

March 17, 2017

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

Re: ANR Pipeline Company

Non-Conforming Agreement

Docket No. RP17-

**ANR Pipeline Company** 

700 Louisiana Street, Suite 700 Houston, Texas 77002-2700

John A. Roscher Director, Rates & Regulatory

tel 832.320.5675 fax 832.320.6675

email John\_Roscher@TransCanada.com
web www.anrpl.com/company\_info/

#### Dear Ms. Bose:

Pursuant to Section 4 of the Natural Gas Act ("NGA") and Part 154 of the Federal Energy Regulatory Commission's ("FERC" or "Commission") regulations, ANR Pipeline Company ("ANR") hereby tenders for filing and acceptance revised tariff sections Part 1 – Table of Contents ("Table of Contents") and Part 6.28 – GT&C, Non-Conforming Agreements ("Section 6.28") to be part of its FERC Gas Tariff, Third Revised Volume No. 1 ("Tariff"), and a tariff record which includes one (1) Rate Schedule FTS-1 ("FTS") service agreement containing non-conforming provisions ("Agreement") that ANR has entered into with Shell Energy North America (US), L.P. ("Shell"), all of which are included as Appendix A.<sup>2</sup> ANR respectfully requests that the Commission accept the proposed tariff sections and Agreement to become effective April 1, 2017.

<sup>&</sup>lt;sup>1</sup> 18 C.F.R. Part 154 (2017).

<sup>&</sup>lt;sup>2</sup> Electronic Tariff Filings, 124 FERC ¶ 61,270 (2008) ("Order No. 714"). Order No. 714 at P 42. Order No. 714 states that "…non-conforming service agreements need not be divided, but can be filed as entire documents." ANR has elected to file the Agreement included herein as a whole document, in PDF format.

# Correspondence

The names, titles, mailing addresses, and telephone numbers of those persons to whom correspondence and communications concerning this filing should be addressed are as follows:

John A. Roscher
Director, Rates & Regulatory

\* Joan F. Collins
Manager, Tariffs and Compliance
ANR Pipeline Company
700 Louisiana Street, Suite 700
Houston, Texas 77002-2700
Tel. (832) 320-5651

E-mail: joan\_collins@transcanada.com

- \* David R. Hammel Senior Legal Counsel ANR Pipeline Company 700 Louisiana Street, Suite 700 Houston, Texas 77002-2700 Tel. (832) 320-5861
  - E-mail: dave\_hammel@transcanada.com
- \* Persons designated for official service pursuant to Rule 2010.

# Statement of the Nature, Reasons and Basis for Filing

ANR recently conducted a binding open season wherein Shell submitted a valid bid request and was awarded firm transportation service capacity as a result. Shell's bid form included language which ANR has incorporated in to the Further Agreement section of the Agreement (*i.e.*, Article 8) by the addition of fixed language (the "Provision"). The Provision deviates from ANR's applicable *pro forma* form of service agreement ("PFSA") in its Tariff. Specifically, the Provision provides that Shell reserves the right to move its primary delivery point to a future interconnect with Florida Gas Transmission Company, when such interconnect is in place, at the rate(s) set forth in the Agreement.

ANR submits that the Provision should not be deemed a material deviation, and respectfully requests that the Commission find this deviation to be immaterial, and accept the Agreement to become effective April 1, 2017. However, in the event the Commission finds that the Provision represents a material deviation under Commission policy, ANR respectfully requests that the Commission accept and approve the deviation as of the effective date of the Agreement, in as much as it does not change the conditions under which service is provided or present a risk of undue discrimination.

Pursuant to Section 154.112(b) and 154.201 of the Commission's regulations, ANR is filing herein a copy of the executed Agreement as tariff record 10.45, included within Appendix A, and a marked version of the Agreement in Appendix C to identify any differences from the PFSA contained in ANR's Tariff. Additionally, a revised Section 1-Table of Contents and revised Section 6.28-GT&C, Non-Conforming Agreements, are submitted herein as part of Appendix A to reflect the housing of the Agreement in ANR's Tariff.

To conform with Order No. 714, ANR is submitting the Agreement in its entirety as tariff record 10.45.<sup>3</sup> The tariff record includes the original agreement and any subsequent amendments.

ANR is requesting that the Commission accept the tariff sections and Agreement to become effective April 1, 2017.

# Request for Waiver and Effective Date

Due to administrative issues encountered in the execution of the Agreement, ANR was unable to timely file the Agreement with the Commission. Therefore, ANR respectfully requests that the Commission grant all waivers of its regulations, including waiver of Section 154.207, necessary to accept this filing, and accept the tariff records included as Appendix A, to become effective April 1, 2017.

# Other Filings Which May Affect This Proceeding

There are no other filings before the Commission that may significantly affect the changes proposed herein.

# Contents of Filing

In accordance with Section 154.7 of the Commission's regulations and Order No. 714, ANR is submitting the following XML filing package, which includes:

#### 1. This transmittal letter;

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<sup>&</sup>lt;sup>3</sup> Order No. 714 at P 13. Order No. 714 states that "...all new...agreements must be filed using the standards. Existing agreements need to be filed electronically only when they are revised."

2. Clean tariff sections and tariff record (Appendix A);

3. Marked tariff sections (Appendix B); and

4. Marked service agreement (Appendix C).

# Certificate of Service

As required by Sections 154.7(b) and 154.208 of the Commission's regulations, copies of this filing are being served on all of ANR's existing customers and interested state regulatory agencies. A copy of this letter, together with any other attachments, is available during regular business hours for public inspection at ANR's principal place of business.

Pursuant to Section 385.2005 and Section 385.2011(c) (5), the undersigned has read this filing and knows its contents, and the contents are true as stated, to the best of his knowledge and belief. The undersigned possesses full power and authority to sign such filing.

Any questions regarding this filing may be directed to Joan Collins at (832) 320-5651.

Respectfully submitted,

ANR PIPELINE COMPANY

John A. Roscher

Director, Rates & Regulatory

**Enclosures** 

# Appendix A

# ANR Pipeline Company FERC Gas Tariff, Third Revised Volume No. 1

# **Clean Tariff**

Tariff Se	<u>ections</u>			<u>Version</u>
1 –	TABLE OF CONTENTS			v.39.0.0
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Section 10 – Non-Conforming Agreements				
10.45	Shell Energy North America (US), L.	P. FTS-1	#129163	v.0.0.0

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Issued: March 17, 2017

Effective: April 1, 2017

Accepted:

# Non-Conforming Agreements

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Issued: March 17, 2017

Effective: April 1, 2017

Accepted:

# 6.28 NON-CONFORMING AGREEMENTS

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Contract No. 106102

2. Wisconsin Gas LLC, ETS Agreement, dated September 27, 2004.

Contract Nos. 107784, 108014

3. Wisconsin Public Service Corporation, ETS Agreement, dated October 22, 2004.

Contract No. 5500

4. Wisconsin Public Service Corporation, FTS-1 Agreement, dated October 22, 2004.

Contract No. 12000

- 5. Callon Petroleum Operating Company, Habanero Lease Dedication Agreement, dated December 1, 2003.
- 6. PXP Offshore LLC, Letter Agreement Regarding Natural Gas Reserve Commitment, dated September 1, 2002.
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Contract No. 107896

- 11. Conoco Phillips Company, Magnolia Lease Dedication Agreement, dated February 1, 2004.
- 12. Chevron U.S.A. Inc. & BHP Billiton Petroleum (Deepwater) Inc., Lease Dedication Agreement, dated November 14, 2001.

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   Contract Nos. 114369, 114370

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Contract No. 107873

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Contract No. 107893

47. Madison Gas and Electric Company, FTS-1 Agreement, dated April 8, 2008.

Contract No. 114512

48. Chevron U.S.A. Inc., PTS-2 Agreement, dated November 14, 2001.

Contract No. 107146

49. BHP Billiton Petroleum (Deepwater) Inc., PTS-2 Agreement, dated November 14, 2001.

Contract No. 107147

50. PXP Offshore LLC, PTS-2 Agreement, dated September 12, 2002.

Contract No. 108250

51. Wisconsin Electric Power Company, FSS Agreement, dated June 26, 2002.

Contract Nos. 107889, 107900, 107901

52. Wisconsin Gas LLC, FSS Agreement, dated October 10, 2007.

Contract No. 113715

53. Wisconsin Electric Power Company, FSS Agreement, dated October 10, 2007.

Contract No. 113729

54. Wisconsin Gas LLC, ETS Agreement, dated October 31, 2007.

Contract No. 113710

55. Wisconsin Electric Power Company, ETS Agreement, dated November 1, 2007.

Contract No. 114091

56. Vectren Energy Delivery of Ohio, Inc., ETS Agreements, dated May 20, 2015.

Contract Nos. 126278, 126279

57. Northern Illinois Gas Company d/b/a Nicor Gas Company, ETS Agreement dated December 2, 2015.

Contract No. 127096

58. Shell Energy North America (US), L.P., FTS-1 Agreement, dated February 27, 2017.

Contract No. 129163

ANR Pipeline Company FERC Gas Tariff Third Revised Volume No. 1 PART 10.45 10.45 – Non-Conf Agmt Shell Energy North America (US), L.P. FTS-1 Agmt (#129163) v.0.0.0

Firm Transportation Service Agreement Rate Schedule FTS-1

Shell Energy North America (US), L.P. (#129163)

Agreement Effective Date: April 1, 2017

Issued: March 17, 2017 (Option Code A)

Effective: April 1, 2017

Date: February 27, 2017

Contract No.: 129163

# FTS - 1 SERVICE AGREEMENT

This AGREEMENT is entered into by ANR Pipeline Company (Transporter) and SHELL ENERGY NORTH AMERICA (US), L.P. (Shipper).

WHEREAS, Shipper has requested Transporter to transport Gas on its behalf and Transporter represents that it is willing to transport Gas under the terms and conditions of this Agreement.

NOW, THEREFORE, Transporter and Shipper agree that the terms below, together with the terms and conditions of Transporter's applicable Rate Schedule and General Terms and Conditions of Transporter's Tariff constitute the Transportation Service to be provided and the rights and obligations of Shipper and Transporter.

#### 1. AUTHORITY FOR TRANSPORTATION SERVICE:

Pursuant to Part 284 of the Federal Energy Regulatory Commission's (FERC or Commission) Regulations.

2. RATE SCHEDULE: Firm Transportation Service (FTS - 1)

## 3. CONTRACT QUANTITIES:

Primary Routes- see Exhibit attached hereto

Such Contract Quantities shall be reduced for scheduling purposes, but not for billing purposes, by the Contract Quantities that Shipper has released through Transporter's capacity release program for the period of any release.

## 4. TERM OF AGREEMENT:

April 01, 2017 to

March 31, 2022

Right of First Refusal:

Not Applicable to this Agreement.

#### 5. RATES:

Maximum rates, charges, and fees shall be applicable for the entitlements and quantities delivered pursuant to this Agreement unless Transporter and Shipper have agreed otherwise as provided herein.

It is further agreed that Transporter may seek authorization from the Commission and/or other appropriate body at any time and from time to time to change any rates, charges or other provisions in the applicable Rate Schedule and General Terms and Conditions of Transporter's Tariff, and Transporter shall have the right to place such changes in effect in accordance with the Natural Gas Act. This Agreement shall be deemed to include such changes and any changes which become effective by operation of law and Commission order. Nothing contained herein shall be construed to deny Shipper any rights it may have under the Natural Gas Act, including the right to participate fully in rate or other proceedings by intervention or otherwise to contest changes in rates in whole or in part.

A. The rate for the Primary Route MDQ as listed in the attached Primary Route Exhibit and secondary receipts/deliveries as listed below shall be a Monthly Reservation Rate of \$0.9125 per dth and the applicable Commodity Rate. This rate shall be inclusive of any other adjustments or surcharges under Transporter's Tariff, not to exceed the total of Transporter's Maximum Reservation, Commodity and applicable surcharge rates. In addition, Shipper shall be charged any applicable ACA, Transporter's Use (Fuel %), EPC Charge (Electric Power Cost) and any other applicable governmental surcharges in accordance with Transporter's Tariff.

Secondary Receipt(s): All SE Area Points Secondary Delivery(ies): All SE Area Points

- B. The mutually agreed upon rate for the use of any point not listed in Paragraph A above shall be ANR's Maximum Applicable Reservation and Maximum Applicable Commodity Rates under FTS-1 service. In addition, Shipper shall be charged ACA, Transporter's Use (Fuel %) and EPC Charge (Electric Power Cost) and any other fees or surcharges under Transporter's Tariff.
- C. In addition, if one rate component which was at or below the applicable Maximum Rate at the time this discount agreement was executed subsequently exceeds the applicable Maximum Rate due to a change in Transporter's Maximum Rates so that such rate component must be adjusted downward to equal the new applicable Maximum Rate, then other rate components may be adjusted upward to achieve the agreed overall rate, as long as none of the resulting rate components exceeds the Maximum Rate applicable to that rate component. Such changes to rate components shall be applied prospectively, commencing with the date a Commission Order accepts revised tariff sheet rates. However, nothing contained herein shall be construed to alter a refund obligation under applicable law for any period during which rates that had been charged under a discount agreement exceeded rates, which ultimately are found to be just and reasonable.

## 6. INCORPORATION BY REFERENCE:

The provisions of Transporter's applicable Rate Schedule and the General Terms and Conditions of Transporter's Tariff are specifically incorporated herein by reference and made a part hereof.

#### 7. NOTICES:

All notices can be given by telephone or other electronic means, however, such notice shall be confirmed in writing at the addresses below or through Transporter's Internet website. Shipper or Transporter may change the addresses below by written notice to the other without the necessity of amending this agreement:

#### TRANSPORTER:

ANR Pipeline Company 700 Louisiana Street, Suite 700 Houston, Texas 77002-2700 Attention: Commercial Services

# SHIPPER:

SHELL ENERGY NORTH AMERICA (US), L.P.
1000 MAIN STREET
LEVEL 12
HOUSTON, TX 77002
Attention: CONTRACTS NORTH AMERICA

Telephone: 877-504-2491 FAX: 713-767-5644

E-mail:

# INVOICES AND STATEMENTS:

SHELL ENERGY NORTH AMERICA (US), L.P. 1000 MAIN STREET LEVEL 12 HOUSTON, TX 77002

Attention: GAS ACCOUNTING

Telephone: 713-767-5400 FAX: 713-767-5445

E-mail:

# 8. FURTHER AGREEMENT:

Shell Energy North America (US), LP reserves the right to move the delivery point to the future interconnect at Florida Gas Transmission once the East to West project is in place at the rate stated above.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed by their respective Officers or Representatives thereunto duly authorized to be effective as of the date stated above.

SHIPP	er: shell energy north america (us), L.P.		
Ву:	Lifa fl S		
Title:	Vice President, Gas Trading		
Date:	March 15, 2017		
TRAN	SPORTER: ANR PIPELINE COMPANY		
By:	Kaylemin		
Title:	Director, Transportation Accounting and Contracts		3/16/17
Dates	3/16/17	AN	1/11/
	DATE	Solly	3/16/17

Contract No: 129163

Rate Schedule: FTS-1

Contract Date: February 27, 2017

To Agreement Between

PRIMARY ROUTE EXHIBIT

Amendment Date:

ANR PIPELINE COMPANY (Transporter)

AND SHELL ENERGY NORTH AMERICA (US), L.P. (Shipper)

Receipt Location Name

Delivery Location Name

Annual MDQ (DTH)

Winter MDQ (DTH) Summer MDQ (DTH)

103565

42593

100000

0

0

S E HEADSTATION FROM: April 01, 2017 RIVERWAY (TO BRIDGELINE) TO: March 31, 2022

# **Appendix B**

# ANR Pipeline Company FERC Gas Tariff, Third Revised Volume No. 1

# **Marked Tariff**

<u>Tariff Section</u>	<u>Version</u>
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6.28 - GT&C, Non-Conforming Agreements	v.17.0.0

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Issued: March 17, 2017

Effective: April 1, 2017

Accepted:

# Non-Conforming Agreements

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2. Wisconsin Gas LLC, ETS Agreement, dated September 27, 2004.

Contract Nos. 107784, 108014

3. Wisconsin Public Service Corporation, ETS Agreement, dated October 22, 2004.

Contract No. 5500

4. Wisconsin Public Service Corporation, FTS-1 Agreement, dated October 22, 2004.

Contract No. 12000

- 5. Callon Petroleum Operating Company, Habanero Lease Dedication Agreement, dated December 1, 2003.
- 6. PXP Offshore LLC, Letter Agreement Regarding Natural Gas Reserve Commitment, dated September 1, 2002.
- 7. Kerr-McGee Oil & Gas Corp., Red Hawk Lease Dedication Agreement, dated September 12, 2002.
- 8. ExxonMobil Gas Marketing Company, Lease Dedication Agreement, dated November 1, 2002.
- 9. BP Exploration & Production, Inc., Red Hawk Lease Dedication Agreement, dated November 1, 2002.
- 10. Wisconsin Electric Power Company, ETS Agreement, dated September 27, 2004.

Contract No. 107896

- 11. Conoco Phillips Company, Magnolia Lease Dedication Agreement, dated February 1, 2004.
- 12. Chevron U.S.A. Inc. & BHP Billiton Petroleum (Deepwater) Inc., Lease Dedication Agreement, dated November 14, 2001.

13. City Gas Company, FTS-1 Agreement, dated June 28, 2004.

Contract No. 109610

14. Centra Gas Manitoba, Inc., FTS-1 Agreement, dated August 1, 2004.

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15. Wisconsin Electric Power Company, ETS Agreement, dated August 18, 2014.

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16. Antero Resources Corporation, FTS-1 Agreements, dated September 22, 2014.

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Contract Nos. 125723, 125724

- 18. Indeck-Corinth Limited Partnership and ABN-AMRO Bank, N.V., Acknowledgement and Consent, dated August 1, 2005.
- 19. Indeck-Corinth Limited Partnership and General Electric Capital Corporation, Acknowledgement and Consent, dated August 31, 2005.
- 20. Iowa Fertilizer Company LLC, FTS-1 Agreement, dated December 23, 2015.

Contract No. 127009

21. Midland Cogeneration Venture Limited Partnership, FTS-1 Agreements, dated May 23, 2006.

Contract Nos. 112546, 112547

22. Wisconsin Gas LLC, FTS-1 Agreement, dated April 21, 2003.

Contract No. 109212

23. Wisconsin Electric Power Company, FTS-1 Agreement, dated April 21, 2003.

Contract No. 109223

24. Wisconsin Gas LLC, ETS Agreement, dated October 17, 2003.

Contract No. 109854

25. Rice Energy Marketing LLC, FTS-1 Agreements, dated February 23, 2015.

Contract Nos. 125852, 125853, 125854

26. J. Aron & Company, FSS Agreement, dated January 29, 2016.

Contract No. 127260

27. Wisconsin Gas LLC, ETS Agreement, dated August 25, 2011.

Contract No. 118840

28. Wisconsin Gas LLC, ETS Agreement, dated June 27, 2002.

Contract Nos. 107877, 107879

29. Wisconsin Gas LLC, FSS Agreement, dated June 26, 2002.

Contract Nos. 107870, 107871, 107880, 107881

30. Wisconsin Electric Power Company, ETS Agreement, dated June 27, 2002.

Contract Nos. 107895, 107897, 107898, 107899

31. Wisconsin Gas LLC, NNS Agreement, dated June 27, 2002.

Contract No. 107995

32. Wisconsin Electric Power Company, NNS Agreement, dated June 27, 2002.

Contract No. 107997

33. Wisconsin Gas LLC, FSS Agreement, dated April 21, 2003.

Contract Nos. 109210, 109211

34. Wisconsin Gas LLC, ETS Agreement, dated April 21, 2003.

Contract No. 109218

- Wisconsin Electric Power Company, ETS Agreement, dated April 21, 2003.
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   Contract Nos. 114655, 114656
- Wisconsin Public Service Corporation, ETS Agreement, dated October 6, 2004.
   Contract Nos. 1600, 5450, 106322
- Wisconsin Public Service Corporation, NNS Agreement, dated October 6, 2004.
   Contract No. 99515
- 43. Wisconsin Public Service Corporation, FTS-1 Agreement, dated October 6, 2004. Contract Nos. 104404, 104405, 106199
- Wisconsin Public Service Corporation, FSS Agreement, dated March 28, 2008.
   Contract Nos. 114369, 114370

45. Wisconsin Gas LLC, ETS Agreement, dated June 26, 2002.

Contract No. 107873

46. Wisconsin Electric Power Company, ETS Agreement, dated June 26, 2002.

Contract No. 107893

47. Madison Gas and Electric Company, FTS-1 Agreement, dated April 8, 2008.

Contract No. 114512

48. Chevron U.S.A. Inc., PTS-2 Agreement, dated November 14, 2001.

Contract No. 107146

49. BHP Billiton Petroleum (Deepwater) Inc., PTS-2 Agreement, dated November 14, 2001.

Contract No. 107147

50. PXP Offshore LLC, PTS-2 Agreement, dated September 12, 2002.

Contract No. 108250

51. Wisconsin Electric Power Company, FSS Agreement, dated June 26, 2002.

Contract Nos. 107889, 107900, 107901

52. Wisconsin Gas LLC, FSS Agreement, dated October 10, 2007.

Contract No. 113715

53. Wisconsin Electric Power Company, FSS Agreement, dated October 10, 2007.

Contract No. 113729

54. Wisconsin Gas LLC, ETS Agreement, dated October 31, 2007.

Contract No. 113710

55. Wisconsin Electric Power Company, ETS Agreement, dated November 1, 2007.

Contract No. 114091

56. Vectren Energy Delivery of Ohio, Inc., ETS Agreements, dated May 20, 2015.

Contract Nos. 126278, 126279

57. Northern Illinois Gas Company d/b/a Nicor Gas Company, ETS Agreement dated December 2, 2015.

Contract No. 127096

58. Shell Energy North America (US), L.P., FTS-1 Agreement, dated February 27, 2017.

Contract No. 129163

Issued: March 17, 2017

Effective: April 1, 2017

Accepted:

# Appendix C ANR Pipeline Company Marked Agreements

1) Shell Energy North America (US), L.P. Rate Schedule FTS-1 Service Agreement (#129163)

#### FTS-1SERVICE AGREEMENT

This AGREEMENT is enteredinto by ANR Pipeline Company (Transporter) and SHELL ENERGY NORTH AMERICA (US), L.P. (Shipper).

WHEREAS, Shipper has requested Transporter to transport Gas on its behalf and Transporter represents that it is willing to transport Gas under the terms and conditions of this Agreement.

NOW, THEREFORE, Transporter and Shipper agree that the terms below, together with the terms and conditions of Transporter's applicable Rate Schedule and General Terms and Conditions of Transporter's Tariff constitute the Transportation Service to be provided and the rights and obligations of Shipper and Transporter.

## I. AUTHORITY FOR TRANSPORTATION SERVICE:

Pursuant to Part 284 of the Federal Energy Regulatory Commission's (FERC or Commission) Regulations.

2. RATE SCHEDULE: Firm Transportation Service (FTS-1)

## 3. CONTRACT QUANTITIES:

Primary Routes- see Exhibit attached hereto

Such Contract Quantities shall be reduced for scheduling purposes, but not for billing purposes, by the Contract Quantities that Shipper has released through Transporter's capacity release program for the period of any release.

# 4. TERM OF AGREEMENT:

April 01, 2017 to

March 31, 2022

Right of First Refusal:

Not Applicable to this Agreement.

#### 5. RATES:

Maximum rates, charges, and fees shall be applicable for the entitlements and quantities delivered pursuant to this Agreement unless Transporter and Shipper have agreed otherwise as provided herein.

It is further agreed that Transporter may seek authorization from the Commission and/or other appropriate body at any time and from time to time to change any rates, charges or other provisions in the applicable Rate Schedule and General Terms and Conditions of Transporter's Tariff, and Transporter shall have the right to place such changes in effect in accordance with the Natural Gas Act. This Agreement shall be deemed to include such changes and any changes which become effective by operation of law and Commission order. Nothing contained herein shall be construed to deny Shipper any rights it may have under the Natural Gas Act, including the right to participate fully in rate or other proceedings by intervention or otherwise to contest changes in rates in whole or in part.

A. The rate for the Primary Route MDQ as listed in the attached Primary Route Exhibit and secondary receipts/deliveries as listed below shall be a Monthly Reservation Rate of \$0.9125 per dth and the applicable Commodity Rate. This rate shall be inclusive of any other adjustments or surcharges under Transporter's Tariff, not to exceed the total of Transporter's Maximum Reservation, Commodity and applicable surcharge rates. In addition, Shipper shall be charged any applicable ACA, Transporter's Use (Fuel %), EPC Charge (Electric Power Cost) and any other applicable governmental surcharges in accordance with Transporter's Tariff.

Secondary Receipt(s): All SE Area Points Secondary Delivery(ies): All SE Area Points

- B. The mutually agreed upon rate for the use of any point not listed in Paragraph A above shall be ANR's Maximum Applicable Reservation and Maximum Applicable Commodity Rates under FTS-1 service. In addition, Shipper shall be charged ACA, Transporter's Use (Fuel %) and EPC Charge (Electric Power Cost) and any other fees or surcharges under Transporter's Tariff.
- C. In addition, if one rate component which was at or below the applicable Maximum Rate at the time this discount agreement was executed subsequently exceeds the applicable Maximum Rate due to a change in Transporter's Maximum Rates so that such rate component must be adjusted downward to equal the new applicable Maximum Rate, then other rate components may be adjusted upward to achieve the agreed overall rate, as long as none of the resulting rate components exceeds the Maximum Rate applicable to that rate component. Such changes to rate components shall be applied prospectively, commencing with the date a Commission Order accepts revised tariff sheet rates. However, nothing contained herein shall be construed to alter a refund obligation under applicable law for any period during which rates that had been charged under a discount agreement exceeded rates, which ultimately are found to be just and reasonable.

#### 6. INCORPORATION BY REFERENCE:

The provisions of Transporter's applicable Rate Schedule and the General Terms and Conditions of Transporter's Tariff are specifically incorporated herein by reference and made a part hereof.

#### 7. NOTICES:

All notices can be given by telephone or other electronic means, however, such notice shall be confirmed in writing at the addresses below or through Transporter's Internet website. Shipper or Transporter may change the addresses below by written notice to the other without the necessity of amending this agreement:

## TRANSPORTER:

ANR Pipeline Company 700 Louisiana Street, Suite 700 Houston, Texas 77002-2700 Attention: Commercial Services

#### SHIPPER:

SHELL ENERGY NORTH AMERICA (US), L.P. 1000 MAIN STREET LEVEL12 HOUSTON, TX 77002 · Attention: CONTRACTS NORTH AMERICA

Telephone: 877-504-2491 FAX: 713-767-5644

E-mail:

#### **INVOICES AND STATEMENTS:**

SHELL ENERGY NORTH AMERICA (US), L.P. 1000 MAIN STREET LEVEL12 HOUSTON, TX 77002

Attention: GAS ACCOUNTING

Telephone: 713-767-5400 FAX: 713-767-5445

E-mail:

## 8. FURTHERAGREEMENT:

Shell Energy North America (US), LP reserves the right to move the delivery point to the future interconnect at Florida Gas Transmission once the East to West project is in place at the rate stated above.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed by their respective Officers or Representatives thereunto duly authorized to be effective as of the date stated above.

SHIPPER	SHELLENERGYNORTH AMERICA (	(US), L.P,
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By:

Vice President, Gas Trading

Date:

Title:

March 15, 2017

TRANSPORTER: ANR PIPELINE COMPANY

By:

Director, Transportation Accounting and Contracts

3/16/17

DATE

Date:

Title:

4

- AR 3/16/17
1.6.3/16/17

Contract No: 129163 Rate Schedule: FTS-1

PRIMARY ROUTE EXHIBIT
To Agreement Between

Rate Schedule: FTS-1
Contract Date: February 27, 2017

ANR PIPELINE COMPANY (Transporter)

Amendment Date:

AND SHELL ENERGY NORTH AMERICA (US), L.P. (Shipper)

ReceiptDeliveryAnnualWinterSummerLocationLocationMDQMDQMDQNameName(DTH)(DTH)(DTH)

103565 42593 100000 0 0

SE HEADSTATION RIVERWAY (TO BRIDGELINE) FROM: April 01, 2017 TO: March 31, 2022