

**Tab 3**

**Philadelphia Gas Works**

Pennsylvania Public Utility Commission  
52 Pa. Code §53.61, et seq.

**Item 53.64(c)** Thirty days prior to the filing of a tariff reflecting an increase or decrease in natural gas costs, each Section 1307(f) gas utility seeking recovery of purchased gas costs under that section shall provide notice to the public, under § 53.68 (relating to notice requirements), and shall file the following supporting information with the Commission, with a copy to the Consumer Advocate, Small Business Advocate and to intervenors upon request:

- (4) An annotated listing of Federal Energy Regulatory Commission or other relevant non-Commission proceedings, including legal action necessary to relieve the utility from existing contract terms which are or may be adverse to the interest of its ratepayers, which affect the cost of the utility's gas supply, transportation or storage or which might have an impact on the utility's efforts to provide its customers with reasonable gas service at the lowest price possible. This list shall include docket numbers and shall summarize what has transpired in the cases, and the degree of participation, if any, which the utility has had in the cases. The initial list filed under this paragraph shall include cases for the past 3 years. Subsequent lists need only update prior lists and add new cases.

**Response:**

Please see PGW's FERC Book attached for a synopsis of all cases pending before the Federal Energy Regulatory Commission.

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**FERC BOOK**

**2012**

<u>Docket Number</u>	<u>Pipeline</u>	<u>Proceeding</u>
CP-12-32-000	Equitrans	Sunrise Facilities
RP12-271-000	Texas Eastern	Revised Electric Power Cost Adjustment Rates
CP12-30-000	Transco	Authorization to Construct and Operate Northeast Supply Link Project
RP12-306-000	Equitrans	Non-Conforming Service Agreement with GeoMet Operating Company, Inc.
RP12-304-000	Dominion	Non-Conforming Service Agreement with Castleton Power, LLC.
RP12-302-000	Transco	Authorization to Revise Sections 2.4 and 2.5 of Rate Schedule FT
RP12-307-000	Texas Eastern	Negotiated Rate Transaction with Duke Energy Indiana
RP12-318-000	Texas Eastern	Revision Pro Forma Service Agreement for Rate Schedule FTS-5
RP12-332-000	Transco	Revision Pro Forma Service Agreement for Rate Schedule FTS-5
CP12-44-000	Transco	Abandonment of Liquefied Natural Gas Storage Service
RP12-369-000	Transco	Bayonne Lateral Project
CP12-22-000	Dominion	Replacement of Pipeline Facilities in Gilmer and Calhoun Counties, West Virginia
RP12-380-000	Dominion	Negotiated Rates and Non-Conforming Service Agreement
RP12-382-000	Transco	Transportation Usage Rates and Fuel Retention at Stations 165 and 210
RP12-383-000	Transco	Interruptible Transportation Service Rates
RP12-387-000	Dominion	Revision of Pro Forma Service Agreement Under Rate Schedule GSS
RP12-396-000	Texas Eastern	Revision of Pro Forma Service Agreements
CP12-59-000	Dominion	Protective Boundary for Sabinsville Storage Pool
RP12-400-000	Texas Eastern	Removal of Firm Service Agreements for which Abandonment was Previously Granted
RP12-405-000	Transco	Redetermination of Fuel Retention Percentages
RP12-465-000	Equitrans	PSCT Rate Increase
RP12-441-000	Transco	Changes to Transmission Electric Power Rates
CP12-68-000	Texas Eastern	Abandonment of Gulf of Mexico Supply Lateral
RP12-475-000	Transco	Business Practices Regarding Swing Suppliers

<u>Docket Number</u>	<u>Pipeline</u>	<u>Proceeding</u>
RP12-476-000	Texas Eastern	Gas Quality Phase-In Provisions
RP12-486-000	Transco	Clarification and Update of Tariff Provisions
RP12-465-000	Equitrans	PSCT Rate Increase
CP12-72-000	Dominion	Construction of Allegheny Storage Project Facilities
RP12-504-000	Texas Eastern	Negotiated Rate Transaction with NJR Energy Services Company
RP12-533-000	Texas Eastern	Negotiated Rate Transaction with NJR Energy Services Company
RP12-556-000	Transco	Negotiated Rate Storage Service Agreements
RP12-571-000	Transco	Addition of Tariff Provisions Allowing Release of Secondary Firm Capacity
CP12-88-000	Texas Eastern	Addition of Tariff Provisions Allowing Release of Secondary Firm Capacity
RP12-588-000	Dominion	Clarification of Negotiated Rate Transactions between Dominion and Chesapeake Energy Marketing, Inc.
RP12-611-000	Equitrans	Modifications to Tariff to Accommodate New Straddle Plant
CP12-71-000	Dominion	Request to Abandon XS-3029 Measurement and Regulation Station
RP12-465-000	Equitrans	Waiver of PSCT Surcharge for Equitrans Affiliate
RP12-624-000	Texas Eastern	Texas Eastern System Map Update
RP12-655-000	Equitrans	Service Agreement with EQT Energy Containing Certain Non-Conforming Provisions
RP12-669-000	Transco	Update to Transco Zone 3 Map
RP12-676-000	Transco	Tariff Update to Rate Schedule WSS
RP12-714-000	Dominion	Negotiated Rate Agreements with Appalachian Producers
RP12-708-000	Equitrans	Tariff Updated Regarding Operational Reliability Enhancements
CP12-157-000	Transco	Abandonment of Matagorda Offshore Pipeline System Phase III Facilities
CP12-164-000	Texas Eastern	Abandonment of 5.7 Miles Of 24-Inch Diameter Auxiliary Pipeline Facilities Between Mile Post 97.54 and Mile Post 103.23
RP12-731-000	Transco	Establishment of Rate Schedule and Initial Rates for Firm Transportation – Production Area

<u>Docket Number</u>	<u>Pipeline</u>	<u>Proceeding</u>
RP12-743-000	Dominion	Clarification of Applicability of GSS Section 7(c) Service
CP12-462-000	Transco	Certificate of Public Convenience and Necessity for Mid-South Expansion Project
RP12-785-000	Equitrans	Modification of Rate Schedule FTS Demand Levels
RP12-801-000	Transco	Refund of Cash-Out Surpluses
RP12-815-000	Equitrans	Modification of Tariff to Reflect Firm Incremental Reservation and Usage Rates Approved as Initial Recourse Rates for Sunrise Project Facilities
CP12-463-000	Transco	Replacement of Electric Motors at Compressor Station 205
RP12-831-000	Texas Eastern	Revision of Current Unit EPC Changes
RP12-835-000	Equitrans	Negotiated Rate Schedule FTS Service Agreements with EQT Energy LLC, Mountain V Oil and Gas, and Northeast Natural Energy, LLC.
RP12-857-000	Dominion	Order Regarding Appalachian Gateway Project in Docket No. CP10-448-000.
RP12-861-000	Dominion	Overrun/Penalty Revenue Distributions
RP12-865-000	Dominion	Negotiated Rate Agreement with Total Gas & Power North America, Inc.
CP12-463-000	Transco	Negotiated Rate Agreement with Total Gas & Power North America, Inc.
RP12-932-000	Transco	Clarification and Update to Tariff Provisions
RP12-933-000	Equitrans	Negotiated Rates for Service under AGS Rate Schedule
CP12-476-000	Transco	Abandonment of Compressor Station 20 in Refugio County, Texas
RP12-963-000	Equitrans	Negotiated Rate Schedule FTS Service Agreement with PDC Mountaineer, LLC.
RP12-964-000	Equitrans	Removal of Non-Conforming PDC Mountaineer, LLC Contract
RP12-975-000	Texas Eastern	Recalculation of Operational Segment Capacity Entitlements
RP12-1010-000	Dominion	Appalachian Gateway Project Negotiated Rate Agreements.
RP12-1004-000	Texas Eastern	Replacement Customer Negotiated Usage and Fuel Rates
RP12-1011-000	Texas Eastern	Incremental Recourse Rates for Firm Service on TEAM 2012 Facilities.
RP12-993-000	Transco	Transco Rate Case Filing
CP12-515-000	Texas Eastern	Abbreviated Application for Approval to Abandon Service for Central Hudson Gas and Electric Corporation

<u>Docket Number</u>	<u>Pipeline</u>	<u>Proceeding</u>
CP12-514-000	Texas Eastern	Abbreviated Application for Approval to Abandon Service for Northeast Energy Associates
CP12-486-000	Dominion	Replacement of Pipeline in Westmoreland County, Pennsylvania
RP12-1049-000	Equitrans	Update to Capacity Release Procedures
RP12-1076-000	Transco	Tariff Revision to Reflect Most Recent Version of NAESB Standards
RP12-1062-000	Texas Eastern	Tariff Revision to Reflect Most Recent Version of NAESB Standards
RP12-1059-000	Dominion	Appalachian Gateway Project Negotiated Rate Agreements
RP12-1059-000	Dominion	Incremental Base Reservation Recourse Rate for Northeast Expansion Project
RP12-1085-000	Equitrans	Tariff Revision to Reflect Most Recent Version of NAESB Standards
RP12-1103-000	Dominion	Tariff Revision to Reflect Most Recent Version of NAESB Standards
RP11-2619-000	Transco	Cash-Out Refund Filing
RP12-1127-000	Transco	Redetermination of Fuel Retention Percentage Applicable to Rate Schedules LG-A, LNG and LG-S
RP12-1102-000	Dominion	Electric Power Cost Adjustment
RP12-1103-000	Dominion	Transportation Cost Rate Adjustment
RP12-1130-000	Equitrans	Rate Schedule AGS Service Agreement with EQT Energy, LLC
RP13-61-000	Dominion	Tariff Revision to Comply with Most Recent NAESB Standards
RP13-20-000	Texas Eastern	TEAM 2012 Project Negotiated Rate Agreements
RP13-18-000	Texas Eastern	Negotiated Rate Provisions for Philadelphia Lateral Customers
RP13-48-000	Texas Eastern	Initial Incremental Recourse Rates for Firm Service on Philadelphia Lateral Expansion Project
RP13-82-000	Texas Eastern	Negotiated Rate Transaction with PSEG Energy Resources & Trade LLC
RP13-128-000	Texas Eastern	Reverse Open-Season Policy for Appalachian to Market Expansion Project
RP13-213-000	Equitrans	Lifting of Operational Flow Order
RP12-993-000	Transco	Transco Rate Case
RP13-165-000	Transco	Correction of Tariff Provision

<u>Docket Number</u>	<u>Pipeline</u>	<u>Proceeding</u>
RP13-318-000	Texas Eastern	Pregranted Abandonment of Service Provided To Central Hudson
RP13-318-005	Texas Eastern	Reservation Charge Adjustments
RP13-171-000	Texas Eastern	PCB-Related Cost Component of Tetco's Currently Effective Rates
RP13-237-000	Texas Eastern	Correction of Tariff Provision
RP13-256-000	Equitrans	Operational Purchases and Sales for Twelve-Month Period Ending August 31, 2013
RP13-187-000	Transco	Rate Changes to Storage Service Under Rate Schedule GSS
RP13-190-000	Texas Eastern	Negotiated Rate Transaction with EQT Energy, LLC
RP13-191-000	Texas Eastern	Negotiated Rate Transaction with Tenaska Marketing Ventures
RP13-229-000	Dominion	Negotiated Rate Transaction with Noble Energy, Inc., CNX, Hess Corporation, HG Energy, LLC, and Niagara Mohawk Power Corporation
RP13-9-000	Dominion	Abandonment of Expiring Firm Transportation Service Agreement with NSTAR Gas Company.
RP12-993-000	Dominion	Challenges to Request for Partial Summary Disposition
RP12-91-000	Transco	Collection of Penalty Revenue
RP13-279-000	Texas Eastern	Modifications to Contracting for Service and Right of First Refusal Processes
RP13-332-000	Dominion	Negotiated Rate Agreement with Range Resources
RP13-993-000	Transco	Request for Interlocutory Appeal



**Docket No. CP12-32-000**  
**Equitrans, L.P.**  
**Sunrise Facilities**

**DATE FILED:** December 16, 2011

**BACKGROUND:**

On December 16, 2011, Equitrans, L.P. ("Equitrans") submitted for filing an application to: 1) amend the certificate of public convenience and necessity for certain pipeline facilities in Greene County, Pennsylvania and Wetzel County, West Virginia ("Sunrise Facilities") to permit Equitrans to transfer a passive ownership interest in the facilities that have yet to be constructed; 2) abandon by transfer the Sunrise Facilities that have already been constructed and placed in service; 3) grant Equitrans certificate authority to lease the Sunrise Facilities; and 4) issue pre-granted abandonment and certificate authority to permit Equitrans to terminate the lease and reacquire ownership of the Sunrise Facilities upon the expiration of the term of the lease agreement.

**ACTIVITIES:**

January 3, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-271-000**  
**Texas Eastern Transmission, LP**  
**Revised Electric Power Cost Adjustment Rates**

**DATE FILED:** December 30, 2011

**BACKGROUND:**

On December 30, 2011, Tetco submitted for filing tariff sections for Eighth Revised Volume No. 1 and First Revised Volume No. 2 to reflect revised Electric Power Cost ("EPC") Adjustment rates. The filing includes revised Current Unit EPC Changes and revised EPC Surcharges.

**ACTIVITIES:**

January 11, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-30-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Authorization to Construct and Operate Northeast Supply Link Project**

**DATE FILED:** December 14, 2011

**BACKGROUND:**

On December 14, 2011, Transco filed for authorization to construct and operate its Northeast Supply Link Project ("Project"). Transco states the Project will provide incremental firm transportation service for certain supply interconnections on Transco's Leidy Line in Pennsylvania to Transco's 210 Market Pool in New Jersey and certain existing delivery points in New York City.

**ACTIVITIES:**

January 19, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-306-000**

**Equitrans, L.P.**

**Non-Conforming Service Agreement with GeoMet Operating Company, Inc.**

**DATE FILED:** Jan 11, 2012

**BACKGROUND:**

On January 11, 2012, Equitrans, L.P. ("Equitrans") filed revised tariff sheets to reflect a non-conforming service agreement with GeoMet Operating Company, Inc.

**ACTIVITIES:**

January 23, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-304-000**  
**Dominion Transmission, Inc.**  
**Non-Conforming Service Agreement with Castleton Power, LLC.**

**DATE FILED:** Jan 11, 2012

**BACKGROUND:**

On January 11, 2012, Dominion filed revised tariff sheets to reflect a non-conforming service agreement with Castleton Power, LLC.

**ACTIVITIES:**

January 23, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-302-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Authorization to Revise Sections 2.4 and 2.5 of Rate Schedule FT**

**DATE FILED:** Jan 11, 2012

**BACKGROUND:**

On January 11, 2012, Transco filed for authorization to revise Sections 2.4 and 2.5 of Rate Schedule FT, Applicability of Character and Service. Transco clarifies that those sections apply to transportation service for a buyer of firm capacity resulting from a conversion of bundled sales service under Transco's former Rate Schedules PS and ACQ to firm transportation service under Rate Schedule FT.

**ACTIVITIES:**

January 23, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-307-000**  
**Texas Eastern Transmission, LP**  
**Negotiated Rate Transaction with Duke Energy Indiana**

**DATE FILED:** Jan 12, 2012

**BACKGROUND:**

On January 12, 2012, Tetco submitted for filing a tariff section for Eighth Revised Volume No. 1 to reflect a negotiated rate transaction with Duke Energy Indiana for service to a power plant previously owned by Duke Energy Vermillion II, LLC.

**ACTIVITIES:**

January 24, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-318-000**  
**Texas Eastern Transmission, LP**  
**Revision of Pro Forma Service Agreement for Rate Schedule FTS-5**

**DATE FILED:** Jan 19, 2012

**BACKGROUND:**

On January 19, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff section listed in Appendix A to revise the *pro forma* service agreement for its Rate Schedule FTS-5 in order to provide additional flexibility and thereby avoid the need to file with the Commission any new service agreements.

**ACTIVITIES:**

January 31, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP12-332-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Revision of Pro Forma Service Agreement for Rate Schedule FTS-5**

**DATE FILED:** Jan 26, 2012

**BACKGROUND:**

On January 26, 2012, Transcontinental Gas Pipe Line Company, LLC ("Transco") submitted for filing a revised tariff record for inclusion in its Fifth Revised Volume No. 1 FERC Gas Tariff to track rate changes attributable to storage service purchased from Texas Eastern Transmission, LP under its Rate Schedule X-28, the costs of which are included in the rates and charges payable under Transco's Rate Schedule S-2.

**ACTIVITIES:**

February 6, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-44-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Abandonment of Liquefied Natural Gas Storage Service**

**DATE FILED:** Jan 5, 2012

**BACKGROUND:**

On January 5, 2012, Transco submitted for filing an application to obtain Commission authorization pursuant to Section 7(b) of the Natural Gas Act to abandon the liquefied natural gas storage service that Transco provides Delmarva Power & Light Company pursuant to its service agreement under Transco's Rate Schedule LG-A.

**ACTIVITIES:**

February 13, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-369-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Bayonne Lateral Project**

**DATE FILED:** Feb 3, 2012

**BACKGROUND:**

On February 3, 2012, Transco, in compliance with the Commission's January 8, 2010 Order, submitted for filing in its Fifth Revised Volume No. 1 the FDLS and IDLS rates for the Bayonne Lateral Project, the initial fuel retention percentage for the project, and to add the Bayonne Lateral to the list of delivery laterals contained in Section 21 of the General Terms and Conditions of its Tariff.

**ACTIVITIES:**

February 15, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-22-000**  
**Dominion Transmission, Inc.**  
**Replacement of Pipeline Facilities in Gilmer and Calhoun Counties, West Virginia**

**DATE FILED:** Dec 5, 2012

**BACKGROUND:**

On December 5, 2011, Dominion submitted for filing a prior notice request for authorization to replace certain pipeline facilities located in Gilmer and Calhoun Counties, West Virginia. Dominion proposes to: 1) replace approximately 14.98 miles of its existing multi-diameter TL-264 pipeline with 16-inch diameter pipe; 2) construct approximately 735 feet of 8-inch diameter TL-369 Ext. 2 receiver pipeline; and 3) construct two new pipeline launcher/receivers and one new pipeline receiver to perform pigging operations on the pipeline.

**ACTIVITIES:**

February 17, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-380-000**  
**Dominion Transmission, Inc.**  
**Negotiated Rates and Non-Conforming Service Agreement**

**DATE FILED:** Feb 14, 2012

**BACKGROUND:**

On February 14, 2012, Dominion submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1 and Original Volume No. 1B to report three new negotiated rates, the removal of three negotiated rates, which expired December 31, 2011, and a new non-conforming service agreement.

**ACTIVITIES:**

February 27, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-382-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Transportation Usage Rates and Fuel Retention at Stations 165 and 210**

**DATE FILED:** Feb 14, 2012

**BACKGROUND:**

On February 14, 2012, Transco submitted for filing pro forma revisions to Part II – Statement of Rates and Fuel to its FERC Gas Tariff, Fifth Revised Volume No. 1, to revise, on a prospective basis subsequent to Commission approval, the assessment of transportation usage rates and fuel retention applicable to quantities pooled at two of Transco's existing market area pooling points: Station 165 and Station 210.

**ACTIVITIES:**

February 27, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-383-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Interruptible Transportation Service Rates**

**DATE FILED:** Feb 16, 2012

**BACKGROUND:**

On February 16, 2012, Transco submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to remove the Interruptible Transportation Service Rates Applicable to Certificated Transportation Rendered Pursuant to Section 7(c) of the Natural Gas Act and other references to certificated interruptible X-Rate Schedules from the Tariff.

**ACTIVITIES:**

February 28, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-387-000**  
**Dominion Transmission, Inc.**  
**Revision of Pro Forma Service Agreement Under Rate Schedule GSS**

**DATE FILED:** Feb 17, 2012

**BACKGROUND:**

On February 17, 2012, Dominion submitted for filing Tariff Record No. 50.30, Version 2.0.0 for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to revise its pro forma service agreement under Rate Schedule GSS to modify the notice of termination provisions for service agreements with terms of two years or less.

**ACTIVITIES:**

February 29, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP12-396-000**  
**Texas Eastern Transmission, LP**  
**Revision of Pro Forma Service Agreements**

**DATE FILED:** Feb 23, 2012

**BACKGROUND:**

On February 23, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eight Revised Volume No. 1, the tariff sections listed in Appendix A to revise certain pro forma service agreements, as more fully described in the filing, to provide additional flexibility and thereby avoid the need to file with the Commission any new service agreements which, under the currently effective pro forma service agreements, could be considered to be non-conforming.

**ACTIVITIES:**

March 6, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-59-000**  
**Dominion Transmission, Inc.**  
**Protective Boundary for Sabinsville Storage Pool**

**DATE FILED:** Feb 10, 2012

**BACKGROUND:**

On February 10, 2012, pursuant to section 7(c) of the Natural Gas Act, as amended, and Part 157 of the regulations of the Federal Energy Regulatory Commission, Dominion submitted for filing an Abbreviated Application for a Certificate of Public Convenience and Necessity to establish a protective boundary for the Sabinsville Storage Pool located in Tioga County, Pennsylvania.

**ACTIVITIES:**

March 8, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-400-000**  
**Texas Eastern Transmission, LP**  
**Removal of Firm Service Agreements for which Abandonment was Previously Granted**

**DATE FILED:** Feb 27, 2012

**BACKGROUND:**

On February 27, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff sections listed in Appendix A to remove firm service agreements for which abandonment was previously granted, to remove firm service agreements that were converted to Part 284 open-access services as a result of the mutual agreement of the parties, and to remove firm and interruptible service agreements that Tetco's records identify as terminated. In addition, Tetco proposes to add certain firm and interruptible service agreements that have been inadvertently omitted and to include the currently effective service agreement number for the active service agreements.

**ACTIVITIES:**

March 12, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-405-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Redetermination of Fuel Retention Percentages**

**DATE FILED:** Feb 28, 2012

**BACKGROUND:**

On February 28, 2012, Transco submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1. Transco states that the instant filing is submitted pursuant to Section 38 of the General Terms and Conditions of its tariff, which provides that Transco will file, to be effective each April 1, a redetermination of its fuel retention percentages applicable to transportation and storage rates schedules. Transco states that the derivation of the revised fuel retention percentages is based on Transco's estimate of gas required for operations (GRO) for the forthcoming annual period April 2012 through March 2013 plus the balance accumulated in the Deferred GRO Account at January 31, 2012

**ACTIVITIES:**

March 12, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-465-000**  
**Equitrans, L.P.**  
**PSCT Rate Increase**

**DATE FILED:** Feb 28, 2012

**BACKGROUND:**

On March 1, 2012, Equitrans submitted its PSCT Annual Adjustment Filing proposing, once again, to increase its PSCT rate. The proposed PSCT rate, \$0.1872, is approximately 27% higher than the current PSCT rate.

PGW protests Equitrans' filing because it is silent as to the significance of the fact that Equitrans has entered into a negotiated rates agreement with EQT Energy LLC ("EQT") waiving the PSCT rate.

On October 25, 2010, in Docket No. RP10-1408, the Commission accepted Equitrans' tariff records reflecting seven negotiated rate transactions, including one with EQT. The Equitrans/EQT agreement provides that when EQT nominates off-system (i.e., on the Sunrise expansion project), Equitrans will waive the PSCT surcharge. However, when EQT nominates on Equitrans' system other than the Sunrise project facilities, EQT is subject to the PSCT surcharge.

On June 30, 2011, Equitrans filed an amendment to the Equitrans/EQT negotiated rate in Docket No. RP11-2239. In response, PGW filed a protest on July 11, 2011, stating that Equitrans' filing contained no commitment to absorb all PSCT costs waived as a result of the negotiated rate contract and that such absorption is required by Commission precedent. PGW cited to *Trailblazer Pipeline Co. LLC*, 136 FERC ¶ 61,007 (2011) in support of its position that Equitrans, rather than its customers, should absorb the costs of the EQT negotiated rate waiver of PSCT charges.

On July 29, 2011, the Commission accepted the revised Equitrans/EQT negotiated rates service agreement. *Equitrans, L.P.*, 136 FERC ¶ 61,065 (2011). In that order, the Commission stated:

The Commission concludes that issues concerning how Equitrans' negotiated rate agreements should affect its recovery of PSCT and fuel costs are best addressed when Equitrans makes its annual fuel or PSCT filings pursuant to the mechanisms established by the [December 9, 2005] Settlement and Equitrans' tariff, or in any other section 4 filing. At that time, all interested parties will have an opportunity to state their positions as to whether Equitrans' proposal is consistent with the terms of the Settlement and raise any other issue concerning Equitrans' recovery of PSCT and fuel retainage costs.

Equitrans' March 1, 2012 filing is entirely silent as to the Equitrans/EQT negotiated rate transaction. Accordingly, the record does not reveal whether (1) Equitrans has transported EQT volumes without EQT paying the PSCT rate<sup>1</sup>, (2) EQT volumes not subject to the PSCT rate are included in the

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<sup>1</sup> PGW notes that Equitrans' Form Q filings do not resolve this question. By way of example, Equitrans' Appendix A, WP-6 in this proceeding indicates that the billing determinants subject to the PSCT rate were 4,814,666 Dth for April, 2011. In contrast, page 299 of Equitrans' FERC Form No. 2/3Q for the End of 2011/Q2 appears to indicate that Equitrans's April, 2011 FTS volumes were 17,307,527 Dth and ITS volumes were 525,424 Dth. Again, Equitrans' March 1, 2012 filing contains no reconciliation of the claimed PSCT volumes and the reported Form Q volumes.

volumes used to compute the PSCT rate, (3) whether Equitrans is absorbing any PSCT costs, past and future, for which EQT has been relieved of responsibility, or (4) whether Equitrans is seeking to impose those costs on its other customers, contrary to Commission precedent, including *Trailblazer, supra*. Accordingly, Equitrans has not established that its proposed PSCT rate is just and reasonable.

**ACTIVITIES:**

March 13, 2012 - PGW requests that its Motion for Leave to Intervene be granted. PGW further requests the Commission to find that Equitrans has not demonstrated that its proposed PSCT rate is just and reasonable.

**Docket No. RP12-441-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Changes to Transmission Electric Power Rates**

**DATE FILED:** Mar 1, 2012

**BACKGROUND:**

On March 1, 2012, Transco submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1. Transco states that the instant filing is submitted pursuant to Section 41 of the General Terms and Conditions of its tariff, which provides that Transco will file to reflect net changes in the Transmission Electric Power ("TEP") rates at least 30 days prior to each TEP Annual Period beginning April 1. The TEP rates are designed to recover Transco's transmission electric power costs for its electric compressor station locations and gas coolers located at compressor station locations. Transco states that the costs underlying the revised TEP rates consist of two components 1) the Estimated TEP Costs for the period April 1, 2012 through March 31, 2013; and 2) the balance in the TEP Deferred Account as of January 31, 2012.

**ACTIVITIES:**

March 13, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-68-000**  
**Texas Eastern Transmission, LP**  
**Abandonment of Gulf of Mexico Supply Lateral**

**DATE FILED:** Feb 16, 2012

**BACKGROUND:**

On February 16, 2012, Tetco submitted for filing an abbreviated application for permission and approval to abandon its obligation to provide service on its undivided interest in a certain natural gas supply lateral located in federal waters offshore in the Gulf of Mexico near Louisiana.

**ACTIVITIES:**

March 13, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP12-475-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Business Practices Regarding Swing Suppliers**

**DATE FILED:** Mar 6, 2012

**BACKGROUND:**

On March 6, 2012, Transco submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to define and clarify in its tariff current business practices with respect to "swing supplier" transactions on its system and to make other conforming revisions to reflect the availability of Swing Suppliers. Transco also proposes to revise the definition of OBA Imbalance in Section 25.1(a) of the General Terms and Conditions to distinguish between how the OBA imbalance quantity will be calculated where a Swing Supplier has been designated compared to where there is no Swing Supplier designation.

**ACTIVITIES:**

March 19, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-476-000**  
**Texas Eastern Transmission, LP**  
**Gas Quality Phase-In Provisions**

**DATE FILED:** Mar 7, 2012

**BACKGROUND:**

On March 7, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, a proposed tariff record to modify the Gas Quality Phase-In provisions included in Section 5.5(C) of the General Terms and Conditions of its tariff.

**ACTIVITIES:**

March 19, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-486-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Clarification and Update of Tariff Provisions**

**DATE FILED:** Mar 14, 2012

**BACKGROUND:**

On March 14, 2012, Transco submitted for filing revised tariff records, as detailed in Appendix A of the filing, for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to clarify and update certain provisions included in its tariff. Transco states the revisions proposed will have no impact to the existing rates or services of Transco's customers.

**ACTIVITIES:**

March 26, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-465-000**  
**Equitrans, L.P.**  
**PSCT Rate Increase**

**DATE FILED:** Mar 1, 2012

**BACKGROUND:**

On March 1, 2012, Equitrans submitted its PSCT Annual Adjustment Filing proposing, once again, to increase its PSCT rate. The proposed PSCT rate, \$0.1872, is approximately 27% higher than the current PSCT rate. On March 13, 2012, PGW submitted its motion for leave to intervene and protest. PGW's protest explained that (1) Equitrans has entered into a negotiated rates agreement with EQT Energy LLC ("EQT") waiving the PSCT surcharge when EQT nominates off-system (i.e., on the Sunrise expansion project); (2) *Trailblazer Pipeline Co. LLC*, 136 FERC ¶ 61,007 (2011) requires Equitrans, rather than its customers, to absorb the costs of the EQT negotiated rate waiver of PSCT charges; (3) *Equitrans, L.P.*, 136 FERC ¶ 61,065 (2011) makes it clear that 2 (2) EQT volumes not subject to the PSCT rate are included in the volumes used to compute the PSCT rate, (3) Equitrans is absorbing any PSCT costs, past and future, for which EQT has been relieved of responsibility, or (4) Equitrans is seeking to impose those costs on its other customers, contrary to Commission precedent, including *Trailblazer*..

**ACTIVITIES:**

March 29, 2012 - PGW joins IOGA in requesting the Commission to establish a technical conference to resolve the issues raised by the PGW and IOGA protests.

**Docket No. CP12-72-000**  
**Dominion Transmission, Inc.**  
**Construction of Allegheny Storage Project Facilities**

**DATE FILED:** Feb 17, 2012

**BACKGROUND:**

On February 17, 2012, Dominion submitted for filing an Abbreviated Application for a Certificate of Public Convenience and Necessity to construct, install, own, operate and maintain certain facilities located in Maryland, Ohio, Pennsylvania, and West Virginia that comprise the Allegheny Storage Project.

**ACTIVITIES:**

March 30, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-504-000**  
**Texas Eastern Transmission, LP**  
**Negotiated Rate Transaction with NJR Energy Services Company**

**DATE FILED:** Mar 21, 2012

**BACKGROUND:**

On March 21, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff record listed in Appendix A to reflect a negotiated rate transaction that it has entered into with NJR Energy Services Company for firm transportation service under Rate Schedule FT-1.

**ACTIVITIES:**

April 2, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-533-000**  
**Texas Eastern Transmission, LP**  
**Negotiated Rate Transaction with NJR Energy Services Company**

**DATE FILED:** Mar 29, 2012

**BACKGROUND:**

On March 29, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff record listed in Appendix A to reflect a negotiated rate transaction that it has entered into with NJR Energy Services Company for firm transportation service under Rate Schedule FT-1.

**ACTIVITIES:**

April 10, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-556-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Negotiated Rate Storage Service Agreements**

**DATE FILED:** Mar 30, 2012

**BACKGROUND:**

On March 30, 2012, Transco submitted for filing Version 0.0.0 of Part II, Sections 13.4, 13.5, and 13.6 for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to summarize the essential elements of negotiated rate storage service agreements between Transco and Atlanta Gas Light Company, Transco and Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas, and Transco and Virginia Natural Gas, Inc. (collectively, "Eminence Customers"). Transco and Eminence Customers have agreed to consolidate each of the Eminence Customers' two service agreements under Rate Schedule ESS into single Rate Schedule ESS service agreements in accordance with the provisions of Section 22 of the General Terms and Conditions of Transco's tariff.

**ACTIVITIES:**

April 11, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP12-571-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Addition of Tariff Provisions Allowing Release of Secondary Firm Capacity**

**DATE FILED:** Mar 30, 2012

**BACKGROUND:**

On March 30, 2012, Transco submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to add provisions to its tariff to allow its firm shippers to release secondary firm capacity.

**ACTIVITIES:**

April 11, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-88-000**  
**Texas Eastern Transmission, LP**  
**Addition of Tariff Provisions Allowing Release of Secondary Firm Capacity**

**DATE FILED:** Mar 19, 2012

**BACKGROUND:**

On March 19, 2012, Tetco submitted for filing an application for approval to abandon in place an unutilized supply lateral pipeline and related appurtenances located in the East Cameron Area in Federal offshore waters in the Gulf of Mexico offshore Louisiana.

**ACTIVITIES:**

April 11, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-588-000**  
**Dominion Transmission, Inc.**  
**Clarification of Negotiated Rate Transactions between Dominion and Chesapeake Energy Marketing, Inc.**

**DATE FILED:** Apr 3, 2012

**BACKGROUND:**

On April 3, 2012, Dominion submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to clarify two negotiated rate transactions between Dominion and Chesapeake Energy Marketing, Inc. Additionally, Dominion proposes to revise Tariff Record 40.46.10 to correct certain tariff references.

**ACTIVITIES:**

April 16, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-611-000**  
**Equitrans, L.P.**  
**Modifications to Tariff to Accommodate New Straddle Plant**

**DATE FILED:** Apr 3, 2012

**BACKGROUND:**

On April 17, 2012, Equitrans, L.P. submitted for filing a revised tariff section for inclusion in its FERC Gas Tariff, First Revised Volume No. 1, to make minor modifications to the products extraction section (Section 6.32) of its tariff to accommodate the addition of a new straddle plant being placed into service this year.

**ACTIVITIES:**

April 16, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-71-000**  
**Dominion Transmission, Inc.**  
**Request to Abandon XS-3029 Measurement and Regulation Station**

**DATE FILED:** Apr 3, 2012

**BACKGROUND:**

On February 17, 2012, Dominion submitted for filing a Prior Notice Request for authorization to abandon the XS-3029 Measurement and Regulation station in Marshall County, West Virginia.

**ACTIVITIES:**

April 30, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-465-000**  
**Equitrans, L.P.**  
**Waiver of PSCT Surcharge for Equitrans Affiliate**

**DATE FILED:** Mar 1, 2012

**BACKGROUND:**

On March 1, 2012, Equitrans submitted its PSCT annual adjustment filing, proposing to increase its PSCT surcharge by 27% to \$0.1872.

On March 13, 2012, PGW protested Equitrans' filing. PGW explained that Equitrans has a negotiated rate agreement with EQT Energy LLC ("EQT") which waives the PSCT surcharge.<sup>2</sup> PGW further stated that the record failed to reveal whether Equitrans was transporting volumes for EQT and, if so, whether Equitrans was absorbing the PSCT costs associated with the EQT volumes or whether Equitrans was simply ignoring those volumes in the calculation of the PSCT surcharge, thereby requiring its other customers to bear a higher PSCT surcharge than would result from inclusion of the EQT volumes.<sup>3</sup>

On March 30, 2012, the Commission issued an Order on Pipeline Safety Cost Tracker Filings.<sup>4</sup> The Commission determined that Equitrans' proposed PSCT surcharge had not been shown to be just and reasonable and directed Equitrans to file answers to the Commission's questions.<sup>5</sup> Among other matters, the Commission asked Equitrans to explain its position as to whether the PSCT surcharge should be assessed to various categories of Equitrans' customers.<sup>6</sup>

On April 19, 2012, Equitrans filed its Response to Request for Additional Information ("Equitrans' Response"). Equitrans answered that it excluded 45.8 MMDth of throughput from the calculation of the PSCT surcharge.<sup>7</sup> These volumes were nominated from a receipt point on what Equitrans' Response calls its "Legacy System" to what that response calls "the expanded delivery points accessing Off-system Markets." Equitrans further explained that these volumes were transported "pursuant to Rate Schedule FTS negotiated rate agreements."<sup>8</sup>

Because the Commission's March 30 Order did not seek comments on or answers to Equitrans' Response, PGW seeks a waiver of any rule that would prohibit this submission, including Rule 212(a)(2)'s prohibition against answers to answers. The Commission permits an answer that provides information that assists the Commission in its decision-making process.<sup>9</sup> PGW's Answer meets this standard by showing that Equitrans' PSCT filing is not in compliance with its tariff and Commission policy.

**ACTIVITIES:**

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<sup>2</sup> Motion for Leave to Intervene and Protest of Philadelphia Gas Works, Docket No. RP12-465-000 (filed Mar. 13, 2012) at 2.

<sup>3</sup> *Id.* at 3-4.

<sup>4</sup> *Equitrans, L.P.*, 138 FERC ¶ 61,229 (2012).

<sup>5</sup> *Id.* at PP 22-24.

<sup>6</sup> *Id.* at P 24.

<sup>7</sup> Response to Request for Additional Information of Equitrans, L.P., Docket No. RP12-465-000 (filed Apr. 19, 2012) ("Equitrans Response") at 8-9.

<sup>8</sup> *Id.* at 8.

<sup>9</sup> *See, e.g., Rockies Express Pipeline LLC*, 138 FERC ¶ 61,241, P 40 (2012).

May 1, 2012 - PGW respectfully requests the Commission to accept PGW's Answer, find that Equitrans has not demonstrated that its proposed PSCT surcharge is just and reasonable, and require Equitrans to recalculate that surcharge as required by its tariff.

**Docket No. RP12-624-000**  
**Texas Eastern Transmission, LP**  
**Texas Eastern System Map Update**

**DATE FILED:** Apr 20, 2012

**BACKGROUND:**

On April 20, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff record listed in Appendix A to update Tetco's system maps.

**ACTIVITIES:**

May 2, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP12-655-000**

**Equitrans, L.P.**

**Service Agreement with EQT Energy Containing Certain Non-Conforming Provisions**

**DATE FILED:** Apr 27, 2012

**BACKGROUND:**

On April 27, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff records listed in Appendix A and an applicable service agreement with EQT Energy, LLC containing certain non-conforming provisions. Tetco indicates that the service agreement conforms to the form of service agreement for Rate Schedule FT-1 in all respects, with the exception of two provisions that are unique to the circumstances of EQT Energy, LLC, but do not present a risk of undue discrimination.

**ACTIVITIES:**

May 9, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-669-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Update to Transco Zone 3 Map**

**DATE FILED:** Apr 30, 2012

**BACKGROUND:**

On April 30, 2012, Transco submitted for filing Part I, Section 3, Version 1.0.0 to update the maps included in its FERC Gas Tariff, Fifth Revised Volume No. 1. Specifically, the system map and the map of Transco's Zone 3 found in Part 1, Section 3 have been updated to reflect the sale of certain assets located on Transco's Central Louisiana lateral effective December 1, 2011.

**ACTIVITIES:**

May 14, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-676-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Tariff Update to Rate Schedule WSS**

**DATE FILED:** Apr 30, 2012

**BACKGROUND:**

On April 30, 2012, pursuant to the "Order On Rehearing" issued April 2, 2012, Transco submitted for filing a revised tariff record, Part III, Section 3.1, Version 2.0.0, for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to modify Section 8.3 of Rate Schedule WSS- Open Access.

**ACTIVITIES:**

May 14, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-714-000**  
**Dominion Transmission, Inc.**  
**Negotiated Rate Agreements with Appalachian Producers**

**DATE FILED:** May 1, 2012

**BACKGROUND:**

On May 1, 2012, Dominion submitted for filing revised Tariff Record No. 40.46.5, Version 6.0.0 for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to report negotiated rate agreements that Dominion has entered into with four Appalachian producers/pool operators, which are Dominion Field Services, Inc., Magnum Hunter Marketing LLC, Stone Energy Corporation, and Triad Hunter LLC.

**ACTIVITIES:**

May 14, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-708-000**  
**Equitrans, L.P.**  
**Tariff Updated Regarding Operational Reliability Enhancements**

**DATE FILED:** May 1, 2012

**BACKGROUND:**

On May 1, 2012, Equitrans, L.P. submitted for filing revised tariff sections for inclusion in its FERC Gas Tariff, First Revised Volume No. 1, to modify its tariff to provide it with the tools it states it needs to manage its gathering system to ensure operational reliability and system integrity when the pipeline is operating under a curtailment order or an Operational Flow Order.

**ACTIVITIES:**

May 14, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-157-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Abandonment of Matagorda Offshore Pipeline System Phase III Facilities**

**DATE FILED:** April 18, 2012

**BACKGROUND:**

On April 18, 2012, Northern Natural Gas Company, on behalf of itself and other owners, Florida Gas Transmission Company, LLC, Transcontinental Gas Pipe Line Company, LLC, and Enterprise Field Services, LLC, submitted for filing a joint application requesting permission and approval to abandon in-place certain offshore facilities known as the Matagorda Offshore Pipeline System Phase III facilities and the service provided thereon.

**ACTIVITIES:**

May 17, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-164-000**  
**Texas Eastern Transmission, LP**  
**Abandonment of 5.7 Miles Of 24-Inch Diameter Auxiliary Pipeline Facilities Between Mile Post 97.54 and Mile Post 103.23**

**DATE FILED:** April 19, 2012

**BACKGROUND:**

On April 19, 2012, Tetco submitted for filing an abbreviated application for approval to abandon, in place and by removal, certain pipeline facilities and associated ancillary facilities in Montgomery County, Texas. Specifically, Tetco proposes to abandon, in place, approximately 5.7 miles of 24-inch diameter auxiliary pipeline and abandon, by removal, related ancillary facilities between mile post 97.54 and mile post 103.23 across the Lake Conroe Reservoir.

**ACTIVITIES:**

May 21, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-731-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Establishment of Rate Schedule and Initial Rates for Firm Transportation – Production Area**

**DATE FILED:** May 11, 2012

**BACKGROUND:**

On May 11, 2012, Transco submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to establish a new rate schedule and initial rates for Firm Transportation – Production Area, add a new form of service agreement for use under Rate Schedule FTP, and to make conforming changes to Transco's Tariff to accommodate the new rate schedule.

**ACTIVITIES:**

May 23, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP12-743-000**  
**Dominion Transmission, Inc.**  
**Clarification of Applicability of GSS Section 7(c) Service**

**DATE FILED:** May 21, 2012

**BACKGROUND:**

On May 21, 2012, and as amended on May 30, 2012, Dominion submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to modify the Rate Schedule GSS form of service agreement, clarify the applicability of GSS Section 7(c) service, and to add a new Section C to Exhibit A which it states will allow Dominion to include the "Other Certificate Provisions" which specifically have been approved by FERC pursuant to the underlying Section 7(c) certificate order(s).

**ACTIVITIES:**

June 4, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-462-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Certificate of Public Convenience and Necessity for Mid-South Expansion Project**

**DATE FILED:** May 14, 2012

**BACKGROUND:**

On May 14, 2012, Transco submitted for filing an abbreviated application to amend the certificate of public convenience and necessity granted by the Commission in the referenced proceeding by order issued August 25, 2011, which authorized Transco's Mid-South Expansion Project.

**ACTIVITIES:**

June 7, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-785-000**  
**Equitrans, L.P.**  
**Modification of Rate Schedule FTS Demand Levels**

**DATE FILED:** June 1, 2012

**BACKGROUND:**

On June 1, 2012, Equitrans, L.P. submitted for filing revised tariff sections for inclusion in its FERC Gas Tariff, First Revised Volume No. 1, to modify its tariff to give Rate Schedule FTS customers the ability to specify at the time they execute a service agreement that levels of Transportation Contract Demand will change by specified amounts on specific dates in the future.

**ACTIVITIES:**

June 7, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-801-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Refund of Cash-Out Surpluses**

**DATE FILED:** June 14, 2012

**BACKGROUND:**

On June 14, 2012, in compliance with the Order on Rehearing issued May 25, 2012, Transco submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to reflect revisions to Section 15 of the General Terms & Conditions to include in the refund of cash-out surpluses only those OBAs that are subject to the cash-out penalties provided for in Section 37 of the General Terms & Conditions.

**ACTIVITIES:**

June 26, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-815-000**

**Equitrans, L.P.**

**Modification of Tariff to Reflect Firm Incremental Reservation and Usage Rates Approved as Initial Recourse Rates for Sunrise Project Facilities**

**DATE FILED:** June 20, 2012

**BACKGROUND:**

On June 20, 2012, pursuant to Ordering Paragraph (F) of the Commission's July 21, 2011 Order, Equitrans, L.P. submitted for filing revised tariff sections for inclusion in its FERC Gas Tariff, First Revised Volume No. 1, to reflect the firm incremental reservation and usage rates approved as initial recourse rates for service on the Sunrise Project facilities. Additionally, the proposed tariff sections reflect the approved changes to Section 6.7 (Flexible Receipt and Delivery Points) and Section 6.8 (Scheduling of Services).

**ACTIVITIES:**

July 2, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-463-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Replacement of Electric Motors at Compressor Station 205**

**DATE FILED:** May 17, 2012

**BACKGROUND:**

On May 17, 2012, Transco submitted a request for authorization to replace two existing electric motors with two new electric motors at Transco's Compressor Station 205. Transco states that while the current authorized horsepower at Station 205 is 14,200 hp, the installed capacity is two 7,000 hp units for a combined 14,000 hp. Transco further states that it proposes to install "new motors with a frame size capable of generating up to 16,000 horsepower each." It also proposes to restrict "the horsepower of the replacement electric motors to 7,000 horsepower each."

Pursuant to the Commission's policy adopted in *Certification of New Interstate Natural Gas Pipeline Facilities*, 88 FERC ¶ 61,277 (1999), the Commission's objective in reviewing applications for new facilities includes consideration of the need for a new project, the possibility of overbuilding, subsidization by existing customers, and the applicant's responsibility for unsubscribed capacity. *Ruby Pipeline, L.L.C.*, 131 FERC ¶ 61,007 at ¶ 14 (2010). Transco's application provides insufficient information for the Commission to find that (1) there is a need for the project proposed by Transco, (2) Transco is not proposing to overbuild, (3) Transco is not seeking subsidization of potential future projects by its current customers, and (4) Transco should not be responsible for some or all of the costs of the project.

The facts and assertions contained in Transco's application are few. Transco proposes to replace two 7,000 hp units purportedly because "the two existing units are under-performing, and the replacements proposed herein are necessary to help ensure station reliability."<sup>10</sup> However, Transco does not simply propose to replace the two "under-performing" units with units of similar size. Rather, it proposes to install two 16,000 hp units.

Transco does not propose to use the full 32,000 hp it proposes to install. Rather, Transco proposes to use a total of 14,000 hp, thereby idling the remaining 18,000 hp of the new capacity. In support of its proposals, Transco states that it "plans to install the largest frame size compatible with the existing compressor case, foundations and supporting electrical infrastructure in order to maximize station reliability and operational flexibility in a cost efficient manner." Application at 4, n.5.

Transco's footnote justification of its proposal is insufficient to resolve the *Ruby* issues. Among other potential issues, Transco's footnote does not answer the following questions. First, in what manner(s) are the current units "under-performing?" Second, have the current units adversely affected station reliability? Answers to both of these questions are necessary for the Commission to grant Transco's request.

Third, why is Transco not replacing two 7,000 hp units with a single 14,000 (or 16,000) hp unit? If there are engineering or reliability reasons that Transco must replace two compressors with two compressors, those reasons are not stated in Transco's application.

Fourth, Transco's May 25, 2012 request for pre-filing review in Docket No. PF12-15 states that Transco is proposing to construct valves, piping and other facilities at Station 205 "to allow for bi-

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<sup>10</sup> Application at 3.

directional flow on Transco's mainline." If gas is to begin moving south from Station 205, why is it necessary to increase the ability of that station to move gas in a northerly direction?

Fifth, what is the cost differential between the two 16,000 hp units Transco proposes to purchase as compared with smaller units it could purchase to replace the existing units? Transco's footnote 5 describes this differential as "minimal," but does not quantify the incremental amount, nor does it explain how its current customers would benefit from this "minimal" expenditure given that gas will begin moving south from Station 205. An answer to this question is also necessary to reasonably verify that the purpose of the larger capacity compressor replacement is not to subsidize an expansion of the Transco system (e.g. the Virginia Southside Expansion Project addressed in Docket No. PF12-15). Expansions that require a pipeline to install additional compression should be evaluated and priced based upon all of the incremental costs associated with such expansion.

Finally, Transco's application contains no information responsive to the Commission's need to determine whether Transco, and not its customers, should be responsible for the excess capacity it proposes to install. Eighteen thousand hp of excess compression capacity would be installed under Transco's proposal. Since Transco proposes to idle this excess capacity, it does not appear that the excess capacity would be either used or useful. Thus, Transco should be required to explain why it should not be responsible for the incremental cost of larger capacity compressors.

#### **ACTIVITIES:**

July 9, 2012 - PGW respectfully requests that they be permitted to intervene in and be parties in the above docketed matter. PGW further asks the Commission to require Transco to provide the information requested above and, absent satisfactory responses, ask the Commission either to deny Transco's application or to require Transco to absorb the cost of the extra horsepower it proposes to install.

**Docket No. RP12-831-000**  
**Texas Eastern Transmission, LP**  
**Revision of Current Unit EPC Changes**

**DATE FILED:** June 29, 2012

**BACKGROUND:**

On June 29, 2012, pursuant to Section 15.1 of the General Terms and Conditions of its FERC Gas Tariff, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1 and First Revised Volume No. 2, the tariff sections listed in Appendix A of its filing to revise its Current Unit EPC Changes.

**ACTIVITIES:**

July 11, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP12-835-000**

**Equitrans, L.P.**

**Negotiated Rate Schedule FTS Service Agreements with EQT Energy LLC, Mountain V Oil and Gas, and Northeast Natural Energy, LLC.**

**DATE FILED:** June 29, 2012

**BACKGROUND:**

On June 29, 2012, pursuant to Ordering Paragraph (F) of the Commission's July 21, 2011 Order, Equitrans, L.P. submitted for filing new negotiated Rate Schedule FTS service agreements executed with Triad Hunter, LLC and Jay-Bee Production Company, LLC and revisions to three previously filed negotiated Rate Schedule FTS service agreements executed with EQT Energy LLC, Mountain V Oil and Gas, and Northeast Natural Energy, LLC. Additionally, Equitrans, L.P. submitted for filing certain tariff records to be included as part of Original Volume 1A of its tariff.

**ACTIVITIES:**

July 11, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-857-000**  
**Dominion Transmission, Inc.**  
**Order Regarding Appalachian Gateway Project in Docket No. CP10-448-000.**

**DATE FILED:** July 9, 2012

**BACKGROUND:**

On July 9, 2012, Dominion submitted for filing certain tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to comply with the Commission's Order regarding the Appalachian Gateway Project in Docket No. CP10-448-000.

**ACTIVITIES:**

July 23, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-861-000**  
**Dominion Transmission, Inc.**  
**Overrun/Penalty Revenue Distributions**

**DATE FILED:** July 11, 2012

**BACKGROUND:**

On July 11, 2012, Dominion submitted for filing its annual report of overrun/penalty revenue distributions pursuant to Section 41.C of the General Terms and Conditions of its FERC Gas Tariff, Fourth Revised Volume No. 1, and Section 154.502 of the regulations of the Federal Energy Regulatory Commission.

**ACTIVITIES:**

July 23, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-865-000**  
**Dominion Transmission, Inc.**  
**Negotiated Rate Agreement with Total Gas & Power North America, Inc.**

**DATE FILED:** July 12, 2012

**BACKGROUND:**

On July 12, 2012, Dominion submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to report a negotiated rate agreement between Dominion and Total Gas & Power North America, Inc.

**ACTIVITIES:**

July 24, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-463-000  
Transcontinental Gas Pipeline Company, LLC  
Negotiated Rate Agreement with Total Gas & Power North America, Inc.**

**DATE FILED:** July 17, 2012

**BACKGROUND:**

On May 17, 2012 Transcontinental Gas Pipe Line Company, LLC ("Transco") submitted a request for authorization to replace two existing electric motors with two new electric motors at Transco's Compressor Station 205. Con Edison and PGW timely filed a Motion to Intervene and Conditional Protest to address several issues and seek clarification of the need for Transco's proposed construction and expenditures.

Con Edison and PGW have discussed these matters with Transco and have learned that 1) the current motors are no longer being supported technically by their manufacturer, 2) the cost differential between the motors Transco proposes to install and motors sized to meet Transco's authorized horsepower is only \$1.37 million, and 3) the motors Transco proposes to install could make a future expansion of Station 205 less expensive. Con Edison and PGW are satisfied with the information provided by Transco and believe it adequately addresses the concerns raised in their conditional protest for purposes of this docket. Con Edison and PGW reserve the right to raise objections to use of the incremental capacity or the rate treatment of the costs of the project in future Commission proceedings, as appropriate.

**ACTIVITIES:**

July 26, 2012 - Philadelphia Gas Works ("PGW") respectfully requests leave to withdraw its conditional protest but maintain intervention status in the above-docketed matter.

**Docket No. RP12-932-000**  
**Transcontinental Gas Pipeline Company, LLC**  
**Clarification and Update to Tariff Provisions**

**DATE FILED:** August 8, 2012

**BACKGROUND:**

On August 8, 2012, Transco submitted for filing the revised tariff records listed in Appendix A of its filing for inclusion in its Fifth Revised Volume No. 1 FERC Gas Tariff to clarify and update certain provisions included in its tariff.

**ACTIVITIES:**

August 20, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-933-000**  
**Equitrans, L.P.**  
**Negotiated Rates for Service under AGS Rate Schedule**

**DATE FILED:** August 8, 2012

**BACKGROUND:**

On August 8, 2012, Equitrans, L.P. submitted for filing Section 7.4.2, Version 0.0.0 for inclusion in its FERC Gas Tariff, First Revised Volume No. 1, to modify the service agreement to include an Exhibit B that would allow Equitrans to enter into negotiated rates with its customers for service under the AGS Rate Schedule. Equitrans states that such revision would correct an inadvertent omission from the tariff and would conform the tariff to the provisions of Sections 6.30 and 6.44, which authorize Equitrans and its customers to agree to a negotiated rate for all services.

**ACTIVITIES:**

August 20, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-476-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Abandonment of Compressor Station 20 in Refugio County, Texas**

**DATE FILED:** June 13, 2012

**BACKGROUND:**

On June 13, 2012, Transco submitted for filing a prior notice request for authorization to abandon Transco's Compressor Station 20 in Refugio County, Texas.

**ACTIVITIES:**

August 27, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP12-963-000**

**Equitrans, L.P.**

**Negotiated Rate Schedule FTS Service Agreement with PDC Mountaineer, LLC.**

**DATE FILED:** August 28, 2012

**BACKGROUND:**

On August 28, 2012, Equitrans, L.P. submitted for filing for inclusion in its FERC Gas Tariff, Original Volume No. 1A, a negotiated Rate Schedule FTS service agreement with PDC Mountaineer, LLC.

**ACTIVITIES:**

September 10, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-964-000**  
**Equitrans, L.P.**  
**Removal of Non-Conforming PDC Mountaineer, LLC Contract**

**DATE FILED:** August 28, 2012

**BACKGROUND:**

On August 28, 2012, Equitrans, L.P. submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, First Revised Volume No. 1 and Original Volume No. 1A, to remove the PDC Mountaineer, LLC contract that it states is no longer non-conforming from Section 6.42 of Volume No. 1 and Section 4.1 in Original Volume No. 1A of its tariff. Additionally, Equitrans is proposing a revision to Exhibit A of that service agreement to reflect a change in the primary Delivery Point.

**ACTIVITIES:**

September 10, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-975-000**  
**Texas Eastern Transmission, LP**  
**Recalculation of Operational Segment Capacity Entitlements**

**DATE FILED:** August 30, 2012

**BACKGROUND:**

On August 30, 2012, Tetco submitted for filing, pursuant to Section 9.1 of the General Terms and Conditions of its FERC Gas Tariff, Eighth Revised Volume No. 1, its report of recalculated Operational Segment Capacity Entitlements, along with supporting documents explaining the basis for changes.

**ACTIVITIES:**

September 11, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1010-000**  
**Dominion Transmission, Inc.**  
**Appalachian Gateway Project Negotiated Rate Agreements.**

**DATE FILED:** August 31, 2012

**BACKGROUND:**

On August 31, 2012, Dominion tendered for filing revised tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to submit the required information regarding negotiated rate agreements entered into with customers of Dominion's Appalachian Gateway Project.

**ACTIVITIES:**

September 12, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1004-000**  
**Texas Eastern Transmission, LP**  
**Replacement Customer Negotiated Usage and Fuel Rates**

**DATE FILED:** August 31, 2012

**BACKGROUND:**

On August 31, 2012, Tetco submitted for filing, the tariff records listed in Appendix A of its filing for inclusion in its FERC Gas Tariff, Eighth Revised Volume No. 1. Tetco proposes to create a new GT&C Section 29.5(C) and to streamline the processing of an agreement between Tetco and a replacement customer pursuant to which the replacement customer in a temporary release will pay the releasing customer's negotiated usage and/or fuel rates by implementing online execution of the negotiated rate agreement, thus eliminating the need for written execution of a negotiated rate letter agreement. Additionally, Tetco is proposing to modify GT&C Section 29.8 to reflect that the existing documentation provisions shall be reflected in a re-numbered Section 29.8(A) and do not apply to any negotiated rates agreed upon pursuant to GT&C Section 29.5(C) for a temporary release. Lastly, Tetco proposes to move, without modification, existing language describing the effective date of the negotiated rate from GT&C Section 29.8(A) to the new GT&C Section 29.9.

**ACTIVITIES:**

September 12, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1011-000**  
**Texas Eastern Transmission, LP**  
**Incremental Recourse Rates for Firm Service on TEAM 2012 Facilities.**

**DATE FILED:** August 31, 2012

**BACKGROUND:**

On August 31, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff record that sets forth the initial incremental recourse rates for firm service on the TEAM 2012 facilities.

**ACTIVITIES:**

September 12, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-993-000  
Transcontinental Gas Pipe Line Company LLC  
Transco Rate Case Filing**

**DATE FILED:** August 31, 2012

**BACKGROUND:**

On August 31, 2012, Transco tendered revised tariff sheets for filing with a proposed effective date of October 1, 2012. Transco's filing is its Rate Case in Chief for both substantial rate increases and cost allocation changes of importance to its customers.

**ACTIVITIES:**

September 12, 2012 - Con Edison and PGW protest Transco's filing, request the Commission to suspend the effective date of the tendered tariff sheets for the maximum statutory period, and further request the Commission to establish hearing procedures permitting interested parties and the Commission Staff to test the justness and reasonableness of the entirety of Transco's proposals. Con Edison and PGW emphasize that the issues listed below, which encompass not only "typical" rate case issues, but also issues unique to the Transco system, should not be considered to be an exclusive list of their concerns with Transco's filing. Con Edison and PGW fully expect that additional issues of concern will be revealed through the discovery process after Transco's rate case has been set for hearing.

Con Edison's and PGW's initial review of Transco's filing indicates that the issues listed below reflect matters for which Transco has not demonstrated that its proposals are just and reasonable. Each matter identified below should be set for hearing.

1. The projected cost of service, including all proposed test period adjustments, changes to depreciation rates, asset retirement obligation costs, revenue credits and claimed revenue for Rate Schedules ICTS and PAL.
2. The projected billing determinants, including test period adjustments and discount adjustments.
3. Allocation of storage costs to transmission services.
4. Billing changes for former Rate Schedule PS and ACQ customers.
5. Allocation of electric costs from Transco's Cherokee service to its rolled-in services.

Con Edison and PGW further expect to use the hearing to determine the significance of Transco's proposal to increase its gathering rates by over 1000%, whether that proposal signals changes in the ownership of Transco's gathering facilities, and the potential impacts of a change in ownership of those facilities.

**V.**

On the basis of the foregoing, Con Edison and PGW have a direct and substantial interest in the above docket and may be affected by its ultimate determination. Con Edison and PGW will not be represented adequately by any other party and may be adversely affected or bound without opportunity to present their position unless they are permitted to participate fully in the proceedings.

WHEREFORE, Con Edison and PGW respectfully request that they be permitted to intervene in and be parties in the above docketed matter. Con Edison and PGW further request the Commission to suspend the effectiveness of Transco's proposed tariff

changes for the maximum statutory period and to establish hearing procedures to resolve all issues raised by Transco's filing.



**Docket No. CP12-515-000**  
**Texas Eastern Transmission, LP**  
**Abbreviated Application for Approval to Abandon Service for Central Hudson Gas and Electric Corporation**

**DATE FILED:** September 6, 2012

**BACKGROUND:**

On September 6, 2012, Tetco submitted for filing an abbreviated application for approval to abandon service for Central Hudson Gas and Electric Corporation, at its request, under a service agreement entered into pursuant to Tetco's Rate Schedule SS.

**ACTIVITIES:**

September 20, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-514-000**  
**Texas Eastern Transmission, LP**  
**Abbreviated Application for Approval to Abandon Service for Northeast Energy Associates**

**DATE FILED:** September 6, 2012

**BACKGROUND:**

On September 5, 2012, Tetco submitted for filing an application for approval to abandon service for Northeast Energy Associates, a Limited Partnership, at its request, under a service agreement entered into pursuant to Tetco's Rate Schedule FTS-5.

**ACTIVITIES:**

September 20, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. CP12-486-000**  
**Dominion Transmission, Inc.**  
**Replacement of Pipeline in Westmoreland County, Pennsylvania**

**DATE FILED:** July 20, 2012

**BACKGROUND:**

On July 20, 2012, Dominion submitted for filing a prior notice application for authorization to replace approximately 5.07 miles of various diameter pipelines and associated appurtenances located in Westmoreland County, Pennsylvania.

**ACTIVITIES:**

September 25, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1049-000**  
**Equitrans, L.P.**  
**Update to Capacity Release Procedures**

**DATE FILED:** September 19, 2012

**BACKGROUND:**

On September 19, 2012, Equitrans, L.P. submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, First Revised Volume No. 1. Equitrans, L.P. states that it is proposing to update and streamline the procedures of its capacity release program to make it more efficient and to conform it to the current business practices being followed by Equitrans, L.P.

**ACTIVITIES:**

September 25, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1049-000**  
**Equitrans, L.P.**  
**Update to Capacity Release Procedures**

**DATE FILED:** September 19, 2012

**BACKGROUND:**

On September 19, 2012, Equitrans, L.P. submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, First Revised Volume No. 1. Equitrans, L.P. states that it is proposing to update and streamline the procedures of its capacity release program to make it more efficient and to conform it to the current business practices being followed by Equitrans, L.P.

**ACTIVITIES:**

September 25, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1076-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Tariff Revision to Reflect Most Recent Version of NAESB Standards**

**DATE FILED:** September 19, 2012

**BACKGROUND:**

On September 19, 2012, Transco submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to reflect the most recent version of the NAESB standards adopted by the Commission in Order No. 587-V.

**ACTIVITIES:**

October 9, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1062-000**  
**Texas Eastern Transmission, LP**  
**Tariff Revision to Reflect Most Recent Version of NAESB Standards**

**DATE FILED:** September 25, 2012

**BACKGROUND:**

On September 25, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff records listed in Appendix A of its filing to reflect the most recent version of the NAESB standards adopted by the Commission in Order No. 587-V.

**ACTIVITIES:**

October 9, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1059-000**  
**Dominion Transmission, Inc.**  
**Appalachian Gateway Project Negotiated Rate Agreements**

**DATE FILED:** September 25, 2012

**BACKGROUND:**

On September 25, 2012, Dominion submitted for filing Version 1.0.0 of Tariff Record No. 40.46.20 for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to report new negotiated rate agreements relating to the Appalachian Gateway Project.

**ACTIVITIES:**

October 9, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP12-1059-000**  
**Dominion Transmission, Inc.**  
**Incremental Base Reservation Recourse Rate for Northeast Expansion Project**

**DATE FILED:** September 27, 2012

**BACKGROUND:**

On September 27, 2012, in accordance with Ordering Paragraph (D) of the Northeast Expansion Order, Dominion submitted for filing Version 4.0.0 of Tariff Record Nos. 10.50 and 10.51 for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to reflect the incremental base reservation recourse rate of \$8.3636 per Dt for the Project.

**ACTIVITIES:**

October 9, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1085-000**  
**Equitrans, L.P.**  
**Tariff Revision to Reflect Most Recent Version of NAESB Standards**

**DATE FILED:** September 27, 2012

**BACKGROUND:**

On September 27, 2012, Equitrans, L.P. submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, First Revised Volume No. 1, to reflect the most recent version of the NAESB standards adopted by the Commission in Order No. 587-V

**ACTIVITIES:**

October 9, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1103-000**  
**Dominion Transmission, Inc.**  
**Tariff Revision to Reflect Most Recent Version of NAESB Standards**

**DATE FILED:** September 27, 2012

**BACKGROUND:**

On September 28, 2012, Dominion submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to update Dominion's effective Transportation Cost Rate Adjustment through the mechanism described in Section 15 of the General Terms & Conditions of its tariff.

**ACTIVITIES:**

October 10, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP11-2619-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Cash-Out Refund Filing**

**DATE FILED:** September 28, 2012

**BACKGROUND:**

On September 28, 2012, Transco submitted for filing its cash-out report for the annual period August 1, 2011 through July 31, 2012 (Annual Period) and its report of cash-out refunds for the Annual Period, calculated in accordance with Section 15 of the General Terms and Conditions of its FERC Gas Tariff.

**ACTIVITIES:**

October 10, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1127-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Redetermination of Fuel Retention Percentage Applicable to Rate Schedules LG-A, LNG and LG-S**

**DATE FILED:** September 28, 2012

**BACKGROUND:**

On September 28, 2012, Transco submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1. Transco states the filing is submitted pursuant to Section 38 of the General Terms & Conditions of its tariff, which provides that Transco will file a redetermination of its fuel retention percentage applicable to Rate Schedules LG-A, LNG and LG-S to be effective each November 1, 2012.

**ACTIVITIES:**

October 10, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1102-000**  
**Dominion Transmission, Inc.**  
**Electric Power Cost Adjustment**

**DATE FILED:** September 28, 2012

**BACKGROUND:**

On September 28, 2012, Dominion submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to update Dominion's effective Electric Power Cost Adjustment through the mechanism described in Section 17 of the General Terms & Conditions in its tariff.

**ACTIVITIES:**

October 10, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1103-000**  
**Dominion Transmission, Inc.**  
**Transportation Cost Rate Adjustment**

**DATE FILED:** September 28, 2012

**BACKGROUND:**

On September 28, 2012, Dominion submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to update Dominion's effective Transportation Cost Rate Adjustment through the mechanism described in Section 15 of the General Terms & Conditions of its tariff.

**ACTIVITIES:**

October 10, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-1130-000**  
**Equitrans, L.P.**  
**Rate Schedule AGS Service Agreement with EQT Energy, LLC**

**DATE FILED:** September 28, 2012

**BACKGROUND:**

On September 28, 2012, Equitrans, L.P. submitted for filing a Rate Schedule AGS service agreement with EQT Energy, LLC for Commission review and approval. Additionally, Equitrans, L.P. submitted for filing Version 0.0.0 of Section 3.14 for inclusion in its FERC Gas Tariff, Original Volume No. 1A.

**ACTIVITIES:**

October 10, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP13-61-000**  
**Dominion Transmission, Inc.**  
**Tariff Revision to Comply with Most Recent NAESB Standards**

**DATE FILED:** October 1, 2012

**BACKGROUND:**

On October 1, 2012, Dominion submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to comply with the most recent version of the NAESB standards adopted by the Commission in Order No. 587-V.

**ACTIVITIES:**

October 15, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-20-000**  
**Texas Eastern Transmission, LP**  
**Negotiated Rate Provisions for Philadelphia Lateral Customers**

**DATE FILED:** October 1, 2012

**BACKGROUND:**

On October 1, 2012, in compliance with Ordering Paragraph (F) of the Order Issuing Certificate and Granting Abandonment, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff records listed in Appendix A of its filing, which reflect the negotiated rate provisions associated with the service to be provided to the Philadelphia Lateral Expansion Project customers. Additionally, Tetco submitted for filing a cost report that it agreed to prepare and file as part of the negotiated rate agreements with the Project customers.

**ACTIVITIES:**

October 15, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-18-000**  
**Texas Eastern Transmission, LP**  
**TEAM 2012 Project Negotiated Rate Agreements**

**DATE FILED:** October 1, 2012

**BACKGROUND:**

On October 1, 2012, in compliance with Ordering Paragraph (F) of the Order Issuing Certificate and Granting Abandonment, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff records listed in Appendix A of its filing, which reflect the negotiated rate provisions associated with the service to be provided to the Philadelphia Lateral Expansion Project customers. Additionally, Tetco submitted for filing a cost report that it agreed to prepare and file as part of the negotiated rate agreements with the Project customers.

**ACTIVITIES:**

October 15, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-48-000**  
**Texas Eastern Transmission, LP**  
**Initial Incremental Recourse Rates for Firm Service on Philadelphia Lateral Expansion Project**

**DATE FILED:** October 1, 2012

**BACKGROUND:**

On October 1, 2012, in compliance with Ordering Paragraph (E) of the Order Issuing Certificate and Granting Abandonment, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff record listed in Appendix A of its filing that sets forth the initial incremental recourse rates for firm service on the Philadelphia Lateral Expansion Project facilities.

**ACTIVITIES:**

October 15, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-82-000**  
**Texas Eastern Transmission, LP**  
**Negotiated Rate Transaction with PSEG Energy Resources & Trade LLC**

**DATE FILED:** October 1, 2012

**BACKGROUND:**

On October 1, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff record listed in Appendix A of its filing to reflect a negotiated rate transaction it has entered into with PSEG Energy Resources & Trade LLC for firm transportation service under Rate Schedule FT-1.

**ACTIVITIES:**

October 15, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-128-000**  
**Texas Eastern Transmission, LP**  
**Reverse Open-Season Policy for Appalachian to Market Expansion Project**

**DATE FILED:** October 1, 2012

**BACKGROUND:**

On October 1, 2012, ConocoPhillips Company filed a complaint against Tetco. ConocoPhillips Company states that Tetco failed to comply with the Commission's reverse open-season policy and precedent in the context of routing and sizing its Texas Eastern Appalachian to Market Expansion Project.

**ACTIVITIES:**

October 15, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-213-000**  
**Equitrans, L.P.**  
**Lifting of Operational Flow Order**

**DATE FILED:** October 1, 2012

**BACKGROUND:**

On October 2, 2012, pursuant to Section 6.11(9) of the General Terms and Conditions of its FERC Gas Tariff, Equitrans, L.P. submitted a notice to advise the Commission that effective October 3, 2012, unless they otherwise notify their shippers, Equitrans, L.P. will lift the Operational Flow Order that was originally issued on August 17, 2012.

**ACTIVITIES:**

October 15, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP12-993-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Transco Rate Case**

**DATE FILED:** October 1, 2012

**BACKGROUND:**

Pursuant to Rule 217 of the Federal Energy Regulatory Commission's ("Commission") Rules of Practice and Procedure, 18 C.F.R. § 385.217, Consolidated Edison Company of New York, Inc. and Philadelphia Gas Works (collectively "Con Edison/PGW") request partial summary disposition in the above-entitled proceeding. Transcontinental Gas Pipe Line Company, LLC ("Transco") proposes incremental rates for five of its expansion services that are lower than Transco's Rate Schedule FT1 rates applicable to identical rolled-in services ("Transco's Proposal"). Transco's Proposal is contrary to Commission policy and precedent. It also results in unduly preferential rates for the involved services and unduly discriminates against Rate Schedule FT ratepayers. Con Edison/PGW request an order (1) finding Transco's Proposal to be unjust and unreasonable and (2) requiring Transco to submit a compliance filing proposing just and reasonable rates.

The Proposed Incremental Rates Are Lower Than The Proposed System Rates Transco initiated this proceeding with its August 31, 2012 filing of revised tariff records. Immediately below, Con Edison/PGW compare the daily incremental base reservation rates proposed by Transco for five of its expansion services, SunBelt, Pocono, Sundance, Momentum and Potomac, with the daily Rate Schedule FT base reservation rates proposed by Transco for the same zone pairings(s).<sup>3</sup> For all zone pairings for all five expansion services, Transco's proposed daily incremental base reservation rates are lower than Transco's proposed daily Rate Schedule FT base reservation rates for identical services.

**SunBelt Rate Schedule FT**

Zone 3-4 0.29095 0.32533

Zone 3-5 0.29095 0.46246

Zone 4-4 0.21489 0.27196

Zone 4-5 0.21489 0.40909

**Pocono Rate Schedule FT**

Zone 6 0.09419 0.15106

**Sundance Rate Schedule FT**

Zone 3-4 0.22035 0.32533

Zone 3-5 0.22035 0.46246

**Momentum Rate Schedule FT**

Zone 3-4 0.24416 0.32533

Zone 3-5 0.35668 0.46246

Zone 4-4 0.20937 0.27196

Zone 4-5 0.32189 0.40909

**Potomac Rate Schedule FT**

Zone 5-5 0.18945 0.20693

Zone 5-6 0.18945 0.28819

Con Edison and PGW also have compared Transco's proposed base commodity rates for the five expansion services with Transco's proposed base commodity rates for Rate Schedule FT services as shown in Attachment A hereto. The proposed Pocono, Sundance, Momentum and Potomac commodity rates are all equal to or less than the Rate Schedule FT commodity rates for services between the same zone pairings. In some instances, the proposed SunBelt commodity rates are higher than the Rate



Schedule FT commodity rates for services between the same zone pairings. However, in all such instances, the combined proposed Rate Schedule FT reservation and commodity rates are higher than the combined proposed SunBelt reservation and commodity rates for services between the same zone pairings. Accordingly, rolling in rates for each of the five incremental services would result in lowering the combined Rate Schedule FT reservation and commodity rates. The five incremental services are subject to the same fuel and electric charges as Rate Schedule FT services.

Transco's Witness Goetze provides brief descriptions of the five expansion services at issue herein in Exhibit T-11, page 5. Pocono is a firm annual transportation service that required the construction of incremental facilities on Transco's Leidy Line and elsewhere in Zone 6 for the transportation of gas supplies received by Transco at the western end of the Leidy Line. Momentum, SunBelt, and Sundance are firm annual transportation services provided to customers in Transco's Zones 4 and 5 from receipt points in Zones 3 and 4. Potomac is a firm annual service provided to customers in Zones 5 and 6 from the Cascade Creek or Pine Needle LNG receipt points in Zone 5. Transco's Witness Amezcuita states that the Transco system is operated as a single integrated system and that there is no difference between the facilities used to provide service to Rate Schedule FT customers and the facilities used to provide service to customers of the five incrementally-priced services at issue herein. Transco operates all of its facilities, including the Leidy Line and all storage fields accessible to Transco, as a single, fully integrated system. All gas in the system flows in a commingled stream, regardless of the rate schedule under which it flows. Transco thus uses all of its facilities to serve all of its customers, and operational decisions regarding use of facilities are made from the standpoint of overall system operations, without regard to individual customers' nominations of the various services for which they contract.

Transco uses all of its facilities to provide service to all of its customers, regardless of when, or for what expansion project, any particular facilities were built, and regardless of which Transco services any particular customer is using at any time.

Witness Amezcuita's analysis supports the Con Edison/PGW conclusion that the five incrementally-priced projects at issue herein benefit from all Transco facilities. The Commission has agreed with this conclusion at least since 1988. "The Commission believes that all mainline facilities benefit all customers even though certain facilities may have been added at some time to increase mainline capacity in order to serve a particular customer." *Great Lakes Gas Transmission L.P.*, 45 FERC ¶ 61,237 at 61,695

(1988). Transco is Not Revenue Neutral or Profit Neutral as Between Incremental and Rolled-in Rate Treatment for its Existing Expansion Projects. Transco's Witness Goetze's testimony establishes that, because of its negotiated rates, Transco is not revenue neutral, or profit neutral, as between incremental and rolled-in rate treatment for the five incrementally-priced services at issue herein.

Transco's negotiated rate agreements under Rate Schedule FT all pertain to incrementally priced transportation services. Costs have been allocated and rates have been designed assuming all customers under incrementally priced transportation services are subject to the maximum recourse rate applicable to each respective service. Therefore, the rates calculated for all of Transco's other services are insulated from any difference between the designed maximum recourse rate for each respective project and the rates actually charged under the negotiated rate agreement.

Examples may be helpful in understanding the effects of what Mr. Goetze has explained.

Example 1: Assume Transco has a total cost of service of \$100 and allocates \$90 of costs to the rolled-in services and the remaining \$10 of costs to incrementally-priced 6 services. Assume further that Transco has negotiated rates providing \$20 of annual revenue for those incrementally-priced services. Under the approach outlined by Mr. Goetze, \$90 of costs are allocated to the rolled-in services, justifying rates producing \$90 of revenue for those services. When combined with the \$20 of revenue from the incremental services, Transco's total revenues are \$110, while its costs are only \$100. Accordingly,

Transco's approach gives Transco a financial incentive to under-allocate costs to expansion services subject to negotiated rates since such under-allocation reduces the amount of negotiated rate revenue that must be allocated against the cost of service.

Example 2: Assume that the total cost of service is still \$100, but the incrementally-priced services are rolled-in and, because of the roll-in, are allocated \$20 of costs. As a result, the previously rolled-in services, *i.e.*, Rate Schedule FT services, are allocated only \$80 of the total cost of service, the rates for those services are designed to generate \$80, not \$90, of revenue, and Transco's total revenue would be \$100, matching its total costs, not \$110.

Transco's Statement J, Exhibit No. T-1, **Attachment B** hereto, shows the real world financial significance of Transco's Proposal. Using the Momentum project as an example, Statement J, line 10, Column G, demonstrates that Transco allocates \$30,196,302 of its cost of service to the Momentum project. Column H reveals that the negotiated rates revenues for the Momentum project are \$32,668,822. Column I shows Transco's revenue excess, \$2,472,520. This excess revenue which, as explained by Transco's witness Goetze, is retained by Transco, is Transco's incentive to retain incremental pricing for the Momentum project.

## II. TRANSCO'S PROPOSAL IS UNJUST AND UNREASONABLE

### A. The 1999 Certificate Policy Statement

The 1999 Certificate Policy Statement requires incremental pricing when necessary to avoid requiring existing customers to subsidize expansion projects. This means that pipelines preparing certificate applications initially must calculate rates for the expansion services based on their estimated construction costs and compare those rates to their generally applicable system rates, *e.g.*, Transco's Rate Schedule FT. If the calculated incremental rates for an expansion project would be higher than the pipeline's system rates, rolling in the costs of the expansion project would increase the system rates, leading to subsidization by the system customers. Since this subsidization would be inconsistent with the 1999 Certificate Policy Statement, incremental pricing would be required for the expansion project. Consistent with this policy, Transco proposed incremental rates for each of the five projects at issue herein that were higher than its Rate Schedule FT system rates. See Attachment C hereto.

"Incremental pricing" means that rates are based on the costs of the facilities constructed to provide the expansion service. "Incremental pricing" does not mean that the incremental rate provides a contribution to all facilities used to provide the service. Rather, as explained above, the incremental rate simply pays the cost of the incremental facilities. By way of example, as summarized by Transco's Witness Goetze, Exhibit T- 11, page 5, the Pocono services required new facilities on Transco's Leidy Line and 5 Certification of New Interstate Natural Gas Pipeline Facilities, Statement of Policy, 88 FERC ¶ 61,227 (1999), *order on reh'g*, 90 FERC ¶ 61,128, *order on reh'g*, 92 FERC ¶ 61,094 (2000).

8 elsewhere in Transco's Zone 6 and the cost of service attributable to those facilities formed the basis for the initial rate for Pocono service. The 1999 Certificate Policy Statement recognizes that when incremental rates are higher than system rates, the customers of incrementally-priced services support the investment made on their behalf and require no subsidy from other customers for facilities built for the incremental customers. Here, the certificate orders for the SunBelt, Pocono, Sundance, Momentum, and Potomac projects all approved incremental rates because they were higher than Transco's FT rates for the same services.

However, when the cost of facilities built for expansion customers would result in incremental rates lower than rolled-in rates, the Commission does not permit the incremental customers to be free-riders on the other pipeline facilities used to provide their service. A requirement that the new project must be financially viable without subsidies does not eliminate the possibility that in some instances the project costs should be rolled into the rates of existing customers. In most instances incremental pricing will avoid subsidies for the new project, but the situation may be different in cases of inexpensive expansibility that is made possible because of earlier, costly construction. In that instance, because the

existing customers bear the cost of the earlier, more costly construction in their rates, incremental pricing could result in the new customers receiving a subsidy from the existing customers because the new customers would not face the full cost of the construction that makes their new service possible.

1999 Certificate Policy Statement, 88 FERC at 61,746. The Commission applied this aspect of the 1999 Certificate Policy Statement in *Chandeleur Pipeline Co.*, 108 FERC ¶ 61,181 at P 9 (2004) ("*Chandeleur*"). Since the existing customers bear the cost of the earlier, more costly construction or acquisition in their rates, incremental pricing of the expansion could result in the new customers receiving a subsidy from existing customers because the new customers would not face the full costs of the construction that makes the new service possible. In such an instance, we will require rolled-in rate treatment because it will reduce the costs of the existing customers.

Simply stated then, when incremental rates for an expansion project would be higher than the rates for the same service under a pipeline's generally applicable rates, e.g., Transco's Rate Schedule FT, the project will be certificated with incremental rates. In contrast, when incremental rates for an expansion project would be lower than the costs of comparable service under the pipeline's generally applicable rates, the project will be certificated with rolled-in rates. "The Commission will only approve incremental rates if they are no lower than the existing Part 284 rates." *Iroquois Gas Transmission System, L.P.*, 101 FERC ¶ 61,131 at P 25 (2002). See also, *Dominion Transmission, Inc.* 99 FERC ¶ 61,367 at P 46 (2002) rejecting a proposal for incremental rates lower than system rates and requiring the pipeline to roll the costs of the expansion into its system rates.

#### B. Commission Policy And Precedent Establish That Transco's Proposal is Unjust and Unreasonable.

In Docket No. RP01-245, Transco proposed rolled-in rate treatment for three expansion projects, SunBelt, Pocono, and Cherokee. The Commission's analysis of Transco's proposal in that docket forms the basis for the Con Edison/PGW argument that Transco's Proposal, i.e., incremental rates for the SunBelt, Pocono, Sundance, Momentum, and Potomac expansion projects, is unjust and unreasonable. 10 In *Transcontinental Gas Pipe Line Corporation*, 106 FERC ¶ 61,299 at P 71 (2004), the Commission first affirmed Presiding Judge Harfeld's conclusion<sup>6</sup> that the Commission's 1999 Certificate Policy Statement controlled Transco's proposals to roll-in the SunBelt and Pocono projects, even though they were certificated before the 1999 Certificate Policy was issued. The Commission's decision was consistent with its decision in an earlier Transco rate case, Docket Nos. RP95-197 and RP97-71, that it would apply its 1995 Pricing Policy Statement<sup>7</sup> to Transco's proposal to roll in the cost of service of projects certificated with incremental rates prior to issuance of the 1995 Pricing Policy Statement. *Transcontinental Gas Pipeline Corporation*, 94 FERC ¶ 61,362 (2001). Second, in light of the 1999 Certificate Policy Statement, the Commission concluded that rolled-in rate treatment of projects certificated with incremental rates would not be appropriate if rolling in the costs of the expansions would increase the revenue responsibility of "existing shippers," i.e. Rate Schedule FT customers. *Id.* at PP 72-73. On rehearing, *Transcontinental Gas Pipe Line Corporation*, 112 FERC ¶ 61,170 at P 83 (2005), the Commission affirmed its conclusion that the 1999 Certificate Policy Statement should be applied to proposals for rolled-in rate treatment of projects certificated both before and after issuance of that policy. "The Commission's general preference is to determine the justness and reasonableness of currently pending rate proposals based on its current policies concerning what constitutes a just and reasonable rate." 6 101 FERC ¶ 63,022 at PP 144-147 (2002). 7 Pricing Policy for New and Existing Facilities Constructed by Interstate Natural Gas Pipelines, 71 FERC ¶ 61,241 (1995), *reh'g denied*, 75 FERC ¶ 61,105 (1996). 11 Third, the Commission also determined that no party has a reliance interest in Commission certification of a project with incremental rates. "... the Commission has consistently found reliance only when the project was certificated as rolled-in..." *Id.* at P

89. Thus, Transco may not assert that it has a reliance interest in incremental pricing for the five expansion projects at issue herein.

Finally, the Commission stated that the 1999 Certificate Policy Statement applies not only to certificate proceedings, but also to rate case proposals to roll in the costs of facilities. *Id.* at P 90. Accordingly, the Con Edison/PGW assertion that rates for expansion services that are lower than Transco's Rate Schedule FT rates are unjust and unreasonable must be judged against the standards established by the 1999 Certificate Policy Statement and Commission precedent applying that standard.

Con Edison and PGW are mindful of the fact that the 1999 Certificate Policy statement sets forth Commission policy, not a binding norm. However, as the Commission recently stated in *Texas Eastern Transmission, LP*, 140 FERC ¶ 61,216 at P 24 (2012), Commission orders in adjudicated cases "constitute 'binding precedents' which establish 'binding policy' that has 'the force of law.'" As noted above, the Commission's decisions in Docket No. RP01-245 applied the 1999 Certificate Policy Statement to a Transco rate case proposal to roll in the costs of three expansion projects, two of which, SunBelt and Pocono, are at issue here. The Commission's decisions in that docket constitute binding policy that has the force of law.

### **C. The Significant Change in Circumstances**

While Transco has no reliance interest in incremental rates for the expansion projects at issue, see *supra*, a "significant change in circumstances" is required to justify a

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shift from incremental to rolled-in rates. *Transcontinental Gas Pipe Line Corp.*, 94 FERC ¶ 61,360 at 62,302 (2001), *order on reh'g*, 95 FERC ¶ 61,268 (2001). It is clear that when the relationship between incremental rates and rolled-in rates changes, *e.g.*, incremental rates become lower than rolled-in rates, that is a "significant change in circumstances."

Our predetermination that Iroquois may roll in the costs of its expansion in the next general rate proceeding is based on Iroquois' projections that the revenues from the Brookfield Project will exceed its cost of service. If circumstances change, *e.g.* the projected costs are exceeded to the extent that there would be no revenue benefit to existing customers, then Iroquois will not be authorized to roll the costs of the Brookfield Project into its system rates and will have to develop incremental rates for the service. *Iroquois Gas Transmission System, L.P.*, 101 FERC P 61,131 at P 30 (2002) ("*Iroquois*").

Circumstances have changed significantly on the Transco system since the dates of Transco's original proposals for incremental rates for these services. When these projects were certificated, Transco calculated incremental rates for each project that were higher than the Rate Schedule FT rates between for the same services. Today, as shown in the tables below, Transco proposes incremental rates for the five expansion services that are much lower than the FT rates for the same services.

#### **SunBelt Reservation Rates as a Percentage of FT Reservation Rates**

Zone 3-4 89%  
Zone 3-5 63%  
Zone 4-4 79%  
Zone 4-5 53%

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#### **Pocono Reservation Rates as a Percentage of FT Reservation Rates**

Zone 6 62%

#### **Sundance Reservation Rates as a Percentage of FT Reservation Rates**

Zone 3-4 68%  
Zone 3-5 48%

#### **Momentum Reservation Rates as a Percentage of FT Reservation Rates**

Zone 3-4 78%  
Zone 3-5 77%  
Zone 4-4 77%  
Zone 4-5 79%

### **Potomac Reservation Rates as a Percentage of FT Reservation Rates**

Zone 5-5 92%

Zone 5-6 66%

While the precise reason(s) why the proposed incremental rates for each of these projects are lower than Transco's proposed Rate Schedule FT rates are known only to Transco,<sup>8</sup> the "bottom line" is beyond dispute. Transco is now proposing rates for five expansion services that are lower than its proposed rates for identical Rate Schedule FT services. As reflected in the 1999 Certificate Policy Statement, *Chandeleur* and *Iroquois*, this is unjust and unreasonable. See also, *Southern Natural Gas Co.*, 110 FERC ¶ 61,052 at P 71 (2005).

<sup>8</sup> By way of example, Transco's Schedule I reveals that Transco has not allocated any Asset Retirement Obligation costs and only certain categories of Operation and Maintenance costs to the services it proposes to price incrementally. However, Transco has not explained its rationale(s) for these allocation decisions.

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#### **D. Transco's Proposal is Otherwise Unjust and Unreasonable**

As explained above, the Commission is required to look no further than the fact that Transco's proposed incremental rates are lower than its proposed Rate Schedule FT rates to determine that Transco's Proposal is unjust and unreasonable. However, even if the Commission determines that additional evidence is needed, the above-summarized testimony of Transco Witnesses Goetze and Amezcuita also establish that Transco's Proposal is unjust and unreasonable. As explained by those witnesses, there is no difference between the facilities used by Transco to provide services for the SunBelt, Pocono, Sundance, Momentum, and Potomac customers and the facilities used by Transco to provide services for Rate Schedule FT customers between the same rate zones. Absent such differences, there can be no justification for the SunBelt, Pocono, Sundance, Momentum, and Potomac rates to be lower than the FT rates. Transco's Proposal is premised on its calculation of incremental costs of service for the SunBelt, Pocono, Sundance, Momentum, and Potomac projects that are lower than the rolled-in costs of service for the facilities underlying the Rate Schedule FT rates in the same rate zones. Transco also agrees that it does not provide any of the five expansion services without the use of the rolled-in facilities. Thus, as the Commission stated in the 1999 Certificate Policy Statement, incremental pricing would "result in the new customers receiving a subsidy from the existing customers because the new customers would not face the full cost of the construction that makes their new service possible." 88 FERC at 61,746. Such a subsidy is unjust and unreasonable.

#### **E. Transco's Proposal is Unduly Discriminatory**

"Discrimination is undue when there is a difference in rates or services among similarly situated customers that is not justified by some legitimate factor." *El Paso*

*Natural Gas Co.*, 104 FERC ¶ 61,045 at P 115 (2003), *reh'g den.* 106 FERC ¶ 61,233

(2004). Once again, Transco witnesses Goetze and Amezcuita have presented the facts necessary for the conclusion that lower rates for the expansion services would be unduly discriminatory. All five expansion services are firm annual transportation services. Rate

Schedule FT services also are firm annual transportation services. All five expansion services use the same Transco facilities that are used for Rate Schedule FT services.

And, Transco has never suggested that the customers of the expansion services differ in any material way from the customers of the Rate Schedule FT services. Accordingly, the customers of the five expansion services are similarly situated to Transco customers purchasing service under Rate Schedule FT. Now that Transco asserts that incremental rates for the expansion services would be lower than Rate Schedule FT rates, there is no justification for incremental rates under the 1999 Certificate Policy Statement and the

Commission precedent cited above. Thus, recourse rates for the expansion services that are lower than the rates for Rate Schedule FT services constitute undue discrimination.

See, e.g., *Texas Eastern Transmission, LP*, 139 FERC ¶ 61,138 at P33 (2012) finding it inappropriate to charge different recourse rates for the use of the same capacity.

### III. TRANSCO SHOULD BE REQUIRED TO SUBMIT A COMPLIANCE FILING CONTAINING JUST AND REASONABLE RATES

As the Commission recently recognized in *Texas Eastern Transmission, LP*, 140 FERC ¶ 61,216 at P 98 (2012) ("*Texas Eastern*"), once the Commission has found a tariff provision to be unjust and unreasonable, NGA Section 5(a) requires the Commission to "determine the just and reasonable" tariff provision "to be thereafter observed and in force and shall fix the same by order." As the Commission also recognized, a pipeline frequently has "some degree of discretion as to how it will revise its tariff in compliance with" a Commission order. Just such a situation appears here. Transco could, for example, propose different cost allocations than are proposed in its August 31, 2012 filing to raise the rates for the five expansion services above the rates proposed for identical Rate Schedule FT service. Alternatively, Transco could propose to roll the cost of service of the five expansion services into Rate Schedule FT. Accordingly, the Commission cannot "fix" the just and reasonable rates for the five expansion projects "to be thereafter observed" at this time. Rather, following *Texas Eastern*, Commission should (1) find rates for the five expansion projects that are lower than Rate Schedule FT rates to be unjust and unreasonable and (2) require Transco to submit a compliance filing. The just and reasonable rates will be established when the Commission accepts Transco's compliance filing.

#### ACTIVITIES:

October 22, 2012 - For the reasons stated herein, the Presiding Judge is requested to find that Transco's proposed rates for its SunBelt, Pocono, Sundance, Momentum, and Potomac services are unjust and unreasonable because they are lower than Transco's proposed rates for identical Rate Schedule FT services. The Presiding Judge is further requested to require Transco to file revised tariff records, within 30 days of the date of his order, either rolling in the SunBelt, Pocono, Sundance, Momentum, and Potomac services into Rate Schedule FT or otherwise increasing the rates for those services to levels not below the rates for Rate Schedule FT.

**Docket No. RP13-165-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Correction of Tariff Provision**

**DATE FILED:** October 17, 2012

**BACKGROUND:**

On October 17, 2012, Transco submitted for filing revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to update and correct certain provisions in Transco's tariff as further described in its filing. Transco states that the revisions proposed will have no impact on the existing rates or services of Transco's customers.

**ACTIVITIES:**

October 31, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-318-000**  
**Texas Eastern Transmission, LP**  
**Pregranted Abandonment of Service Provided To Central Hudson**

**DATE FILED:** November 28, 2012

On November 28, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, a certain tariff record to be effective on January 1, 2013. Section 3.13(B) of the General Terms and Conditions of the Tariff contains a list of service agreements that are not subject to pregranted abandonment and that may be abandoned by Texas Eastern only upon receipt of Commission approval under Section 7(b) of the NGA. Tetco is proposing to modify the Service Agreement List to delete Contract No. 412002 with Central Hudson Gas and Electric Corporation which was terminated effective as of the end of the October 31, 2012, gas day as a result of a notice of termination sent by Central Hudson to Texas Eastern in accordance with the provisions of Contract No. 412002. On September 6, 2012, Texas Eastern filed, pursuant to section 7(b) of the NGA and part 157 of the Commission's regulations, a request in Docket No. CP12-515-000 for permission to abandon the service provided to Central Hudson pursuant to Rate Schedule SS. By Letter Order issued on October 2, 2012, the Commission granted the requested permission to abandon the storage service to Central Hudson.

**ACTIVITIES:**

October 31, 2012 – PGW and ConEd respectfully request that they be permitted to intervene in and be parties in the above-docketed matter.



**Docket No. RP13-171-000**  
**Texas Eastern Transmission, LP**  
**PCB-Related Cost Component of Tetco's Currently Effective Rates**

**DATE FILED:** October 22, 2012

**BACKGROUND:**

On October 22, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff records listed in Appendix A of its filing, which reflect a small increase in the PCB-Related Cost component of certain of Tetco's currently effective rates.

**ACTIVITIES:**

November 5, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-237-000**  
**Texas Eastern Transmission, LP**  
**Correction of Tariff Provision**

**DATE FILED:** October 22, 2012

**BACKGROUND:**

On October 22, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff records listed in Appendix A of its filing, which reflect a small increase in the PCB-Related Cost component of certain of Tetco's currently effective rates.

**ACTIVITIES:**

November 5, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-256-000**

**Equitrans, LP**

**Operational Purchases and Sales for Twelve-Month Period Ending August 31, 2012**

**DATE FILED:** November 1, 2012

**BACKGROUND:**

On November 1, 2012, Equitrans submitted for filing a report of its Operational Purchases and Sales for the twelve-month period ending August 31, 2012.

**ACTIVITIES:**

November 13, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-187-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Rate Changes to Storage Service Under Rate Schedule GSS**

**DATE FILED:** October 29, 2012

**BACKGROUND:**

On October 29, 2012, Transco submitted for filing certain revised tariff records for inclusion in its FERC Gas Tariff, Fifth Revised Volume No. 1, to track rate changes attributable to storage services purchased from Dominion Transmission, Inc. under its Rate Schedule GSS.

**ACTIVITIES:**

November 13, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-190-000**  
**Texas Eastern Transmission, LP**  
**Negotiated Rate Transaction with EQT Energy, LLC**

**DATE FILED:** October 30, 2012

**BACKGROUND:**

On October 30, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff record listed in Appendix A of their filing to reflect a negotiated rate transaction that it has entered into with EQT Energy, LLC for firm transportation service under Rate Schedule FT-1.

**ACTIVITIES:**

November 13, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-191-000**  
**Texas Eastern Transmission, LP**  
**Negotiated Rate Transaction with Tenaska Marketing Ventures**

**DATE FILED:** October 30, 2012

**BACKGROUND:**

On October 30, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff record listed in Appendix A of its filing to reflect a negotiated rate transaction that it has entered into with Tenaska Marketing Ventures for firm transportation service under Rate Schedule FT-1.

**ACTIVITIES:**

November 13, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-229-000**

**Dominion Transmission, Inc.**

**Negotiated Rate Transaction with Noble Energy, Inc., CNX, Hess Corporation, HG Energy, LLC,  
and Niagara Mohawk Power Corporation**

**DATE FILED:** October 31, 2012

**BACKGROUND:**

On October 31, 2012, Dominion tendered for filing certain tariff records for inclusion in its FERC Gas Tariff, Fourth Revised Volume No. 1, to submit five negotiated rate transactions – three new agreements and modifications to two previously approved negotiated rate agreements with Noble Energy, Inc., CNX, Hess Corporation, HG Energy, LLC, and Niagara Mohawk Power Corporation.

**ACTIVITIES:**

November 13, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-9-000**  
**Dominion Transmission, Inc.**  
**Abandonment of Expiring Firm Transportation Service Agreement with NSTAR Gas Company.**

**DATE FILED:** October 25, 2012

**BACKGROUND:**

On October 25, 2012, Dominion submitted an Abbreviated Application for Abandonment, which requests authorization to abandon an expiring firm transportation service agreement with NSTAR Gas Company.

**ACTIVITIES:**

November 16, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.



**Docket No. RP12-993-000**  
**Dominion Transmission, Inc.**  
**Challenges to Request for Partial Summary Disposition**

**DATE FILED:** November 16, 2012

**BACKGROUND:**

The parties opposing the Con Edison/PGW Request for partial summary disposition have raised a significant number of erroneous objections, factual assertions, and legal arguments, some of which are mutually inconsistent.

**ACTIVITIES:**

November 16, 2012 - The Presiding Judge is requested to find that Transco's proposed rates for its SunBelt, Pocono, Sundance, Momentum, and Potomac services are unjust and unreasonable because they are lower than Transco's proposed rates for identical Rate Schedule FT services. The Presiding Judge is further requested to require Transco to file revised tariff records, within 30 days of the date of his order, either rolling in the SunBelt, Pocono, Sundance, Momentum, and Potomac services into Rate Schedule FT or otherwise increasing the rates for those services to levels not below the rates for Rate Schedule FT.

**Docket No. RP12-91-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Collection of Penalty Revenue**

**DATE FILED:** November 9, 2012

**BACKGROUND:**

On November 9, 2012, pursuant to Section 54 of the General Terms & Conditions of Transco Fifth Revised Volume No. 1, Transco filed its report on penalty revenue collected, excluding cash out penalty revenue, net of cost, to firm and interruptible transportation and storage buyers.

**ACTIVITIES:**

November 21, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-279-000**  
**Texas Eastern Transmission, LP**  
**Modifications to Contracting for Service and Right of First Refusal Processes**

**DATE FILED:** November 15, 2012

**BACKGROUND:**

On November 15, 2012, Tetco tendered for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, the tariff records listed in Appendix A to become effective on January 1, 2013. Tetco is proposing to modify the General Terms and Conditions to reflect its current business practices and propose modifications for the contracting for service and right of first refusal processes.

**ACTIVITIES:**

November 27, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-318-000**  
**Texas Eastern Transmission, LP**  
**Pregranted Abandonment of Service to Central Hudson**

**DATE FILED:** November 28, 2012

**BACKGROUND:**

On November 28, 2012, Tetco submitted for filing as part of its FERC Gas Tariff, Eighth Revised Volume No. 1, a certain tariff record to be effective on January 1, 2013. Section 3.13(B) of the General Terms and Conditions of the Tariff contains a list of service agreements that are not subject to pregranted abandonment and that may be abandoned by Texas Eastern only upon receipt of Commission approval under Section 7(b) of the NGA. Tetco is proposing to modify the Service Agreement List to delete Contract No. 412002 with Central Hudson Gas and Electric Corporation which was terminated effective as of the end of the October 31, 2012, gas day as a result of a notice of termination sent by Central Hudson to Texas Eastern in accordance with the provisions of Contract No. 412002. On September 6, 2012, Texas Eastern filed, pursuant to section 7(b) of the NGA and part 157 of the Commission's regulations, a request in Docket No. CP12-515-000 for permission to abandon the service provided to Central Hudson pursuant to Rate Schedule SS. By Letter Order issued on October 2, 2012, the Commission granted the requested permission to abandon the storage service to Central Hudson.

**ACTIVITIES:**

December 10, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-318-005**  
**Texas Eastern Transmission, LP**  
**Reservation Charge Adjustments**

**DATE FILED:** November 5, 2012

**BACKGROUND:**

On November 5, 2012, the Companies submitted their protest of Texas Eastern's tariff filing in Docket No. RP12-318-004. The Companies explained that proposed GT&C Section 31.3 listed fact patterns under which Texas Eastern's customers would not be entitled to Reservation Charge Adjustments. The first of these was:

due to the conduct of Customer, including, without limitation, the refusal to accept delivery of any Quantity of Gas that Pipeline has made available for delivery...

The Companies protested the above-quoted language because it was inconsistent with Texas Eastern's GT&C Section 5.4, which gives Texas Eastern's customers the right to refuse delivery of gas that does not meet Texas Eastern's gas quality specifications. GT&C Section 5.4 provides, in applicable part:

If the gas tendered by Pipeline for Customer's account shall fail at any time to conform to any of the specifications set forth in this Section 5 then Customer shall notify Pipeline of such deficiency and may, at its option, refuse to accept delivery pending correction by Pipeline.

The Companies noted that while Texas Eastern had not reflected gas quality concerns in proposed Section 31.3(i), it had reflected such concerns in proposed Section 31.4(v). That section would require a customer to attest that "the Gas that Customer either tendered or would have tendered would have been acceptable pursuant to the provisions of Pipeline's FERC Gas Tariff." The Companies argued that if Texas Eastern is to require its customers to attest to the quality of gas in Section 31.4(v), it should not be permitted to deny customers reservation charge adjustments when those customers exercise their rights under Texas Eastern's tariff to refuse to accept gas that does not meet the gas quality requirements of Texas Eastern's GT&C Section 5.

In response to the Companies' protest, Texas Eastern proposes to amend Section 31.3(i) to read as follows. The underscoring below reflects additional language proposed by Texas Eastern.

due to the conduct of Customer, including, without limitation, the refusal to accept delivery of any Quantity of Gas that Pipeline has made available for delivery...; provided, however, if Customer's refusal to accept delivery is pursuant to Section 5.4 of these General Terms and Conditions, then customer may be entitled to a decrease in its Reservation Charge notwithstanding this Section 31.3 if Customer refused to accept delivery at the applicable Point(s) of Delivery each and any time that Customer had the right to refuse to accept delivery of gas at such point pursuant to Section 5.4 of these General Terms and Conditions during the seven-Day period preceding the outage or other event that results in Pipeline failing to deliver any Quantity of Gas to the Customer;

As may be seen, rather than simply proposing to grant reservation charge adjustments when its customers refuse to accept gas pursuant to GT&C Section 5.4, Texas Eastern proposes an additional hurdle for the customers to cross. That is, Texas Eastern would withhold reservation charge adjustments unless the customers also had refused to accept gas whenever they had the right to do so pursuant to Section 5.4 within the prior seven days. As demonstrated by the three examples presented below, Texas Eastern's proposal is inadequate.

Example 1:

In this scenario, Texas Eastern has tendered gas that does not meet its specification for the maximum nitrogen content of the gas it delivers to a customer with an LNG peak shaving facility. The customer knows that its facility can accept a limited amount of gas that exceeds Texas Eastern's tariff maximum for nitrogen, but cannot accept an unlimited amount of such gas. Accordingly, the customer accepts the out-of-spec gas on Day 1, but refuses it on Day 2. Under these circumstances, Texas Eastern would deny the customer reservation charge credits. Texas Eastern has not shown this result to be just and reasonable.

Example 2:

In this scenario, Texas Eastern tenders gas on Day 1 that exceeds the maximum allowable nitrogen content on Day 1 and exceeds the maximum CO<sub>2</sub> content on Day 2. The customer accepts the out-of-spec gas on Day 1, because its system can tolerate the excess nitrogen content, but refuses the gas on Day 2, because its system cannot tolerate the excess CO<sub>2</sub> content. Under Texas Eastern's proposal, the customer would not be eligible for a reservation charge adjustment. Again, Texas Eastern has not demonstrated that the result is of its proposal is just and reasonable.

Example 3:

In this example, Texas Eastern delivers gas that does not meet its quality specifications on Day 1, a warm winter day. The customer accepts the gas because of the low volume involved and/or its ability to blend low volumes. The next day is colder and the customer wants to take a higher percentage of its MDQ. However, the gas again does not meet Texas Eastern's gas quality specifications and the customer refuses the gas. Once again, Texas Eastern's proposal would deny reservation charge credits notwithstanding the fact that Texas Eastern's November 26 filing does not demonstrate that its proposal is just and reasonable in these circumstances.

**ACTIVITIES:**

December 10, 2012 - The Companies respectfully request the Commission to find that Texas Eastern's has not demonstrated that proposed GT&C Section 31.3(i) is just and reasonable. The Companies further request the Commission to require Texas Eastern to provide reservation charge adjustments whenever the customer declines to accept deliveries pursuant to GT&C Section 5.4.

**Docket No. RP13-332-000**  
**Dominion Transmission, Inc.**  
**Negotiated Rate Agreement with Range Resources**

**DATE FILED:** November 30, 2012

**BACKGROUND:**

On November 30, 2012, DTI submitted for filing a tariff record for Fourth Revised Volume No. 1 to revise Tariff Record No. 40.46.5, which reflects the pool operators who have the 2009 IOGA Negotiated Rates for gathering and products extraction services to include Range Resources.

**ACTIVITIES:**

December 12, 2012 - Philadelphia Gas Works ("PGW") filed a motion to intervene to protect its interest in this case.

**Docket No. RP13-993-000**  
**Transcontinental Gas Pipe Line Company, LLC**  
**Request for Interlocutory Appeal**

**DATE FILED:** December 18, 2012

**BACKGROUND:**

Transcontinental Gas Pipe Line Company, LLC ("Transco") has proposed incremental rates for five expansion projects that are lower than its rolled-in rates under Rate Schedule FT. That proposal is flatly contrary to *Iroquois Gas Transmission System, L.P.*, 101 FERC ¶ 61,131 at P 25 (2002) ("*Iroquois*"), which held that "The Commission will only approve incremental rates if they are no lower than the existing Part 284 rates."

Relying on *Iroquois*, Con Edison/PGW sought an order from the PALJ granting partial summary disposition, *i.e.*, finding Transco's proposal to be unjust and unreasonable and requiring Transco to submit a compliance filing proposing just and reasonable rates. The PALJ denied the Con Edison/PGW motion,<sup>3</sup> finding *Iroquois* inapposite because it addressed the establishment of initial rates as part of a certificate proceeding and finding the Commission's 1999 Certificate Policy Statement<sup>4</sup> inapplicable as a matter of law to rate case proceedings. The Con Edison/PGW motion and the PALJ's erroneous conclusions of law raise threshold issues that should be resolved by the Commission prior to the hearing. The Commission resolved similar threshold issues in a prior Transco rate case and should do so here as well so as to facilitate the hearing, which should not be conducted against a background of PALJ orders that are clearly inconsistent with Commission precedent.

**ACTIVITIES:**

December 18, 2012 - Philadelphia Gas Works ("PGW") filed a motion requesting that their motion for interlocutory appeal be granted.