

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY
ECONOMIC REGULATORY ADMINISTRATION

COLUMBIA LNG CORPORATION
CONSOLIDATED SYSTEM LNG
COMPANY
SOUTHERN ENERGY COMPANY

) ERA DOCKET NO. 79-14-NG
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ORDER ON ORAL ARGUMENT AND
ORDER GRANTING INTERVENTIONS

At the conclusion of the evidentiary hearing on November 9, 1979, in this matter, ERA established a briefing schedule for the filing of initial and reply briefs and stated that if a determination was made that an oral argument was necessary, notice of such oral argument would be served on all parties during the week of November 26, 1979. Subsequently, numerous briefs were filed which have delineated the respective positions of the parties.

After reviewing the record of the evidentiary hearing and the briefs filed, there does not appear to be a need to hold an oral argument in this proceeding.

Petitions to intervene out of time were filed with ERA by Carolina Pipeline Company (Carolina), South Carolina Electric and Gas Company (South Carolina), Gas Light Company of Columbus, Georgia (Gas Light), and jointly by the Alabama Municipal Distributors Group and the Gas Section, Georgia Municipal Association (Municipal). Municipal also submitted an initial brief.

Carolina stated in its petition, which was filed on November 21, 1979, that because more than 80 percent of its gas supply is purchased from Southern Energy Company it has a direct and substantial interest with respect to the proposed increase in price for the imported LNG to be paid by Southern to El Paso Algeria Corporation commencing January 1, 1980.

Gas Light stated in its petition, filed November 27, 1979, that it is a small distribution company purchasing all of its supply of natural gas from Southern Natural Gas Company and it would face severe business and economic hardships if it were required to buy regasified LNG on a direct sale basis.

Municipal stated in its petition, which was filed on November 23, 1979, that they had not intervened in this proceeding in a timely fashion because they supported the application as filed and assumed that the applicants would make a full and persuasive presentation. South Carolina in its November 28, 1979 petition and Municipal indicated they did not learn until after ERA issued its October 18, 1979 order in this proceeding that the matter of direct sales of LNG would be at issue and that there would be a presumption in favor of the direct-sale procedure. According to Municipal, the implementation of direct sales would work harsh, and potentially devastating, results on it and other small distribution systems. All of the petitioners asserted that good cause exists for late intervention because their interests are not adequately represented by any other party to this proceeding.

Petitions filed as late as those of Carolina, Municipal, Gas Light and South Carolina will generally not be favored, particularly where, as here, petitioners have not demonstrated convincingly that their concerns and interests will not be adequately represented by other parties. However, in this instance the petitions will be granted on the condition that the petitioners accept the record as it exists to date and that they not assert any procedural rights which will delay these proceedings but which would not have resulted in delay if the petitions for intervention had been filed in a timely manner. The brief already filed by Municipal on November 23, 1979 will be accepted. Due to the lateness of the petitions to intervene and the expedited nature of this proceeding, the dates previously established for the filing of briefs and reply briefs will not be extended for these parties.

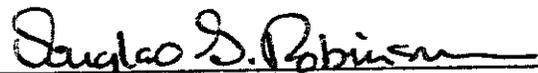
ORDER

Accordingly, it is ordered that:

1. No oral argument will be held in this proceeding.
2. The petitions for leave to intervene out of time of Carolina Pipeline Company, of Gas Light Company of Columbus, of South Carolina Electric and Gas Company and of the Alabama Municipal Distributors Group and Gas Section, Georgia Municipal Association, are hereby granted, subject to such rules of practice and procedure as may be in effect, provided that their participation shall be limited

to matters affecting asserted rights and interests specifically set forth in their petitions for leave to intervene, that the admission of such interveners shall not be construed as recognition by ERA that they or any of them might be aggrieved because of any order issued by ERA in this proceeding, and that such interveners agree to accept the record as it now stands.

Issued in Washington, D.C., on November 30, 1979.



Douglas G. Robinson
Deputy Administrator for Policy
Economic Regulatory Administration