

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

ANR Pipeline Company)	Docket No. RP21-340-000
)	Docket No. RP21-794-000
)	(consolidated)

**MOTION OF
ANR PIPELINE COMPANY
TO WITHDRAW TARIFF FILING
IN DOCKET NO. RP21-340-000**

Pursuant to Section 154.205 of the Rules and Regulations of the Federal Energy Regulatory Commission (“Commission”),¹ ANR Pipeline Company (“ANR”) submits this motion to withdraw its entire tariff filing filed with the Commission on December 28, 2020 in Docket No. RP21-340-000 (“Tariff Filing”). ANR respectfully requests that the Commission issue an order granting this motion on or before May 20, 2022 to ensure that the previously effective tariff records are reflected in the Commission’s decision on ANR’s annual cashout surcharge filing, as described below.

I. BACKGROUND

On December 28, 2020, ANR submitted revised tariff records to modify its Cashout and Trading of Monthly Imbalances provisions in Section 6.15 of the General Terms and Conditions (“GT&C”) of its FERC Gas Tariff, Third Revised Volume No. 1 (“Tariff”).² In the Tariff Filing, ANR proposed that “[a]ny purchases or sales of Gas necessary to manage imbalance quantities associated with an [OBA] shall be accounted for in the calculation of purchases and sales of Gas

¹ 18 C.F.R. § 154.205.

² *ANR Pipeline Company*, ANR Tariff, Part 6.15.1 GT&C, Cashout of Imbalances v.1.0.0 (“Section 6.15.1”); *id.* § 6.15.5 (GT&C, System Cashout Mechanism)(1.0.0).

necessary to manage imbalance quantities on Transporter’s system and included in the calculation of Net Cashout Activity pursuant to 6.15.5(a).”³ ANR also proposed to revise Section 6.15 to include that net cashout activity shall include any “cashout related charges or credits associated with an OBA for the preceding calendar year.” ANR specified that it would, among other things, revise its workpapers submitted with its annual cashout filing to support any such charges or credits.⁴ On January 11, 2021, Indicated Shippers,⁵ EQT Energy, LLC (“EQT”), and Northern States Power Company - Minnesota and Northern States Power Company - Wisconsin (“NSP Companies” and collectively with Indicated Shippers and EQT, the “Intervenors”) filed protests.⁶ On January 19, 2021, ANR filed an answer to the protests and comments.

On January 29, 2021, the Commission issued its order on the Tariff Filing (“January 2021 Order”) in which it suspended the tariff records to be effective February 1, 2021, subject to refund and the outcome of paper hearing procedures.⁷ The Commission invited parties to submit briefs on the issues raised by ANR’s Tariff Filing. On March 1, 2021, in response to the January 2021 Order, ANR and each of the Intervenors submitted comments. ANR and Indicated Shippers submitted reply comments on March 16, 2021.

On April 5, 2022, the Commission issued an order in which it concluded that the Intervenors’ comments continued to raise material issues of fact that could not be resolved based on the record before it and established hearing procedures (“April 5 Order”).⁸ For the reasons set

³ ANR Tariff, § 6.15.1 (GT&C, Cashout of Imbalances)(1.0.0).

⁴ *ANR Pipeline Company*, Change in FERC Gas Tariff, Docket No. RP21-340-000 at 3 (filed Dec. 28, 2020).

⁵ Indicated Shippers consist of Ascent Resources – Utica, LLC, BP Canada Energy Marketing Corp., ConocoPhillips Co., and Shell Energy North America (US), L.P.

⁶ Wisconsin Electric Power Company, Wisconsin Gas LLC, Wisconsin Public Service Corp., The Peoples Gas Light and Coke Co., North Shore Gas Co., Minnesota Energy Resources Corp., Michigan Gas Utilities Corp., and Upper Michigan Energy Resources Corp. (“WEC Companies”) also filed comments on January 11, 2021.

⁷ *ANR Pipeline Company*, 174 FERC ¶ 61,068 (2021).

⁸ *ANR Pipeline Company*, 179 FERC ¶ 61,009 (2022).

forth below, ANR respectfully requests that the Commission grant this motion to withdraw the Tariff Filing.

II. MOTION TO WITHDRAW FILING

The driving force behind ANR's Tariff Filing was to account for certain charges that ANR could incur as a result of a proposal by Transcontinental Gas Pipe Line Company ("Transco") in Docket No. RP20-618-000 that would, among other things, potentially impose cashout surcharge amounts on interconnecting pipelines such as ANR.⁹ As such, the intent of ANR's Tariff Filing was to capture cashout activity under its OBA with Transco incurred as a result of the implementation of Transco's proposal and surcharge amounts to which ANR could be subject as a result of Transco's proposal.

As explained in the April 5 Order, following the issuance of the January 2021 Order and the subsequent comments filed in the paper hearing, Transco reached a settlement in Docket No. RP20-618-005, *et al.* that affects the cashout-related amounts that ANR intended to capture in the Tariff Filing.¹⁰ As a result of Transco's settlement, ANR does not at this time wish to continue to pursue the changes proposed in the Tariff Filing filed in Docket No. RP21-340-000 (without prejudice to ANR's right to refile and pursue the same or similar tariff revisions in a subsequent tariff filing). ANR believes that it is best at this time to withdraw the Tariff Filing instead of expending the Commission's and the parties' time and resources to conduct a hearing.

ANR will file revised tariff records for Section 6.15.1 and Section 6.15.5 reflecting the removal of the tariff language modifications proposed by ANR in its Tariff Filing, which became effective per the Commission's January 2021 Order on February 1, 2021. Additionally, ANR will

⁹ See Motion for Leave to Answer and Answer of ANR Pipeline Company, Docket No. RP21-340-000 at 3 (filed Jan. 19, 2021).

¹⁰ See *Transcontinental Gas Pipeline Co.*, 176 FERC ¶ 61,066 (2021) (approving settlement).

re-file the associated workpapers that were previously filed as part of ANR's 2021 annual cashout surcharge filing in Docket No. RP21-794-000 ("2021 Cashout Filing") to exclude all OBA Cashout Amounts (as defined in the 2021 Cashout Filing), and will make any other necessary filings, to reflect the effect of the withdrawal of the Tariff Filing. In its 2021 Cashout Filing, ANR was granted a one-time waiver of Section 6.15.5 permitting ANR to exclude the Transco cashout surcharges from the calculation of ANR's net cashout activity, and to defer this balance to ANR's 2022 cashout filing, since inclusion of the Transco cashout surcharges reduced the cashout paid by ANR to shippers.¹¹ Exclusion of the Transco cashout surcharges enabled ANR to refund a greater amount to shippers, and removal of the OBA Cashout Amounts that were included will not affect the cashout paid to shippers. Accordingly, withdrawal of the Tariff Filing does not harm any customer because the withdrawal will have no effect on the surcharge placed into effect pursuant to ANR's 2021 Cashout Filing in Docket No. RP21-794-000.

ANR respectfully requests that the Commission act on this motion on or before May 20, 2022 to allow the Commission time to reflect the previously effective tariff records in its order on ANR's annual cashout surcharge filing, which ANR plans to file on or before May 1, 2022 to be effective June 1, 2022.¹²

III. CONCLUSION

Wherefore, ANR respectfully requests that the Commission grant this motion on or before May 20, 2022, and permit ANR to withdraw the Tariff Filing without prejudice to ANR's right to make the same or similar proposed tariff changes in a subsequent tariff filing.

¹¹ *ANR Pipeline Company*, 175 FERC ¶ 61,176 (2021) (order accepting and suspending tariff records).

¹² ANR will submit a notification in the annual cashout surcharge docket informing the Commission of its decision on this motion.

Respectfully submitted,

/s/ Sandra L. Mazan

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Dated: April 12, 2022

CERTIFICATE OF SERVICE

I hereby certify that I have served through electronic mail the foregoing document upon each person designated on the official service list in the RP21-340-000 and RP21-794-000 dockets compiled by the Secretary.

Dated at Houston, Texas, this 12th day of April 2022.

/s/ Valerie Salas _____

Valerie Salas
ANR Pipeline Company