable Oklahoma, these park and loan services will assist Enable Oklahoma storage customers' efforts to manage imbalances and respond to short-term market movements, as well as providing greater flexibility to these customers.

4. Section 284.504(b) of the Commission's regulations<sup>6</sup> requires Enable Oklahoma to inform the Commission if a significant change occurs in Enable Oklahoma's market power status. Enable Oklahoma informed the Commission of a change in status on May 28, 2013 (May 2013 Notification). In brief, Enable Oklahoma in the May 2013 Notification described itself as the successor to the business and properties of Enogex Inc. (including Transok, LLC, under which name Enable Oklahoma first received market-based rate authorization) (Enogex), as a result of a joint venture involving ArcLight Capital Partners, LLC, and CenterPoint Energy, Inc.

5. In the instant filing, Enable Oklahoma affirms that the events in the May 2013 Notification do not affect its market power status regarding section 311 storage services. Further, Enable Oklahoma attests that there have been no significant changes occurring in its market power status since the Commission granted Enable Oklahoma market-based rate authorization for storage services in 2000. Enable Oklahoma states that it continues to lack market power in the relevant geographic and product markets. Specifically, Enable Oklahoma estimates that the combined storage assets of Enable Oklahoma and its affiliates amount to less than 10% of the total working gas storage capacity and maximum daily deliverability in the relevant geographic market (consisting of Oklahoma, Texas, Arkansas and Louisiana).

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<sup>5</sup> *Transok, LLC*, 93 FERC ¶ 61,031, at 61,066 (2000). Transok, LLC is the former name of Enable Oklahoma.

<sup>6</sup> 18 C.F.R. § 284.504(b).

6. Enable Oklahoma submits that its current authorization to provide interruptible storage services at market-based rates is broad enough to cover interruptible park and loan services, which it asserts are merely a variant of other interruptible storage services.<sup>7</sup>

### **Public Notice and Interventions**

7. Public notice of the filing was issued on May 21, 2020. Interventions and protests were due June 9, 2020. Pursuant to Rule 214,<sup>8</sup> all timely filed motions to intervene and any unopposed motion to intervene filed 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.

### **Discussion**

8. Enable Oklahoma's filing provides for new interruptible park and loan services at market-based rates. Enable Oklahoma notes that it already has market-based rate authority for storage services, and that the Commission has found previously that services such as park and loan are variations of storage services. We confirm that Enable Oklahoma's market-based rate authority for storage services is broad enough to cover interruptible park and loan services, which are merely a variant of other interruptible storage services.<sup>9</sup> In these circumstances – where a company affirms under section 284.504(b)<sup>10</sup> that its market power status has not changed and the Commission accepts that affirmation, and where we find that the requested market-based rate authority does not extend further than what has already been approved – we will not require an updated market power study as prescribed in section 284.502(b)(2) of the Commission's regulations.<sup>11</sup>

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<sup>7</sup> May 19, 2020 Filing at 3 (citing *Leaf River Energy Center, LLC*, 125 FERC ¶ 61,131, at P 42 (2008)).

<sup>8</sup> 18 C.F.R. § 385.214.

<sup>9</sup> *Rager Mountain Storage Co. LLC*, 152 FERC ¶ 61,098 (2015); *Leaf River Energy Center, LLC*, 125 FERC ¶ 61,131, at P 42 (2008).

<sup>10</sup> 18 C.F.R. § 284.504(b).

<sup>11</sup> An NGPA section 311 or a Hinshaw pipeline seeking to provide a new service pursuant to an existing approval of market-based rate authority must file under section 284.123(b)(2) and may not use the optional notice procedures in section 284.123(g).

### **Statement of Operating Conditions**

9. Enable Oklahoma revises its Storage SOC to: (1) describe the proposed park and loan services; (2) make conforming changes to reflect the addition of these new services; (3) clarify existing fuel reimbursement procedures; and (4) make several minor changes.

10. We find that the revised Storage SOC filed in this docket accurately reflects Enable Oklahoma's market-based rate authorization. Further, we find that the revisions that are not strictly necessary for market-based rate authorization, such as revisions to the fuel reimbursement mechanism, are fair and equitable. Accordingly, we accept the revised Storage SOC cited in Footnote 1 of this order.

### **Change in Circumstances**

11. We require that Enable Oklahoma notify the Commission if future changes in circumstances significantly affect its present market power status, as required by the Commission's regulations.<sup>12</sup> Any event which would affect Enable Oklahoma's ability to withhold or restrict services or increase its ability to discriminate unduly in price or terms of service must be reported to the Commission within 10 days of acquiring knowledge of any such changes. Failure to timely file a change in circumstance report or failure to comply with the reporting requirements would constitute a violation of the Commission's regulations. We also reserve the right to require an updated market power analysis at any time.<sup>13</sup>

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<sup>12</sup> 18 C.F.R. § 284.504(b). For filing guidance, *see also Jefferson Island Storage & Hub, L.L.C. and Golden Triangle Storage, Inc.*, 163 FERC ¶ 61,049, at P 19 (2018).

<sup>13</sup> *Golden Triangle Storage, Inc.*, 152 FERC ¶ 61,158, at P 24 (2015).

The Commission orders:

(A) Enable Oklahoma's revised Storage SOC filed in Docket No. PR20-61-001 is accepted, effective May 19, 2020, as requested. The tariff record filed in Docket No. PR20-61-000 is rejected as moot.

(B) Enable Oklahoma must notify the Commission, as required by section 284.504(b) of the Commission's regulations, if future changes in circumstances affect its market power status. Enable Oklahoma must notify the Commission within 10 days of acquiring knowledge of any such changes. The notification must include a detailed description of the new facilities and their relationship to Enable Oklahoma.

By the Commission.

( S E A L )

Kimberly D. Bose,  
Secretary