



GAS UTILITIES INFORMATION BULLETIN

No. 1137

Wayne Christian, Chairman

Christi Craddick, Commissioner

Ryan Sitton, Commissioner

AUGUST 14, 2020
OVERSIGHT AND SAFETY DIVISION
Kari French, Director

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SECTION 1: NEW APPEALS AND APPLICATIONS FILED

DOCKET NO.: 10998
CAPTION Statement of Intent filed by West Texas Gas, Inc. to Increase Gas Utility Rates Within the Unincorporated Areas of Texas
DATE FILED -- 08/07/2020
FILED BY -- Kate Norman
EXAMINER -- John Dodson
TECHNICAL -- James Currier

DOCKET NO.: 10999
CAPTION Application filed by Atmos Pipeline - Texas 2020 Rider Rev Adjustment.
DATE FILED -- 08/14/2020
FILED BY -- Charles R. Yarbrough, II
EXAMINER -- Frank Tomicek
TECHNICAL --

DOCKET NO.: 11000
CAPTION Application filed by CenterPoint Energy Resource Corp.'s to Abandon Natural Gas Service to One Residential Customer in Atascosa County, Texas
DATE FILED -- 08/14/2020
FILED BY -- Sam Chang
EXAMINER -- Claudia Godoy
TECHNICAL --

DOCKET NO.: 11001
CAPTION Application filed by Enterprise Texas Pipeline LLC for Abandonment of Service and Facilities to CenterPoint Energy Resources Corp. at the Poteet Town Border Station Lateral (Line Number 9022M).
DATE FILED -- 08/14/2020
FILED BY -- Phil Gamble
EXAMINER -- Sarah Montoya-Foglesong
TECHNICAL --

**SECTION 2: APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING
CONFERENCE**

[Office of General Counsel Weekly Hearing Schedules for 2020](#)

**BEFORE THE
RAILROAD COMMISSION OF TEXAS**

FORMAL COMPLAINT OF CNOOC	§	
ENERGY USA, LLC, AGAINST	§	GAS UTILITIES DOCKET
WILLIAMS MLP OPERATING, LLC, AND	§	NO. 10606
MOCKINGBIRD MIDSTREAM GAS	§	
SERVICES, LLC	§	

REMAND NOTICE OF HEARING

Summary of the Proceeding and Factual Matters Asserted. As detailed in the original Notice of Hearing, issued on May 24, 2019, this docket initially involved multiple discrimination claims against Williams MLP Operating, LLC, and Mockingbird Midstream Gas Services, LLC (together, “Respondents”), separately alleged by CNOOC Energy USA, LLC (“CEU”), and by EXCO Operating Company, LP (“EXCO”).

The merits hearing initially was held from June 18-20, 2019, and the evidentiary record closed on August 20, 2019. On January 9, 2020, the Proposal for Decision (“PFD”) was issued. The Administrative Law Judge (“ALJ”) presented the findings and recommendations contained in the PFD to the Commission at successive open meetings held on February 11, 2020, and on March 4, 2020. At the March 4, 2020 open meeting, the Commission ordered that this docket be remanded:

[F]or the limited purpose to reconsider the discrimination issue by re-opening the hearing to further develop the record by giving the parties an opportunity to present evidence and argument on which parties, if any, are similarly situated with particular consideration given to:

- a. whether CNOOC and Chesapeake are similarly situated;*
- b. whether EXCO and Chesapeake are similarly situated;*
- c. whether CNOOC and EXCO are similarly situated;*
- d. whether CNOOC and EXCO, respectively, are similarly situated to Shippers 14, 15, 27, and 33; and*

thereafter for the examiners to provide an in-depth analysis of the evidence on this similarly-situated requirement in their PFD.

At a remand prehearing conference held on April 29, 2020, the ALJ proposed holding the remand hearing in June 2020. All parties opposed this as too early to adequately prepare for a hearing on the remand issues set forth in the Commission’s March 4, 2020 Order for Limited Purpose Remand (“Remand Order”). All parties also proposed remand schedules that included supplemental discovery, supplemental pre-filed written testimony, and written pre-hearing objections.

On June 30, 2020, the ALJ approved Complainant EXCO's request to dismiss with prejudice all its claims in this docket.

NOTICE IS HEREBY GIVEN THAT a public hearing will be held, at the time and place set out below, to admit and consider additional relevant evidence that is within the scope of the Commission's Remand Order.

Legal Authority and Jurisdiction. The Railroad Commission has jurisdiction over Respondents pursuant to Chapters 81, 85, and 111 of the Texas Natural Resources Code, and/or pursuant to Chapters 101, 102, 104, 105, and 121 of the Texas Utilities Code. The ALJ shall conduct the hearing pursuant to the requirements of Chapter 2001 (Administrative Procedure) of the Texas Government Code, and pursuant to Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code.

Particular Statutes and Rules Involved. The statutes and rules applicable to this proceeding may include the following:

1. Chapters 81, 85, and 111 of the Texas Natural Resources Code;
2. Chapters 101, 102, 104, 105, and 121 of the Texas Utilities Code; and
3. Chapters 1, 3, and 7 of Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code.

Time, Place, and Nature of Hearing. **IT IS DIRECTED THAT** the hearing on the merits, initially held from June 18-20, 2019, shall re-open at **9:00 a.m. on Wednesday, September 9, 2020, via the Zoom online platform.** The Zoom link will be circulated to the service list via e-mail prior to the start of the hearing. Members of the public may request the link by e-mailing: Sharon.Koren@rrc.texas.gov. If not concluded on the day it commences, the hearing will be continued from day to day, as announced, until concluded.

Written Transcript of the Hearing. The record of the hearing will be made by recording device or by stenographic transcription by the court reporter. Any party that desires a copy of the written transcript of the hearing should contact the court reporter at (512) 282-0313. The Commission may assess the cost of the transcript or expedited transcript to one or more parties pursuant to Section 2001.059 (Transcript) of the Texas Government Code.

Auxiliary Aids or Services for Persons with a Disability. Any individual with a disability who needs auxiliary aids and services in order to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Human Resources Department of the Commission by mail at P.O. Box 12967, Austin, Texas 78711 – 2967 or by telephone at (512) 463-6981 or TDD No. (800) 735-2989.

Contact for Additional Information. *Ex parte communications with the Commissioners, Administrative Law Judges, and Technical Examiners are prohibited. Persons or entities desiring additional information may contact the Commission by writing to the Director, Hearings Division, Railroad Commission of Texas, 1701 North Congress Avenue, P. O. Box 12967, Austin, Texas 78711-2967. Clerical questions, such as questions regarding the number of copies of filings, the service list, or reviewing the record, may be directed to Docket Services at (512) 463-6848.*

Signed on August 12, 2020.

JOHN B. DODSON
ADMINISTRATIVE LAW JUDGE

SECTION 3: STATUS OF PENDING CASES

None currently.

SECTION 4: NOTICES OF DISMISSAL

None currently.

SECTION 5: ORDERS OF THE COMMISSION

None currently.

SECTION 6: MISCELLANEOUS

A. Gas Services Department Publications and Statistics

1. Gas Utilities Information Bulletins available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/gas-utilities-information-bulletins/>.
2. Rate Review Handbook available at <http://www.rrc.state.tx.us/media/41964/rate-review-handbook-2017.pdf>.
3. Gas Utilities Annual Statistics available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/2017-gas-utility-annual-statistical-reports/>.
4. Gas Storage Statistics available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/gas-storage-statistics/>.
5. Six MCF Residential Gas Bill Analysis for Texas Cities available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/six-mcf-report/>.

B. Interest Rate on Customer Deposits

1. We have been advised by the Public Utility Commission of Texas that the interest rate to be applied to customer deposits in calendar year 2018 is 0.91%. All gas utilities should use 0.42% for the calendar year 2017 and 0.11% for calendar year 2016. This information can be found at: <https://www.puc.texas.gov/industry/electric/reports/HRates/HistRates.pdf>

C. Contact Information

1. Audit Section's Headquarter and District Offices:

Headquarter Location:
William B. Travis Building
1701 North Congress Avenue
Austin, Texas 78701
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Fort Worth District:

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Margie Stoney, Project Auditor
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Dale Francis, Senior Auditor
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Vonetta Jackson, Auditor
Telephone: 713-869-8425

2. **Market Oversight Section**

William B. Travis Building
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Christina Poole, Financial Analyst
Claudia Godoy, Financial Analyst
Frank Tomicek, Financial Analyst
Sarah Montoya-Foglesong, Financial Analyst
Andrea Maxwell, Research Specialist II Team Lead
Davis Bauman, Customer Service Representative IV
Erik Gardner, Customer Service Representative IV
Janet Sims, Customer Service Representative IV
Sheila Mendoza, Research Specialist
Telephone: 512-463-7167

D. Audit Forms

1. Gas Utility Tax and Annual Forms available at <http://www.rrc.state.tx.us/gas-services/forms/>.
2. Copies of Gas Utility Annual Reports available on Neibus at: <https://rrcsearch3.neibus.com/esd3-rrc/index.php?module=esd&action=keysearch&profile=13>.
3. Information relating to any of the above, are available for review at the William B. Travis Building, Gas Services Department, 9th Floor, 1701 North Congress. All requests for copies must be made in writing and should be addressed to the Audit Section. Copies will be provided for a fee, depending on the volume of copy work desired, allow a minimum of ten business days for completion of requests.
4. Inquiries regarding copies should be directed to the Audit Section at (512) 463-7022 or fax your request to 512-475-3180.

E. Market Oversight Section Forms

1. Annual Earnings and Monitoring Report available at <http://www.rrc.texas.gov/media/6085/annualearningsmonitoringreport.pdf>
2. Interim Cost Recovery and Rate Adjustment Report available at <http://www.rrc.texas.gov/media/6084/newinfrastructure.pdf>.

F. Gas Utility Docket Information

1. Orders and Proposals for Decision published on the Commission's web site at: <http://www.rrc.texas.gov/hearings/dockets/gas-utility-dockets/>
2. Gas Utility Dockets available on Neibus at https://rrcsearch3.neibus.com/esd3-rrc/index.php?_module=_esd&_action=_keysearch&profile=14.

G. Natural Gas Tariff Filings

1. Questions pertaining to the filing of tariffs and/or quality of service rules should be directed to Andrea Maxwell, Janet Sims, Sheila Mendoza or Virgie Frausto at (512) 463-7167.
2. Natural Gas Tariffs and Rate Schedules available at <http://www.rrc.texas.gov/gas-services/natural-gas-tariffs-and-rate-schedules/>.

H. Common Carrier Pipeline Tariff Filings

1. Questions pertaining to the filing of common carrier pipeline tariffs should be directed to Sheila Mendoza at 512-463-7023.
2. Common Carrier Pipeline Tariffs available at <http://www.rrc.texas.gov/gas-services/common-carrier-pipeline-tariffs/>.

I. Propane Distribution Systems

1. Propane distribution price cap information is available at: <http://www.rrc.texas.gov/gas-services/propane-distribution-systems/>.

J. Curtailment Plan (Gas Utility Docket 489)

1. Curtailment questions should be referred to 512-463-7167 or by email at naturalgascurtailment@rrc.texas.gov.
2. Curtailment reports made during normal business hours, Monday through Friday 8:00 a.m. to 5:00 p.m., should be made to 512-463-7167.
3. Curtailment reports made after hours or during holidays, should be made to 512-463-6788.

K. Compliance Filings

1. Questions regarding gas utilities docket compliance filing requirements should be referred to Christina Poole at 512-463-7167 or by email at GUD_Compliance@rrc.texas.gov.

L. Complaints and Inquiries

1. Residential and Commercial Propane and Natural Gas Complaints should be made at GasComplaints@rrc.texas.gov or by phone at 512-463-7167.
2. Informal Gas Purchasing, Selling, Transportation or Gathering Practice Complaints should be submitted online at <http://www.rrc.texas.gov/gas-services/complaint-filing/informal-gas-transportation-purchase-complaint-preliminary-information-online-form/> or at 512-463-7167.
3. Informal Complaint Preliminary Information form available at <http://www.rrc.texas.gov/media/5671/informal-complaint-preliminary-information.pdf>.

M. Non-Submetered Master Meter Disconnections

1. Municipalities wishing to opt in receiving notice from utilities when non-submetered master metered multifamily property is subject to disconnection of service due to non-payment can do so at <http://www.rrc.texas.gov/gas-services/non-submetered-master-meter-disconnections/>.

N. Texas Utilities Codes

1. Available through the State of Texas website at <http://www.statutes.legis.state.tx.us>.

O. Texas Administrative Codes

1. Available at the State of Texas website at:
[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=16&pt=1&ch=7](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=16&pt=1&ch=7).

P. Pending RRC Rules and Regulations

1. Pending rules and regulations available at <http://www.rrc.state.tx.us/general-counsel/rules/>.

Q. Proposed Form Amendments (PFD):

1. PFDs available at <http://www.rrc.state.tx.us/about-us/resource-center/forms/proposed-form-changes/>.

R. Hearings and Legal Analysis

1. Anyone wishing to obtain copies of appendices to Orders appearing in Section 5 of this Bulletin should contact the General Counsel Division at 512-463-7149.

S. Status of Pending Cases

1. The status of all pending cases listed in Section 3 of this Bulletin is for informational purposes only and is complete up to the time of printing of this Bulletin. For a more accurate status of pending cases, please call the General Counsel Division at 512-463-7149.