



GAS UTILITIES INFORMATION BULLETIN

No. 1108

Christi Craddick, Chairman

Ryan Sitton, Commissioner

Wayne Christian, Commissioner

MAY 31, 2019
OVERSIGHT AND SAFETY DIVISION
Kari French, Director

TABLE OF CONTENTS

SECTION 1: NEW APPEALS AND APPLICATIONS FILED	3
SECTION 2: APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING CONFERENCE	4
SECTION 3: STATUS OF PENDING CASES	6
SECTION 4: NOTICES OF DISMISSAL	6
SECTION 5: ORDERS OF THE COMMISSION	6
SECTION 6: MISCELLANEOUS	6

SECTION 1: NEW APPEALS AND APPLICATIONS FILED

DOCKET NO.: **10854**
CAPTION Formal Complaint of Gulf Coast Energy, Inc. Against the Crescent Pipeline Partnership, L.P. System located in Aransas, Refugio and San Patricio Counties, Texas, under Texas Pipeline Permit Numbers 02433, 06871 and 06870.
DATE FILED -- 05/22/2019
FILED BY -- Ann Maria Marsland
EXAMINER -- John Dodson
TECHNICAL -- Rose Ruiz

DOCKET NO.: **10855**
CAPTION Petition for De Novo Review of the Denial of the Dallas Annual Rate Review Mechanism Tariff filed by Atmos Energy Corp., Mid-Tex Division by the City of Dallas.
DATE FILED -- 05/31/2019
FILED BY -- Christopher A. Felan
EXAMINER -- John Dodson
TECHNICAL -- Rose Ruiz

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

[Office of General Counsel Weekly Hearing Schedules for 2018](#)

**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	§	

NOTICE OF HEARING

Summary of the Proceeding and Factual Matters Asserted. This docket consists of three separate complaints against Williams MLP Operating, LLC, and Mockingbird Midstream Gas Services, LLC (together, “Respondents”): (1) the complaint of CNOOC Energy USA, LLC (“CEU”), initially filed on February 22, 2017, and most recently amended on March 1, 2019; (2) the complaint of EXCO Operating Company, LP (“EXCO”), initially filed on October 4, 2018, and most recently amended on January 14, 2019; and (3) the complaint of Jamestown Resources, LLC, Larchmont Resources, LLC, and Pelican Energy, LLC (together, “Intervenors”), initially filed on December 14, 2018, and most recently amended on March 1, 2019. All three complaints allege both discrimination by Respondents (the “Discrimination Claim”) and that the rates charged by Respondents are not lawful under either a market-based or cost-of-service method (the “Rate Claim”).

On August 2, 2018, the presiding Administrative Law Judge bifurcated the docket so that a determination of discrimination could be made prior to a rate proceeding. On May 2, 2019, Intervenors’ Discrimination Claim was dismissed for lack of standing, but these companies retained the ability to participate throughout this phase of the docket as intervenors.

NOTICE IS HEREBY GIVEN THAT a public hearing will be held, at the time and place set out below, to consider all issues of fact and law raised in—or relevant to—the surviving Discrimination Claims of CEU and EXCO. *Consistent with the bifurcation order, rate review and any rate-setting, including consideration of the Rate Claims, will be considered separately and not in the below-noticed hearing.*

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 Administrative Law Judge 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 merits hearing to consider the Discrimination Claims only shall commence at **11:00 a.m. on Tuesday, June 18, 2019**, at the Commission's offices in the William B. Travis Building, 1701 North Congress Avenue, Austin, Texas. Please check with Docket Services (room 12-123) the morning of the hearing for the location. Tentatively, hearings room 12-126 (12th floor) has been reserved. If not concluded on the day it commences, the hearing will be continued from day to day, as announced, until concluded.

IT IS FURTHER DIRECTED THAT all parties desiring to present sworn testimony, documentary and demonstrative evidence, and argument regarding any issue of law or fact at the hearing shall appear in person or by an attorney.

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 May 24, 2019.

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

GUD No. 10779: Petition for De Novo Review of the Denial of the Statement of Intent Filed by Atmos Energy Corp., Mid-Tex Division by the Cities of Balch Springs, Bandera, Belton, et al.

- a. [Final Order with Attachments](#) (05/21/2019)

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

Mailing Address:
P. O. Box 12967
Austin, Texas 78711
Telephone 512-463-7167
Fax 512-475-3180

Austin District:

Ed Abrahamson, Director, Utility Audit Section
Stephen Cooper, Advising Auditor
Pearl Rodriguez, Program Specialist
Diana Serrano, Accounting Technician
Mary Anderson, Compliance Analyst
Telephone: 512-463-7022

Fort Worth District:

City Hall 13th Street Annex
401 West 13th Street, Suite B

Josh Settle, Senior Auditor
Yolandra Davis, Senior Auditor
Telephone: 817-882-8966

Houston District:

1706 Seamist Drive, Suite 50
Houston, Texas 77008

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

2. Market Oversight Section

William B. Travis Building
1701 North Congress Avenue
Austin, Texas 78701

Mailing Address:

P. O. Box 12967
Austin, Texas 78711
Mark Evarts, Director
Amy Bruce, Financial Analyst
Christina Poole, Financial Analyst
Claudia Godoy, Financial Analyst
Frank Tomicek, Financial Analyst
Sarah Montoya-Foglesong, Financial Analyst
Andrea Maxwell, Research Specialist Team Lead
Janet Sims, Customer Service Representative IV
Sheila Mendoza, Research Specialist
Virgie Frausto, 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 Neubus at: https://rrcsearch3.neubus.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 Neubus at https://rrcsearch3.neubus.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.