



Tuscarora has circulated a draft of this Motion to the active participants, and none has expressed opposition. In light of the lack of opposition, Tuscarora requests that the Chief Administrative Law Judge waive the answer period for the Motion and act expeditiously to allow the lower interim settlement rates to take effect as of February 1, 2023.

## I. BACKGROUND

On July 29, 2022, Tuscarora initiated a general rate case pursuant to NGA section 4 and Part 154 of the Commission’s regulations (“Rate Case Filing”).<sup>5</sup> The revised tariff sheets effectuated changes in the rates applicable to Tuscarora’s various services. On August 31, 2022, the Commission issued its “Order Accepting and Suspending Tariff Records, Subject to Refund and Establishing Hearing Procedures.”<sup>6</sup> The Commission accepted Tuscarora’s proposed tariff records subject to refund, suspended their effectiveness for the maximum five-month period to be effective February 1, 2023, and established an evidentiary hearing to explore all issues presented in the Rate Case Filing.

On January 31, 2023, Tuscarora submitted: (a) a filing to move to place the suspended tariff sections contained in the Rate Case Filing that were not subject to modification into effect on February 1, 2023; and (b) a separate filing to move to place certain updated tariff sections contained in the Rate Case Filing into effect on February 1, 2023.

Tuscarora, Commission Trial Staff, and the active participants have engaged in extensive and comprehensive settlement negotiations. As a result of these negotiations, the participants reached a settlement in principle to resolve all issues in this proceeding, and the Settlement that Tuscarora is currently drafting reflects that agreement. Tuscarora anticipates that the Settlement

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<sup>5</sup> 18 C.F.R. pt. 154 (2022).

<sup>6</sup> *Tuscarora Gas Transmission Co.*, 180 FERC ¶ 61,147 (2022) (“Suspension Order”).

will be uncontested. As part of the Settlement, Tuscarora agreed that it would file a motion as soon as practicable to place reduced transportation, storage, and gathering rates into effect on an interim basis effective as of February 1, 2023.

## **II. MOTION TO PLACE INTERIM SETTLEMENT RATES INTO EFFECT**

The Chief Administrative Law Judge may approve “uncontested motions that would result in lower interim settlement rates, pending Commission action on settlement agreements.”<sup>7</sup> Tuscarora circulated a draft of this Motion on March 2, 2023. No participant has indicated that it opposes the Motion.

Tuscarora hereby moves to place the interim settlement rates reflected in the tariff sections included in Appendix A hereto into effect as of February 1, 2023 to provide Tuscarora’s customers with immediate rate relief.<sup>8</sup> Tuscarora further requests that the Chief Judge grant any and all waivers necessary to allow the interim settlement rates to become effective February 1, 2023.

Tuscarora has attached as Appendix A hereto clean tariff records providing the interim settlement rates, as well as redlined tariff records, attached hereto as Appendix B, comparing the interim settlement rates to Tuscarora’s currently effective rates. The redlined tariff records demonstrate that the interim settlement rates are lower than Tuscarora’s currently effective rates.

This Motion is expressly conditioned upon Tuscarora’s right to reinstate its currently effective rates and its right to collect appropriate surcharges in the event that the Settlement does

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<sup>7</sup> 18 C.F.R. § 375.307(a)(7)(v) (2022).

<sup>8</sup> There are no previous tariff filings with later effective dates that may potentially supersede the interim rate tariff records. The Settlement provides for rates for two periods. The Period 1 rates, which are equal to the interim settlement rates shown in Appendix A, are to be effective until January 31, 2025, and the lower Period 2 rates will become effective from February 1, 2025 through the term of the settlement. The particular terms and conditions of the Settlement, including without limitation all rates for Period 1 and Period 2, will be reflected in Tuscarora’s upcoming filing for approval of the same.

not become effective as proposed. Specifically, in the event that the Commission does not approve the Settlement, or the Settlement otherwise fails to become effective, Tuscarora shall retain the right to reinstate the currently effective rates, effective February 1, 2023. In such a case, Tuscarora shall, notwithstanding any other provision of law, be entitled to collect a surcharge to recover the difference between the interim settlement rates and the currently effective rates, plus interest at the applicable Commission interest rate, such that the status quo as it existed prior to the Settlement and the effectiveness of the interim settlement rates is restored.

### **III. MOTION TO WAIVE ANSWER PERIOD**

Given that Tuscarora is unaware of any opposition to this Motion and believes the Motion is unopposed, including the motion to waive the answer period, Tuscarora respectfully requests that the filing deadline for any answers to this Motion be waived. Waiving the answer period will ensure that the lower interim rates may become effective. Accordingly, good cause exists to grant this Motion.

WHEREFORE, Tuscarora respectfully requests that the Chief Administrative Law Judge:

(i) waive the answer period to this Motion; and (ii) expeditiously grant this Motion to place the interim settlement rates into effect on February 1, 2023.

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Respectfully submitted,

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*Counsel for Tuscarora Gas  
Transmission Company*

Dated: March 3, 2023

**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 Secretary in this proceeding pursuant to 18 C.F.R. § 385.2010(f)(2).

Dated at Houston, Texas this 3<sup>rd</sup> day of March, 2023.

/s/ Jonathan Scullion  
Jonathan Scullion  
Manager, Tariffs  
Tuscarora Gas Transmission Company

## **APPENDIX A**

# Appendix A

*Tuscarora Gas Transmission Company*  
*FERC Gas Tariff, Second Revised Volume No. 1*  
Docket No. RP22-1072-000, *et. al.*

## Clean Tariff Records

<u>Record No.</u>	<u>Description</u>	<u>Version</u>
4.1	Statement of Rates, Rate Schedule FT and LFS Rates	13.0.0
4.3	Statement of Rates, Rate Schedule IT Rates	13.0.0
4.5	Statement of Rates, Rate Schedule PL Rates	5.0.0

RATE SCHEDULES FT and LFS  
 CURRENTLY EFFECTIVE RATES 1/

Reservation Charge	(Maximum)	\$ 7.1500
	(Minimum)	\$ 0.0000
Delivery Charge	(Maximum)	\$ 0.0050
	(Minimum)	\$ 0.0050
Authorized Overrun Charge	(Maximum)	\$ 0.2401
	(Minimum)	\$ 0.0050
Annual Charge Adjustment		2/
Fuel and Line Loss Percentage 4/	(Maximum)	2.0%
	(Minimum)	(2.0%)
Volumetric Reservation Charge for Capacity Release		\$ 0.2401 3/

RATE SCHEDULES FT-TXP – TUSCARORA XPRESS SERVICE  
 CURRENTLY EFFECTIVE RATES 1/

Reservation Charge	(Maximum)	\$8.9276
	(Minimum)	\$0.0000
Delivery Charge	(Maximum)	\$0.0027
	(Minimum)	\$0.0027
Authorized Overrun Charge	(Maximum)	\$0.2962
	(Minimum)	\$0.0027
Annual Charge Adjustment		2/
Fuel and Line Loss Percentage 4/	(Maximum)	2.0%
	(Minimum)	(2.0%)
Volumetric Reservation Charge for Capacity Release		\$0.2962 3/

1/ For scheduling, imbalance and unauthorized overrun charges see General Terms and Conditions, Section 6.6. Maximum and minimum rates are applicable to backhaul service.

- 2/ The Annual Charge Adjustment (ACA) is in addition to the above Delivery Charge and the Authorized Overrun Charge. The currently effective ACA unit charge as published on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) is incorporated herein by reference.
- 3/ The Maximum Rate does not apply to capacity release transactions of one (1) year or less.
- 4/ The current Fuel and Line Loss Percentage can be found on Transporter's Internet website.

IT RATE SCHEDULE  
CURRENTLY EFFECTIVE RATES 1/

Delivery Charge (Maximum)	\$ 0.2401
(Minimum)	\$ 0.0050
Annual Charge Adjustment	2/
Fuel and Line Loss Percentage 3/ (Maximum)	2.0%
(Minimum)	(2.0%)

- 1/ For scheduling and imbalance charges see General Terms and Conditions, Section 6.6. Maximum and minimum rates are applicable to backhaul service.
- 2/ The Annual Charge Adjustment (ACA) is in addition to the above Delivery Charge. The currently effective ACA unit charge as published on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) is incorporated herein by reference.
- 3/ The current Fuel and Line Loss Percentage can be found on Transporter's Internet website.

PL RATE SCHEDULE  
CURRENTLY EFFECTIVE RATES

Delivery Charge: (Maximum)	\$ 0.2401
(Minimum)	\$ 0.0000

## **APPENDIX B**

# Appendix B

*Tuscarora Gas Transmission Company*  
*FERC Gas Tariff, Second Revised Volume No. 1*  
Docket No. RP22-1072-000, *et. al.*

## Marked Tariff Records

<u>Record No.</u>	<u>Description</u>	<u>Version</u>
4.1	Statement of Rates, Rate Schedule FT and LFS Rates	13.0.0
4.3	Statement of Rates, Rate Schedule IT Rates	13.0.0
4.5	Statement of Rates, Rate Schedule PL Rates	5.0.0

RATE SCHEDULES FT and LFS  
 CURRENTLY EFFECTIVE RATES 1/

	Reservation Charge	(Maximum)	\$ <del>8.8999</del> <u>7.1500</u>
		(Minimum)	\$ 0.0000
	Delivery Charge	(Maximum)	\$ 0.0050
		(Minimum)	\$ 0.0050
	Authorized Overrun Charge	(Maximum)	\$ <del>0.2976</del> <u>0.2401</u>
		(Minimum)	\$ 0.0050
	Annual Charge Adjustment		2/
	Fuel and Line Loss Percentage 4/	(Maximum)	2.0%
		(Minimum)	(2.0%)
	Volumetric Reservation Charge for Capacity Release		\$ <del>0.2976</del> <u>0.2401</u> 3/

RATE SCHEDULES FT-TXP – TUSCARORA XPRESS SERVICE  
 CURRENTLY EFFECTIVE RATES 1/

	Reservation Charge	(Maximum)	\$ <del>10.4829</del> <u>8.9276</u>
		(Minimum)	\$0.0000
	Delivery Charge	(Maximum)	\$0.0027
		(Minimum)	\$0.0027
	Authorized Overrun Charge	(Maximum)	\$ <del>0.3473</del> <u>0.2962</u>
		(Minimum)	\$0.0027
	Annual Charge Adjustment		2/
	Fuel and Line Loss Percentage 4/	(Maximum)	2.0%
		(Minimum)	(2.0%)
	Volumetric Reservation Charge for Capacity Release		\$ <del>0.3473</del> <u>0.2962</u> 3/

1/ For scheduling, imbalance and unauthorized overrun charges see General Terms and Conditions, Section 6.6. Maximum and minimum rates are applicable to backhaul service.

- 2/ The Annual Charge Adjustment (ACA) is in addition to the above Delivery Charge and the Authorized Overrun Charge. The currently effective ACA unit charge as published on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) is incorporated herein by reference.
- 3/ The Maximum Rate does not apply to capacity release transactions of one (1) year or less.
- 4/ The current Fuel and Line Loss Percentage can be found on Transporter's Internet website.

IT RATE SCHEDULE  
CURRENTLY EFFECTIVE RATES 1/

Delivery Charge (Maximum)	\$ <del>0.2976</del> <u>0.2401</u>
(Minimum)	\$ 0.0050
Annual Charge Adjustment	2/
Fuel and Line Loss Percentage 3/ (Maximum)	2.0%
(Minimum)	(2.0%)

- 1/ For scheduling and imbalance charges see General Terms and Conditions, Section 6.6. Maximum and minimum rates are applicable to backhaul service.
- 2/ The Annual Charge Adjustment (ACA) is in addition to the above Delivery Charge. The currently effective ACA unit charge as published on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) is incorporated herein by reference.
- 3/ The current Fuel and Line Loss Percentage can be found on Transporter's Internet website.

PL RATE SCHEDULE  
CURRENTLY EFFECTIVE RATES

	Delivery Charge: (Maximum)	\$ <del>0.2976</del> <u>0.2401</u>
	(Minimum)	\$ 0.0000