

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

Midwestern Gas Transmission Company  
Docket No. RP23-898-000

Issued: August 9, 2023

On July 14, 2023, Midwestern Gas Transmission Company (Midwestern) filed a tariff record<sup>1</sup> reflecting the assignment of a firm negotiated rate transportation service agreement under Rate Schedule FT-A with BP Canada Energy Marketing Corporation (BP Canada) (Contract Number FA0844) to an affiliated company, BP Energy Company (BP Energy). Midwestern states that on June 9, 2023, the Commission granted temporary and limited waiver of the related capacity release tariff provisions of Midwestern's tariff<sup>2</sup> and BP Canada and BP Energy requested Midwestern's consent to the assignment of Contract Number FA0844. Waiver of the Commission's 30-day notice requirement is granted. Pursuant to authority delegated to the Director, Division of Pipeline Regulation, under 18 C.F.R. § 375.307, the tariff record is accepted, effective August 1, 2023, as requested.

The filing was publicly noticed. No protests or adverse comments were filed. Pursuant to Rule 214 of the Commission's regulations (18 C.F.R. § 385.214), notices of intervention, timely-filed motions to intervene, and any unopposed motions to intervene out-of-time filed before the issuance date of this order are granted.

This action shall not be construed as a waiver of the requirements of section 7 of the Natural Gas Act, as amended; nor shall it be construed as constituting approval of the referenced filing or of any rate, charge, classification, or any rule, regulation, or practice affecting such rate or service contained in the applicant's tariff; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; and such acceptance is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the applicant.

---

<sup>1</sup> Midwestern Gas Transmission Company, Midwestern - FERC Gas Tariff, [Part 6.0, Statement of Negotiated Rates \(6.0.0\)](#).

<sup>2</sup> *BP Canada Marketing Energy Corp., BP Energy Company*, 183 FERC ¶ 61,175 (2023).

This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Issued by: Marsha K. Palazzi, Director, Division of Pipeline Regulation

July 14, 2023

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

Re: Midwestern Gas Transmission Company  
Tariff Volume No. 1  
Update to Part 6.0 – Statement of Negotiated Rates  
Docket No. RP23-898-000

Dear Ms. Bose:

Pursuant to section 4 of the Natural Gas Act<sup>1</sup> (“NGA”) and part 154<sup>2</sup> of the Regulations of the Federal Energy Regulatory Commission (“Commission”), Midwestern Gas Transmission Company (“Midwestern”) respectfully submits the revised tariff record listed below as part of its FERC Gas Tariff, Volume No. 1 (“Tariff”). The proposed Tariff revision is submitted to become effective August 1, 2023:

Part 6.0, Statement of Negotiated Rates, v. 6.0.0

**Statement of Nature, Reasons, and Basis**

Midwestern submits for filing and acceptance the proposed Tariff amendment to reflect the assignment of a previously approved negotiated rate agreement for firm transportation service with BP Canada Energy Marketing Corp. (“BP Canada”) to an affiliated company, BP Energy Company (“BP Energy”). The existing agreement with BP Canada, Contract Number FA0844 (“FA0844”), was previously included in the Statement of Negotiated Rates in Part 6.0 of Midwestern’s Tariff on November 1, 2006, in Docket No. RP97-14-016.<sup>3</sup> All negotiated rate terms remain unchanged and no amendment to the existing conforming agreement terms has been made.

On April 25, 2023, BP Canada and BP Energy filed a joint petition with the Commission requesting waivers of the Commission’s capacity release regulations and policies to facilitate the assignment and permanent release of capacity under certain natural gas transportation service agreements in Docket No. RP23-708-000. On June 9, 2023, the Commission granted

---

<sup>1</sup> 15 U.S.C. § 717c.

<sup>2</sup> 18 C.F.R. part 154.

<sup>3</sup> *Midwestern Gas Transmission Company*, Letter Order dated November 30, 2006, Docket No. RP 97-14-016.

Ms. Kimberly D. Bose, Secretary

July 14, 2023

Page 2 of 3

temporary and limited waivers of capacity release regulations and its policies in order to facilitate the assignment and permanent release of capacity under certain natural gas transportation service agreements between BP Canada and several interstate pipelines. The order also granted temporary and limited waiver of the related capacity release tariff provisions of the affected interstate pipelines.<sup>4</sup> BP Canada and BP Energy recently requested Midwestern's consent to the assignment of FA0844. Pursuant to its Tariff's General Terms & Conditions Section 14.2 Assignments of Obligations Subject to Laws and Regulatory Approvals, Midwestern consented to the assignment. The revised tariff record submitted herein updates the contract holder name for the assigned Contract FA0844 in the Statement of Negotiated Rates in Part 6.0 of Midwestern's Tariff to reflect the assignment to BP Energy. Midwestern requests that the Commission accept the revised tariff record effective August 1, 2023.

### **List of Materials Enclosed**

In accordance with section 154.4 of the Commission's Regulations, Midwestern states that the following items are included in this filing:

1. an eTariff XML filing package containing the proposal in electronic format;
2. a transmittal letter in PDF format, which incorporates the Statement of Nature, Reasons and Basis for the filing required by section 154.7(a)(6) of the Commission's Regulations;
3. Appendix A – a clean version of the tariff records in PDF format for publishing in eLibrary; and
4. Appendix B – a marked version of the tariff records in PDF format for publishing in eLibrary.

### **Proposed Effective**

Pursuant to section 154.7(a)(3) of the Commission's regulations, Midwestern respectfully requests that the tariff records submitted herewith be approved by the Commission effective August 1, 2023. In accordance with section 154.7(a)(9) of the Commission's regulations, Midwestern hereby files to place the revised tariff records into effect at the end of any suspension period if one is so ordered by the Commission in this proceeding.

### **Request for Waivers**

Pursuant to Section 154.7(a)(9) of the Commission's Regulations, Midwestern requests that the proposed tariff record submitted herewith be accepted effective August 1, 2023. Midwestern respectfully requests the Commission grant waiver of Section 154.207 of the

---

<sup>4</sup> The petition identified contracts between BP Canada Marketing Energy Corp. and Midwestern Gas Transmission as one which it sought waiver. *See BP Canada Marketing Energy Corp., BP Energy Company*, 183 FERC ¶ 61,175, at P 1 n.1 (2023).

Ms. Kimberly D. Bose, Secretary

July 14, 2023

Page 3 of 3

Commission's Regulations and any other waivers of its Regulations that it deems necessary to allow the proposed tariff record in this filing to become effective on August 1, 2023, on less than 30 days' notice.

**Service and Correspondence**

In accordance with section 154.208 of the Commission's regulations, the undersigned certifies that a copy of this filing has been served electronically on Midwestern's customers and affected state regulatory commissions. A paper copy of this filing may only be served if a customer has been granted waiver of electronic service pursuant to Part 390 of the Commission's regulations. In addition, a copy of this filing is available for public inspection during regular business hours at Midwestern's office at 100 West Fifth Street, Tulsa, Oklahoma 74103.

Midwestern respectfully requests that all Commission orders and correspondence, as well as pleadings and correspondence from other persons, concerning this filing be served upon:

Denise Adams Director, Regulatory Affairs ONEOK, Inc. 100 West 5th Street Tulsa, Oklahoma 74103 (918) 732-1408 Email: regulatoryaffairs@oneok.com	Lisa Nishimuta Legal Counsel, Regulatory ONEOK, Inc. 100 West 5th Street Tulsa, Oklahoma 74103 (918) 588-7730 Email: lisa.nishimuta@oneok.com
---	---

Questions pertaining to this filing may be directed to any of the individuals listed above.

Pursuant to section 385.2005 and section 385.2011(c)(5) of the Commission's regulations, the undersigned has read this filing and knows its contents, and the contents are true as stated, to the best knowledge and belief of the undersigned.

Respectfully submitted,

/s/ Denise Adams

Denise Adams  
Director, Regulatory Affairs  
ONEOK, Inc.  
100 West 5th Street  
Tulsa, Oklahoma 74103

Attachments

# Appendix A

## Clean Tariff Records

STATEMENT OF NEGOTIATED RATES 1/, 3/

<u>Shipper Name</u>	<u>Contract Number</u>	<u>Rate Schedule</u>	<u>Transportation Quantity Dth/d</u>	<u>Demand Charge 2/</u>	<u>Commodity Rate</u>	<u>Primary Receipt Point Name</u>	<u>Primary Delivery Point Name</u>
BP Energy Company	FA0844	FT-A	7,506	\$2.06	Maximum	Joliet – ANR	Whitesville, KY
Spark Energy Gas, L.L.C.	FA0846	FT-A	24,517	\$2.06	Maximum	Will County	Portland

- 1/ Unless otherwise noted, negotiated contracts do not deviate in any material respect from the applicable form of service agreement set forth in Company's FERC Gas Tariff.
- 2/ Unless otherwise noted, rates are inclusive of all surcharges and reflect a monthly demand rate.
- 3/ Unless otherwise noted, this Tariff section reflects the essential elements of the negotiated contracts, including a specification of all consideration.

# Appendix B

## Marked Tariff Records



STATEMENT OF NEGOTIATED RATES 1/, 3/

<u>Shipper Name</u>	<u>Contract Number</u>	<u>Rate Schedule</u>	<u>Transportation Quantity Dth/d</u>	<u>Demand Charge 2/</u>	<u>Commodity Rate</u>	<u>Primary Receipt Point Name</u>	<u>Primary Delivery Point Name</u>
<del>BP Energy Company BP Canada Energy Marketing Corp.</del>	FA0844	FT-A	7,506	\$2.06	Maximum	Joliet – ANR	Whitesville, KY
Spark Energy Gas, L.L.C.	FA0846	FT-A	24,517	\$2.06	Maximum	Will County	Portland

- 1/ Unless otherwise noted, negotiated contracts do not deviate in any material respect from the applicable form of service agreement set forth in Company's FERC Gas Tariff.
- 2/ Unless otherwise noted, rates are inclusive of all surcharges and reflect a monthly demand rate.
- 3/ Unless otherwise noted, this Tariff section reflects the essential elements of the negotiated contracts, including a specification of all consideration.