

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Southern Star Central Gas Pipeline, Inc.

Docket No. RP21-778-005

ORDER OF CHIEF JUDGE GRANTING MOTION FOR INTERIM
IMPLEMENTATION OF SETTLEMENT RATES, EXCLUDING ONE TARIFF
SHEET

(Issued April 1, 2022)

1. On March 22, 2022, Southern Star Central Gas Pipeline, Inc. (Movant) filed an *Unopposed Motion to Place Interim Rates into Effect and to Waive Answer Period* (Motion). Pursuant to Rule 213(d)(1), the Motion is subject to a 15-day answer period,¹ running from its respective filing date “unless otherwise ordered.”² Movant represents that the Motion is unopposed,³ and after Movant filed the Motion, no answers to the Motion were received. Therefore, for good cause shown, Movant’s request to waive the Motion’s answer period is hereby granted.

2. Section 307(a)(7)(v) requires a determination that implementation of the interim rates results in lower rates during the pendency of Commission action on the Settlement.⁴

¹ The request to waive the answer period is also subject to a 5-day answer period. 18 C.F.R. § 385.213(d)(1)(i) (2021).

² *Id.*; *id.* § 385.213(d)(1).

³ *See* Motion at 1 (“[Movant] has circulated a draft of this Motion to all participants, and none have expressed opposition.”).

⁴ 18 C.F.R. § 375.307(a)(7)(v) (2021) (requiring also that motions requesting interim rates be “uncontested”); *see also* Chief Administrative Law Judge’s Notices to the Public, Motions to Place Interim Settlement Rates into Effect, Docket No. AD20-12-000 (issued May 29, 2020), also available at <https://www.ferc.gov/administrative->

On March 29, 2022, because Movant's Motion had failed to provide the information necessary to make the required determination at that time, an *Order to Supplement the Record* was issued, which directed Movant to file a supplemental motion providing the additional needed information.⁵

3. On March 31, 2022, as directed, Movant filed *Supplemental Motion to Supplement the Record and to Waive Answer Period* (Supplemental Motion).⁶ Together, the Motion and Supplemental Motion relate to a concurrently filed offer of settlement (Settlement), which if approved by the Commission would "resolv[e] all issues set for hearing and paper hearing in this proceeding[.]" according to Movant.⁷ In both the Motion and Supplemental Motion, Movant requests interim implementation of the rates proposed in the Settlement (Settlement Rates), effective as of April 1, 2022. However, in the Supplemental Motion, Movant revised its original request and asked that the Chief Judge *not* authorize interim implementation of Revised Sheet No. 12A.⁸

[litigation-0](#) (providing guidance for motions to place interim settlement rates into effect).

⁵ *Order to Supplement the Record*, at P 2 (Mar. 29, 2022) (directing Movant to answer "the following questions: [(1)] Confirm that there are no customers subject to Movant's minimum rates for Commodity–STS-M and Authorized Overrun–STS-M. Alternatively, demonstrate that the increases in these minimum rates are offset by decreases in other rate components in the applicable services. [(2)] Confirm that there are no customers subject to Movant's minimum rates for Commodity – SFT-M and Authorized Overrun – SFT-M. Alternatively, demonstrate that the increases in these minimum rates are offset by decreases in other rate components in the applicable services. [(3)] Confirm that there are no customers subject to the minimum commodity rate for ITS-M service. Alternatively, demonstrate that the increase in this minimum rate is offset by decreases in other rate components in the applicable services. [(4)] Explain how the increase to injection and withdrawal charges applicable to customers under rate schedules FS1 and IS1 results in a "lower interim settlement rate" as contemplated in 18 C.F.R. §375.307(a)(1)(iv).").

⁶ Because the Supplemental Motion was filed to provide supplemental information to an uncontested Motion, the Supplemental Motion's answer period is hereby waived, as requested, pursuant to 18 C.F.R. § 385.213(d)(1).

⁷ Motion at 3.

⁸ Supplemental Motion at 3 ("... Southern Star moves to withdraw the proposed Fifth Revised Sheet No. 12A, reflecting the increase in these injection and withdrawal charges, from Appendix A attached to its March 22 Motion. As a result, the currently

4. Excluding Revised Sheet No. 12A, pursuant to Section 307(a)(7)(V), it is found that the interim rates set forth in this uncontested⁹ Motion constitute a reduction. Movant provides tracked-change tariff sheets that comprehensively show overall rate decreases for each rate schedule's maximum charges¹⁰ and, as clarified in the Supplemental Motion, show that increased minimum charges impact no customers.¹¹ Therefore, the interim rates are lower than the currently effective rates. Accordingly, it is found that implementing the interim rates is in the public interest. Doing so will permit the reduced rates to be placed into effect pending the Commission's consideration of the Settlement.

5. Accordingly, the requested interim Settlement Rates are hereby accepted,¹² excluding Revised Sheet No. 12A.¹³ With the exclusion, Movant is hereby authorized to implement the Settlement Rates effective as of April 1, 2022. With the exclusion, the interim Settlement Rates shall remain in effect pending the Commission's consideration of the Settlement and will be subject to refund or surcharge, pending the outcome of the proceeding.

effective rates for those components will remain in effect so that the implementation of the interim rates results in no increase in the FS1 and IS1 injection and withdrawal rates.”).

⁹ See *supra* note 3 & P 1.

¹⁰ Motion at Apps. A-C.

¹¹ Supplemental Motion at 2 (“Minimum rates are only applicable when Southern Star is not charging the maximum rate, i.e., charging a discounted rate. Southern Star has reviewed all of its discount agreements effective on or after April 1, 2022, when the interim rates are requested to go into effect, and confirms that no shippers are impacted by the changes in minimum rates.”). Therefore, by default, Movant confirms that charges from increases in the minimum rates do not overwhelm summed charges from other rate component decreases.

¹² Southern Star Central Gas Pipeline, Inc., Tariff Provisions, [Sheet No. 8, Statement of Rates for Transp. and Other Related Services \(8.0.0\)](#); [Sheet No. 9, \(7.0.0\)](#); [Sheet No. 10, \(7.0.0\)](#); [Sheet No. 11, \(9.0.0\)](#); [Sheet No. 12, \(7.0.0\)](#); [Sheet No. 136, \(2.0.0\)](#). The following is excluded from acceptance: Southern Star Central Gas Pipeline, Inc., Tariff Provisions, [Sheet No. 12A, \(5.0.0\)](#).

¹³ Southern Star Central Gas Pipeline, Inc., Tariff Provisions, [Sheet No. 12A, \(5.0.0\)](#).

6. The thirty (30) day prior notice and filing requirement of NGA section 4(d) is hereby waived so that the interim Settlement Rates, with the above-referenced exclusion, can be implemented effective as of April 1, 2022.

7. This Order terminates Docket No. RP21-778-005.

SO ORDERED.



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CARMEN CINTRON

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Carmen A. Cintron
Chief Administrative Law Judge