

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

Northwest Pipeline LLC

)

Docket No. RP17-346-000

**UNOPPOSED PETITION TO AMEND SETTLEMENT
AGREEMENT TO
EXTEND MANDATORY FILING DATE BY TWO MONTHS
AND REQUEST FOR EXPEDITED ACTION
BY JULY 29, 2022**

Pursuant to Rule 207(a)(5) of the Federal Energy Regulatory Commission's ("Commission") Rules of Practice and Procedure, 18 C.F.R. § 385.207(a)(5), Northwest Pipeline LLC ("Northwest") submits this unopposed petition for approval of the agreement between Northwest and the Settling Parties (see Appendix A) to extend by two months Northwest's rate filing requirement under its prior rate settlement in this docket. This petition confirms the agreement in principle between Northwest and the Settling Parties to enter into a pre-filing settlement in lieu of Northwest submitting a general rate case under section 4 of the Natural Gas Act ("NGA"), 15 U.S.C. § 717c, and requests an extension of time to document the settlement in principle so that it may be submitted to the Commission. Absent the agreement to extend Northwest's filing requirement, Northwest would be required to file a general section 4 rate case so that rates, with notice and suspension, would become effective no later than January 1, 2023 (i.e., rates would be filed by July 1, 2022). Northwest and the Settling Parties have agreed to a settlement in principle that would place rates into effect no later than January 1, 2023. The parties agree to amend Northwest's filing obligation to extend the filing date under the prior settlement for a rate case from July 1, 2022 to August 31, 2022. This extension will allow Northwest and the Settling Parties additional time to memorialize and file the pre-filing

settlement. The parties request expedited Commission action on this petition by July 29, 2022, given the July 1, 2022 filing date contemplated by the settlement. In support hereof, Northwest shows as follows:

I. BACKGROUND

On August 18, 2017, in Docket No. RP17-346-000, the Commission approved the Stipulation and Settlement Agreement (“2017 Settlement”),¹ which Northwest submitted for approval on January 23, 2017, as a pre-filing settlement in lieu of a general section 4 rate case. The 2017 Settlement, among other things, set forth settlement rates and established a filing requirement under which Northwest must file a general section 4 rate case with rates to be effective no later than January 1, 2023. 2017 Settlement at Article XII, Section 12.4. Thus, to be compliant with the filing requirement, and to accommodate a five-month suspension period, Northwest would be required to file its rate case by July 1, 2022.

To avoid the time and expense of litigation, Northwest, its customers, and other stakeholders have engaged in pre-filing settlement discussions and have reached a settlement in principle to submit a pre-filing settlement in lieu of filing a general section 4 rate case to satisfy Northwest’s filing requirement.

II. PETITION FOR APPROVAL

Northwest and the Settling Parties have agreed to amend Article XII, Section 12.4 of the 2017 Settlement to replace the requirement to file a rate case with rates to become effective January 1, 2023 with the requirement that Northwest either submit an offer of

¹ *Northwest Pipeline LLC*, 160 FERC ¶ 61,008 (2017).

settlement (reflecting the terms of the settlement in principle reached by Northwest and the Settling Parties) by August 31, 2022 or file a rate case with rates to become effective March 1, 2023. Thus, the amendment extends Northwest's rate case filing obligation to August 31, 2022, which will provide additional time for the parties to memorialize and file a pre-filing settlement in lieu of Northwest filing a general rate case.

Additionally, and to eliminate any risk to customers, if the offer of settlement is not submitted to the Commission by August 31, 2022, and instead Northwest submits a rate case filing by August 31, 2022, Northwest and the Settling Parties have also agreed to amend Article XII of the 2017 Settlement to add a new Section 12.5, which provides:

If at the conclusion of the NGA Section 4 general rate case filed pursuant to Article XII, Section 12.4, the Commission fixes just and reasonable base tariff rates for service by Northwest at a level less than Northwest's current base tariff rates, then in addition to any Commission's ordered refund of amounts collected above Northwest's current base tariff rates, Northwest will further refund with interest amounts collected between Northwest's current base tariff rates and the just and reasonable rates fixed by the Commission for service over the fifty-nine (59) days immediately preceding the Commission's order fixing the new rates. Such refund will be paid within thirty (30) days after the Commission's order.

This amendment ensures that the parties have sufficient time to document the pre-filing settlement, but if the parties are unable to submit the settlement and Northwest is required to file and litigate a general rate case pursuant to Article XII, Section 12.4, the Settling Parties will be held harmless from the change in comeback date, because they will not pay the rates from 2017 Settlement for a period any longer than if they had not agreed to extend the filing date in Article XII, Section 12.4.

Accordingly, Northwest, with the support or non-opposition of the Settling Parties, petitions the Commission for approval of this amendment.

The Commission has encouraged natural gas companies and their customers to resolve differences over rates before making any filing with the Commission,² because it enables the quick processing of a rate change “without the expense of a hearing and lengthy litigation.”³ The settlement in principle successfully resolves issues that may have been in dispute in a practical and carefully constructed fashion, eliminating the need for testimony, discovery, hearing, and briefing of the matters resolved. The avoidance of litigation and resulting better use of resources is a valuable outcome, benefiting the participants, the Commission, and the public interest. Therefore, Northwest submits that extending the date of the rate case filing requirement by two months is in the public interest.

III.
REQUEST FOR EXPEDITED ACTION BY JULY 29, 2022,
AND FOR SHORTENED COMMENT PERIOD

Northwest, with the support or non-opposition of the Settling Parties, requests that the Commission establish a shortened comment period and take expedited action on this petition by July 29, 2022. Expedited action is appropriate, as it will allow Northwest and the Settling Parties to focus on achieving a pre-filing settlement rather than preparing for a rate case proceeding. A shortened comment period is appropriate, given that to the best of Northwest’s belief this petition is unopposed by the Settling Parties, who include the parties to the 2017 Settlement that established Northwest’s current rates that are still active on Northwest’s system and filing requirement as well as any other firm shippers on the

² See *Dominion Transmission, Inc.*, 111 FERC ¶ 61,285, at P 30 (2005).

³ *Dominion Transmission*, 111 FERC ¶ 61,285, at P 30.

Northwest's system. Accordingly, the Commission should establish a shortened comment period to allow the Commission to grant the relief requested herein by July 29, 2022.

**IV.
CORRESPONDENCE AND COMMUNICATION**

All correspondence and communications regarding this filing should be addressed to the following:

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* Persons designated for official service pursuant to Rule 2010.

V.
CONCLUSION

WHEREFORE, Northwest respectfully requests that the Commission establish a shortened comment period and grant this petition by July 29, 2022, which will approve the agreement by Northwest and the Settling Parties to extend by two months Northwest's filing requirement under the prior settlement in this docket and to hold Northwest's customers harmless from such extension. Northwest further requests that the Commission grant any other authorizations or waivers that may be necessary to grant, and allow Northwest to implement, the relief requested herein.

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Respectfully submitted,



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**ATTORNEYS FOR
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June 30, 2022

APPENDIX A

Settling Parties

SETTLING PARTIES

Northwest believes the entities listed below either support or do not oppose the foregoing Amendment to the Settlement.

Alliance of Western Energy Consumer
Avista Corporation
Black Hills Service Company
BP Energy Company
Cardinal FG Company
Cascade Kelly Holdings LLC dba Columbia Pacific Bio-Refinery Cascade
Natural Gas Corporation
Chevron U.S.A. Inc.
Citadel Energy Marketing LLC
City of Blanding
City Of Ellensburg
City Of Enumclaw
Clearwater Paper Corporation
Cyanco Company, LLC
EP Minerals, LLC
Evraz Inc. NA
FortisBC Energy Inc.
Frederickson Power LP
Georgia-Pacific LLC
Harvey's Tahoe Management Co., Inc.
Idaho Power Company Idahoan Foods, LLC
IGI Resources, Inc.
Intermountain Gas Company
International Paper
Kinect Energy Group
Longview Fibre Paper and Packaging, Inc.
Newmont USA Ltd
Nippon Dynawave Packaging Co.
Northwest Natural Gas Company
North Pacific Paper Company, LLC
Northwest Pipeline LLC
Occidental Energy Marketing, Inc.
Pacificorp
Portland General Electric Company
Premier Entertainment Tahoe, LLC dba Montbleu Resort
Public Utility District No. 1 of Clark County Puget Sound Energy, Inc.
Questar Gas d/b/a Dominion Energy Utah
Roseburg Forest Products

Shell Energy North America (US), L.P.
Sierra Pacific Power Company
Six One Commodities LLC
Southwest Gas Corporation
Tenaska Marketing Ventures
The Boeing Company
Town Of Rangely
United States Gypsum Company
Weyerhaeuser NR Company

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.

Dated at Houston, Texas this 30th day of June 2022.

A handwritten signature in black ink that reads "Bela Patel". The signature is written in a cursive style with a large initial "B".

Bela Patel