

**UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

Annual Charge Filing Procedures for  
Natural Gas Pipelines

)  
)

Docket No. RM12-14-000

**COMMENTS OF  
THE INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA**

Pursuant to the Federal Energy Regulatory Commission’s (FERC or Commission) “Notice of Proposed Rulemaking” (NOPR) on the annual charge filing procedures for natural gas pipelines,<sup>1</sup> the Interstate Natural Gas Association of America (INGAA) submits the following comments.

INGAA is a trade organization that advocates regulatory and legislative positions of importance to the natural gas pipeline industry in North America. INGAA is comprised of 25 members, representing the vast majority of major interstate natural gas transmission pipeline companies in the U.S. and comparable companies in Canada. INGAA’s members operate approximately 200,000 miles of pipeline, and serve as an indispensable link between natural gas suppliers and consumers.

**BACKGROUND**

The Commission is proposing to amend its regulations at 18 C.F.R. § 154.402 to revise the filing requirements for natural gas pipelines that choose to recover Commission-assessed annual charges through an annual charge adjustment (ACA) clause. The Commission is proposing to eliminate the annual filing requirement<sup>2</sup> to reflect a revised ACA unit charge authorized by the Commission for each fiscal year. In its place, the Commission proposes to

---

<sup>1</sup> *Annual Charge Filing Procedures for Natural Gas Pipelines*, Notice of Proposed Rulemaking, 141 FERC ¶ 61,035 (2012).

<sup>2</sup> 18 C.F.R. § 154.402(a)(2012).

require pipelines to make a one-time compliance filing to incorporate into their tariffs the Commission-authorized ACA unit charge by referencing the FERC's website, <http://www.ferc.gov>.<sup>3</sup>

## COMMENTS

INGAA is supportive of the Commission's proposal described above and appreciates the Commission's continued efforts to reduce regulatory filing burdens on pipelines. INGAA, however, noticed that the time gap between the Final Rule's compliance filing date and the October 1, 2013 tariff record effective date could cause an additional, unintentional filing burden on both pipelines and the Commission, as well as cause a pipeline and its customers unnecessary confusion as to the currently effective pipeline tariff and rates. INGAA offers a possible solution below.

As proposed in the NOPR, a pipeline must make a compliance tariff filing to incorporate the ACA unit charge by referencing the FERC website 30 days after the Final Rule is published in the Federal Register. This compliance filing must request an effective date of October 1, 2013.<sup>4</sup> INGAA notes that many pipelines list the ACA unit charge on the same tariff sheet or section as other applicable rates or charges, such as fuel percentages. Since a pipeline may propose intervening rate or fuel changes that pertain to the same tariff record as the ACA unit charge during the time between the proposed ACA compliance filing date and the October 1, 2013 effective date, this could necessitate a "clean-up" filing to reflect both the ACA change and the intervening rate changes on the tariff record to be effective on October 1, 2013 and could cause a pipeline and its customers unnecessary confusion as to the currently effective tariff and pipeline rates.

---

<sup>3</sup> NOPR at P. 9.

<sup>4</sup> NOPR at P. 14.

Accordingly, to eliminate confusion and unnecessary filings, INGAA suggests that the Commission require a pipeline to submit its compliance filing 30 or 60 days prior to the proposed October 1, 2013 effective date.

To illustrate INGAA's concern, please consider the following hypothetical example. If the Final Rule is published in the Federal Register on January 1, 2013, a pipeline would be required to file its compliance filing 30 days later on January 31, 2013. The proposed tariff records could be designated Version 2 with the required effective date of October 1, 2013. Many pipelines list the ACA unit charge and other applicable rates or charges, such as fuel percentages, on the same tariff sheets or sections. If, for example, a pipeline proposes on March 1, 2013 to change its fuel percentage(s) on the tariff rate records to be effective on April 1, 2013, and the Commission accepts the fuel filing, the pipeline's revised tariff records (Version 3) only would reflect the new fuel changes and not take into account the ACA change because the ACA compliance filing would not be effective yet. This fuel filing also would have a later tariff version number than the ACA compliance filing yet have an earlier effective date.

In addition, once the ACA compliance tariff records become effective on October 1, 2013, the pipeline's tariff sheets or sections including the ACA change would not reflect the intervening fuel changes proposed in the March 1 filing because they were not included on the earlier Version 2 tariff records. The pipeline then would need to submit an additional "clean-up" tariff filing to reflect both the fuel percentage(s) that became effective on April 1, 2013 and still are in effect on October 1, 2013, and the ACA change. The need for this additional tariff filing runs counter to the purpose of the NOPR – to reduce regulatory filing burdens.

## CONCLUSION

INGAA recommends that the Commission modify its NOPR to require a pipeline to submit its compliance filing 30 or 60 days prior to the October 1, 2013 effective date. This would substantially reduce the time gap between the compliance deadline and the October 1, 2013 effective date, which would reduce the chance that a pipeline could make an intervening rate or other tariff filing which could necessitate an additional “clean-up” filing. This also would alleviate any potential confusion a pipeline and its customers may have over applicable rates.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joan Dreskin".

Joan Dreskin  
General Counsel  
Interstate Natural Gas  
Association of America  
20 F Street, N.W.  
Washington, D.C. 20001  
(202) 216-5928  
[jdreskin@ingaa.org](mailto:jdreskin@ingaa.org)

DATE: November 28, 2012