

on file with the Commission and are available for public inspection.

**Lois D. Cashell,**

*Secretary.*

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[Docket No. RP95-7-003]

**Mississippi River Transmission Corp.; Compliance Filing**

February 8, 1995.

Take notice that on February 3, 1995, Mississippi River Transmission Corporation (MRT), submitted for filing the following tariff sheets listed below to its FERC Gas Tariff, Third Revised Volume No. 1:

	Proposed effective date
Second Substitute First Revised Sheet No. 127.	November 1, 1994.
Second Substitute First Revised Sheet No. 213.	November 1, 1994.

MRT states that the purpose of the filing is to comply with the Commission's January 19, 1995, order by revising the tariff language on Sheet Nos. 127 and 224 to conform with the tariff language originally proposed by MRT in its October 7, 1994, filing in this proceeding.

MRT states that a copy of the filing has been mailed to each of its customers and the State Commissions of Arkansas, Illinois and Missouri.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). All such protests should be filed on or before February 15, 1995. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

**Lois D. Cashell,**

*Secretary.*

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[Docket No. CP95-198-000]

**Northern Natural Gas Co.; Request Under Blanket Authorization**

February 8, 1995.

Take notice that on February 3, 1995, Northern Natural Gas Company

(Northern), P.O. Box 3330, Omaha, Nebraska 68103-0330, filed in Docket No. CP95-198-000 a request pursuant to §§ 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.212) for authorization to upgrade an existing delivery point to accommodate increased natural gas deliveries to Northern States Power (Minnesota) (NSP-M), under the blanket certificate issued in Docket No. CP82-401-000, pursuant to Section 7(c) of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Northern proposes to upgrade an existing town border station (Kandiyohi #1 Town Border Station) located in Kandiyohi County, Minnesota, to accommodate increased natural gas deliveries to NSP-M for commercial, industrial and residential end-use under Northern's currently effective service agreement with NSP-M. Northern estimates increased peak day and annual volumes through the upgraded town border station of 720 Mcf and 91,980 Mcf, respectively. Northern estimates a cost of upgrading the delivery point of \$3,500 and indicates that the costs would be financed in accordance with the General Terms and Conditions of Northern's FERC Gas Tariff, Fifth Revised Volume No. 1.

Northern advises that the total volumes to be delivered to the customer after the request do not exceed the total volumes authorized prior to the request. Also, Northern indicates that the proposed activity is not prohibited by its existing tariff and that it has sufficient capacity to accommodate the changes proposed herein without detriment or disadvantage of Northern's other customers.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for

authorization pursuant to Section 7 of the Natural Gas Act.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 95-3574 Filed 2-13-95; 8:45 am]

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[Docket No. MG95-4-000]

**Northwest Pipeline Corp.; Filing**

February 8, 1995.

Take notice that on February 2, 1995, Northwest Pipeline Corporation ("Northwest"), filed a "Petition of Northwest Pipeline Corporation For Waiver of Regulations." Northwest seeks waiver of the Federal Energy Regulatory Commission's marketing affiliate regulations described under Order Nos. 497 *et seq.*<sup>1</sup> and Order Nos. 566 *et seq.*<sup>2</sup> Northwest has entered into an agreement with Williams Energy Systems company ("WES") to act as administrator of WES' "Streamline" service which facilitates the engagement of buyers and sellers of natural gas at the interface between gas production areas and pipeline interconnections at the Rocky Mountain Market Center located in Opal, Wyoming. Northwest may, in the future, provide similar services for WES at other locations. The requested waiver is limited to Northwest's role, now and in the future, as administrator of this electronic gas trading service.

Northwest states that a copy of this Petition has been served to Northwest's

<sup>1</sup> Order 497, 53 FR 22139 (June 14, 1988), III FERC Stats. & Regs. ¶ 30,820 (1988); Order No. 497-A, *order on rehearing*, 54 FR 52781 (December 22, 1989), III FERC Stats. & Regs. 30,868 (1989); Order No. 497-B, *order extending sunset date*, 55 FR 53291 (December 28, 1990), III FERC Stats. & Regs. 30,908 (1990); Order No. 497-C, *order extending sunset date*, 57 FR 9 (January 2, 1992), III FERC Stats. & Regs. 30,934 (1991), rehearing denied, 57 FR 5815 (February 18, 1992), 58 FERC ¶ 61,139 (1992); *Tenneco Gas v. FERC* (affirmed in part and remanded in part), 969 F.2d 1187 (D.C. Cir. 1992); Order No. 497-D, *order on remand and extending sunset date*, III FERC Stats. & Regs. 30,958 (December 4, 1992), 57 FR 58978 (December 14, 1992); Order No. 497-E, *order on rehearing and extending sunset date*, 59 FR 243 (January 4, 1994), 65 FERC ¶ 61,381 (December 23, 1993); Order No. 497-F, *order denying rehearing and granting clarification*, 59 FR 15336 (April 1, 1994), 66 FERC ¶ 61,347 (March 24, 1994); and Order No. 497-G, *order extending sunset date*, 59 FR 32884 (June 27, 1994), III FERC Stats. & Regs. ¶ 30,996 (June 17, 1994).

<sup>2</sup> Standard of Conduct and Reporting Requirements for Transportation and Affiliate Transactions, Order No. 566, 59 FR 32885 (June 27, 1994), III FERC Stats. & Regs. ¶ 30,997 (June 17, 1994); Order No. 566-A, *order on rehearing*, 59 FR 52896 (October 20, 1994), 69 FERC ¶ 61,044 (October 14, 1994); Order No. 566-B, *order on rehearing*, 59 FR 65707 (December 21, 1994); 69 FERC ¶ 61,334 (December 14, 1994); *appeal docketed, Conoco, Inc. v. FERC*, D.C. Cir. No. 94-1745 (December 13, 1994).

jurisdictional customers and relevant State commissions by postage paid, U.S. Mail.

Any person desiring to be heard or protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with Rules 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214 (1994)). All such motions or protests should be filed on or before February 23, 1995. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

**Lois D. Cashell,**

Secretary.

[FR Doc. 95-3573 Filed 2-13-95; 8:45 am]

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**[Docket No. RM95-6-000]**

**Alternatives to Traditional Cost-of-Service Ratemaking for Natural Gas Pipelines; Request for Comments on Alternative Pricing Methods**

February 8, 1995.

The Federal Energy Regulatory Commission (Commission) requests comments on criteria to evaluate rates established through methods other than the traditional cost-of-service ratemaking method. The Commission's traditional approach to rate regulation sets an annual revenue requirement based on operating and capital costs occurring during a historical test period, adjusted for known and measurable changes expected to occur by the time suspended rates take effect. Rates are generally designed to recover the annual revenue requirement based on contract capacity entitlements and projected annual or seasonal volumes.

Recently, the Commission has received a number of requests from natural gas pipeline companies to approve rates based on various other pricing methods, some of which are cost-based, and some of which are not. For example, the Commission has approved a number of proposals for market-based rates for storage services.<sup>1</sup>

<sup>1</sup> Avoca Natural Gas Storage, 68 FERC ¶ 61,045 (1994); Koch Gateway Pipeline Co., 66 FERC ¶ 61,385 (1994); Bay Gas Storage Company, LTD, 66 FERC ¶ 61,354 (1994); Petal Gas Storage Co., 64 FERC ¶ 61,190 (1993); Transok, Inc., 64 FERC

In *Stingray Pipeline Company*,<sup>2</sup> the Commission approved a one-year experimental interruptible transportation rate based on costs allocated to Stingray's interruptible service, subject to a price cap. In *KN Interstate Gas Transmission Company (KN)*,<sup>3</sup> the Commission addressed KN's proposal to offer market-based rates and negotiated terms and conditions of service on its Buffalo Wallow System. Most recently, Florida Gas Transmission Company's section 4 filing in Docket No. RP95-103-000 included a "Market Matching Program," under which shippers would have the option of negotiating rates and terms of service different from the tariff rates and terms of service. Florida Gas also proposed an experimental inflation indexing mechanism for rate changes, using cost-of-service rates as the starting point.

The Commission is interested in developing a framework for analyzing proposals involving alternative pricing methods for natural gas pipelines. There are a number of different ratemaking methods that could be used instead of the traditional individual company embedded cost-of-service method. In addition to market-based pricing, there are a number of cost-based methods that vary from the individual company cost-of-service method traditionally used by the Commission. The Commission recognizes that it may be necessary to develop different criteria for evaluating alternative pricing proposals, depending upon the method proposed. To this end, the Commission's staff has prepared a paper, which is attached, proposing criteria for the evaluation of proposals for market-based rates. The staff paper draws from basic antitrust market power analysis, that has been used in the past by the Commission and in other contexts, to develop a proposed analytical framework to use in evaluating gas pipeline market-based rate proposals. The Commission is interested in receiving comments on all aspects of the staff paper, including the following:

1. a. Under what circumstances are market-based rates appropriate for natural gas pipelines and services regulated by the Commission?
- b. Please identify and discuss any legal issues, beyond those discussed in the staff paper, that should be considered.
2. a. Are the Department of Justice/Federal Trade Commission Horizontal Merger Guidelines, from which the staff proposal is drawn, the best framework to evaluate market

¶ 61,095 (1993); Richfield Gas Storage System, 59 FERC ¶ 61,316 (1992).

<sup>2</sup> 66 FERC ¶ 61,202 (1994).

<sup>3</sup> 68 FERC ¶ 61,401 (1994).

power in the interstate natural gas pipeline context?

b. Are there other approaches to evaluating market power that would be less burdensome?

3. a. Are the criteria proposed in the staff paper reasonable, too strenuous, or not strenuous enough?

b. Should the Commission use a different standard for different types of service, such as mainline transmission, storage, or market hub services?

4. a. Should the Commission consider treating companies with a small market share differently from larger or dominant sellers, and if so, under what circumstances?

b. How should the Commission view cases in which large sellers face large buyers (that is, where a single buyer represents a large share of a transporter's market)?

c. Can a buyer's monopsony power mitigate a seller's market power, and if so, how should the Commission analyze such cases?

5. Do commenters agree or disagree with staff's analysis that capacity release does not constitute a good alternative to firm transportation?

6. What procedures should the Commission employ to evaluate market-based rate proposals; should the Commission change its current policy of using declaratory orders or ruling on *pro forma* tariff sheets?

7. Are there particular requirements the Commission could impose that would increase the availability of shippers' service alternatives and mitigate the market power of a natural gas company that would not otherwise qualify for market-based pricing?

8. Are there regulatory policies or ratemaking methods that would better serve the Commission's regulatory goals of flexible, efficient pricing in today's environment? For example, should the Commission focus on "backstop" proposals, where pipelines would be free to negotiate rates and terms of service, so long as customers could always choose service under traditional cost-of-service rates and terms of service?

In addition, the Commission also invites comments on the criteria for evaluating incentive rate proposals. While the Commission currently has a policy for evaluating cost-based incentive rate proposals, to date no natural gas company has submitted a proposal in response to the Commission's invitation to submit incentive rate proposals for an experimental period. The Commission's October 30, 1992 policy statement on incentive regulation defined the essential elements of an incentive ratemaking policy and set guidelines for incentive rate proposals.<sup>4</sup> The policy statement adopted two general principles: That incentive regulation should encourage efficiency, and that starting rates under incentive regulation must conform to the Commission's

<sup>4</sup> Policy Statement on Incentive Regulation, 61 FERC ¶ 61,168 (1992).