

155 FERC ¶ 61,078
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Norman C. Bay, Chairman;
Cheryl A. LaFleur, Tony Clark,
and Colette D. Honorable.

ExxonMobil Pipeline Company

Docket No. IS15-580-001

ConocoPhillips Transportation Alaska, Inc.

Docket Nos. IS11-306-004, *et al.*
(Consolidated)

ORDER DENYING REQUEST FOR REHEARING

(Issued April 21, 2016)

1. On September 30, 2015, Anadarko Petroleum Corporation and Tesoro Alaska Company (together, Anadarko/Tesoro) filed a request for rehearing of the August 2015 Order that accepted, suspended, and held in abeyance ExxonMobil Pipeline Company's (ExxonMobil) proposed tariff rate increase subject to refund.¹ On rehearing, Anadarko/Tesoro asserts that the Commission should either have rejected the filing as patently deficient, or ordered the carrier to provide additional information prior to the trying of the claims at issue. For the reasons discussed below, the Commission denies the request for rehearing.

I. Background

2. On July 30, 2015, ExxonMobil filed a tariff record to increase its rate on the Trans Alaska Pipeline System (TAPS) from \$5.90 per barrel to \$6.54 per barrel. Following protests by the State of Alaska (Alaska) and Anadarko/Tesoro, the August 2015 Order accepted and suspended the proposed tariff records subject to refund. The August 2015 Order also consolidated ExxonMobil's filing with the proceedings in Docket No. IS11-306-000, *et al.* and held them in abeyance pending the outcome of the ongoing proceedings in Docket No. IS09-348-004, *et al.* addressing the prudence of the TAPS Strategic Reconfiguration Project (SR Project).²

¹ *ExxonMobil Pipeline Co.*, 152 FERC ¶ 61,163 (2015) (August 2015 Order).

² *See, e.g., ConocoPhillips Transportation Alaska, Inc.*, 144 FERC ¶ 61,080 (2013).

II. Request for Rehearing

3. Anadarko/Tesoro asserts that the Commission should have rejected the filing as patently deficient for failure to include adequate explanation and support in the transmittal letter for the rate changes the carrier filed.³ Absent rejection of the proposed tariff record, Anadarko/Tesoro argues that the Commission should have required ExxonMobil to immediately provide explanation and support for its test period adjustments and other key elements forming the basis of the proposed rate increase.⁴ Specifically, Anadarko/Tesoro seeks to understand the relationship between the rate increase and the prudence of the Strategic Reconfiguration Project at issue in the ongoing proceedings in Docket No. IS09-348-004, *et al.* Anadarko/Tesoro states that ExxonMobil should be required to provide such information within 30 days of a Commission order.⁵

III. Commission Determination

4. The Commission denies Anadarko/Tesoro's request for rehearing. As explained in the August 2015 Order, ExxonMobil's filing includes the statements, schedules and work papers required to make a cost-of-service rate change pursuant to section 346.1 of the Commission's regulations.⁶ Nor was the transmittal letter so devoid of information as to be patently inadequate, as it was consistent with those accompanying similar TAPS filings that had been processed in like manner, with the opportunity for all claims to be tested in the consolidated proceedings.⁷ Although Anadarko/Tesoro seeks additional information regarding the SR Project costs, all parties are aware that the Commission's disposition of the SR Project related issues in Docket No. IS09-348-004, *et al.*, will materially affect the rate filed in this docket. Now that the Commission has concluded the Docket No. IS09-348-004, *et al.* proceedings, Anadarko/Tesoro will have the opportunity to seek additional information and to challenge ExxonMobil's proposed rates in the captioned docket. Anadarko/Tesoro will also receive any appropriate refunds. Under these circumstances, the Commission will neither reject ExxonMobil's filing nor require ExxonMobil to amend its filing to immediately provide additional information that can be obtained in due course at hearing.

³ Request for Rehearing at 3.

⁴ *Id.*

⁵ *Id.* at 17.

⁶ August 2015 Order, 152 FERC ¶ 61,163 at P 13.

⁷ *Id.*

The Commission orders:

The request for rehearing is denied as discussed in the body of this order.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.