

COMMENTS OF NATIONAL FUEL GAS DISTRIBUTION – 1/2/2009
in response to
COMMENTS OF MEWBORNE OIL COMPANY ON R08026

While National Fuel Gas Distribution Corporation (NFGDC) supports the recommendation for R08026, it would have no objection to modifying the recommended version of WGQ Standard No. 4.3.23 to retain the category Non-discrimination Rqts and some or all sub-categories as discussed by Mewborne.

NFGDC notes that the American Gas Association (AGA) has filed a petition for rehearing and/or clarification of Order No. 717 addressing some of the same issues raised by NGSA. More specifically, AGA urges FERC to:

- Direct parties to work through NAESB to improve and enhance the ability of shippers to review transaction information that is required to be posted on pipeline websites; and
- Allow shippers to obtain information regarding when a pipeline deviates from the standards of conduct in emergency circumstances.

To gain consensus support of all NAESB segments, if may be necessary, to add a sentence to the paragraph at the end of the standard indicating that TSPs have the discretion to support or not support the Non-discrimination Rqts category. Should rehearing/clarification be granted, the sentence could be removed or would have a different effect because FERC would have determined what, if any, discretion TSPs would have in this matter. While this may fall short of Mewborne's needs, in the interest of compromise and in recognition of what Order No. 717 currently provides, NFGDC believes these modifications would accomplish the following important goals:

- Standardization of the location and navigation structure on TSP web sites when such information would be provided by the TSP.
- A frame of reference for TSP customers to encourage TSPs to provide such information outside of the NAESB process would be available.
- Standardization of the location and navigation structure reflecting the other aspects of Order No. 717 which are uncontested. Without a more current standard, TSPs may have wide discretion in how they would post information on their Informational Postings Web Site leading to more varied implementations.

Finally, NFGDC agrees with Mewborne's contention that "NAESB is free to implement business standards that exceed the bare minimum of FERC's requirements." With compromise from all segments, perhaps this may be one case in which this comes to be.

M. Novak
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