UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Gulf South Pipeline Company, LP	)	Docket No. RP12-813-000
Gulf Crossing Pipeline Company LLC	)	Docket No. RP12-814-000
Texas Gas Transmission, LLC	)	Docket No. RP12-820-000
		(Not consolidated)

MOTION FOR LEAVE TO INTERVENE OF
THE NATURAL GAS SUPPLY ASSOCIATION,
THE INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA,
THE PROCESS GAS CONSUMERS GROUP, AND
THE AMERICAN PUBLIC GAS ASSOCIATION

Pursuant to Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (the "Commission"), 18 C.F.R. §§ 385.212 and 214 (2011), the Natural Gas Supply Association ("NGSA"), the American Public Gas Association ("APGA"), the Independent Petroleum Association of America ("IPAA"), and the Process Gas Consumers Group ("PGC") (collectively, the "Associations") hereby move for leave to intervene in the above-captioned proceedings.

I. IDENTITY OF THE ASSOCIATIONS

NGSA represents integrated and independent companies that produce and market natural gas in the United States on issues that broadly affect the natural gas industry. NGSA is the voice of suppliers and marketers who find, sell, transport and deliver approximately 30 percent of the United States' natural gas supply. Established in 1965, NGSA encourages the use of natural gas within a balanced national energy policy and promotes the benefits of competitive markets to ensure reliable and efficient transportation and delivery of natural gas and to increase the supply of natural gas to U.S. consumers. Natural gas produced and marketed by NGSA's members is transported on virtually all of the interstate natural gas pipelines regulated by the Commission.

IPAA represents the companies that drill 95 percent of America's onshore and offshore oil and natural gas wells. America's independents produce 54 percent of American oil and produce 85 percent of American natural gas.

APGA is the national association for publicly-owned natural gas distribution systems. There are approximately 1,000 public gas systems in 36 states and almost 700 of these systems are APGA members. Publicly-owned gas systems are not-for-profit, retail distribution entities owned by, and accountable to, the citizens they serve. They include municipal gas distribution systems, public utility districts, county districts, and other public agencies that have natural gas distribution facilities. APGA members purchase interstate natural gas transportation services at rates and under terms and conditions that are regulated by the Commission.

PGC is a trade association of industrial consumers of natural gas, organized to promote the development and adoption of coordinated, rational, and consistent federal and state policies with respect to gas service to industrial gas users. PGC members own and operate hundreds of plants in virtually every state in the nation. PGC members own and operate manufacturing facilities that consume natural gas delivered through interstate natural gas pipelines systems throughout the U.S.

II. COMMUNICATIONS

Communications regarding this request should be directed to the following individuals:

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* Persons designated for official service pursuant to Rule 2010, 18 C.F.R. § 385.2010 (2010).[1]

III. BACKGROUND

On November 17, 2010, the Associations filed a petition asking that the Commission exercise its Natural Gas Act ("NGA") Section 5 authority to enforce its policy regarding pipeline crediting during outages and order pipelines to amend their tariffs in accordance with Commission policy ("Petition").[2] As a result, the Commission issued its order in *Natural Gas Supply Ass'n*, 135 FERC ¶ 61,055 (2011) ("Order On Petition"), urging all pipelines to review their tariffs to determine whether their individual tariffs are in compliance with Commission

[1] Due to the joint nature of this motion, the Associations respectfully request a waiver of the requirements of Section 385.203 of the Commission's regulations to allow the inclusion of more than two persons on the service list in this proceeding.

[2] *Pipeline Credits During Outages*, Petition By The Natural Gas Supply Association, The Independent Petroleum Association Of America, The Process Gas Consumers Group, The American Public Gas Association And The American Forest And Paper Association Requesting The Federal Energy Regulatory Commission To Enforce Its Policies On Pipeline Credits During Outages, Docket No. RP11-1538-000 (November 17, 2010).

policy regarding demand charge credits. In response to the Order On Petition, Gulf South Pipeline Company, LP ("Gulf South") and Gulf Crossing Pipeline Company LLC ("Gulf Crossing"), and Texas Gas Transmission, LLC ("Texas Gas") (collectively, the "Boardwalk Pipelines"), made tariff filings pertaining to demand charge credits in the above-captioned dockets.[3] These filings propose to amend the tariffs of the Boardwalk Pipelines to broaden the definition of *force majeure* in order to include:

> any testing, repair, replacement, refurbishment, or maintenance activity, including scheduled maintenance, to comply with the Pipeline Safety, Regulatory Certainty and Job Creation Act of 2011 ("2011 Act"), requirements issued by the Pipeline and Hazardous Materials Safety Administration ("PHMSA") pursuant to the 2011 Act, requirements resulting from PHMSA's ongoing gas rulemaking proceedings . . .[4]

IV. MOTION FOR LEAVE TO INTERVENE

The Associations would first like to emphasize their commitment to pipeline safety efforts and to express their full supports to such efforts.

As organizations representing shippers that use gas transported on the Boardwalk Pipelines' systems, the Associations have an interest in these proceedings. The Associations are interested in and affected by the results of these proceedings and the Associations' interest, as representing the interests of customers and consumers, is stated in and protected by Rule 214(b)(2)(ii).[5]

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3 *See Gulf South Pipeline Company, LP*, Demand Charge Credits, RP12-813-000 (June 20, 2012); *Gulf Crossing Pipeline Company LLC*, Demand Charge Credits, RP12-814-000 (June 20, 2012); *Texas Gas Transmission, LLC,* Demand Charge Credits, RP12-820-000 (June 27, 2012) (collectively, the "Demand Charge Credits Filings").

4 *See*, proposed amendments to Section 6.21.5.2 of the Gulf South, Section 6.21.5(1) of the Gulf Crossing, and Section 6.24.4.2 of Texas Gas tariff General Terms and Conditions ("GT&C").

5 18 C.F.R. 385.214(b)(2)(ii) (2011).

In addition, as petitioners in the proceeding resulting in the Commission's Order on Petition, which is the source of the Demand Charge Credits Filings, the Associations have an interest in ensuring that, consistent with the Commission's obligation to maintain just and reasonable rates and terms and conditions, the Commission's policy on reservation charge credits during outages is consistently and rationally applied by pipelines. As mentioned above, the Boardwalk Pipelines are proposing to broaden definition of *force majeure* in order to include "testing, repair, replacement, refurbishment, or maintenance activity, including scheduled maintenance, to comply with" various regulations. The Associations are concerned that any broadening of the *force majeure* definition to include "scheduled maintenance" would have the effect of thwarting the Commission's crediting policy.[6]

V. CONCLUSION

Wherefore, for the foregoing reasons, the Associations respectfully request that they be permitted to intervene in, and be made a party to, the subject proceeding, with all rights attendant thereto.

[6] As noted by the Associations in the Petition, "[o]verly-broad tariff definitions of a *force majeure* event have the effect of thwarting the Commission's crediting policy, which requires that full reservation charge credits be given to shippers in the case of non-force majeure outages." Petition at 19.

Respectfully submitted,

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July 2, 2012

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Commission Secretary in these proceedings.

Dated at Washington, DC this 2ND day of July, 2012.

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