

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

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MICHIGAN CONSOLIDATED GAS COMPANY ) FE DOCKET NO. 91-88-NG  
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EMERGENCY INTERIM ORDER EXTENDING  
EXISTING IMPORT AUTHORITY

DOE/FE OPINION AND ORDER NO. 575

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JANUARY 17, 1992

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## I. Background

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On October 17, 1991, Michigan Consolidated Gas Company (MichCon) filed an application with the Office of Fossil Energy (FE) of the Department of Energy (DOE) under section 3 of the Natural Gas Act (NGA) and DOE Delegation Order Nos. 0204-111 and 0204-127, requesting that the import authorization previously granted in DOE/ERA Opinion and Order No. 96, as amended 1/, be extended for an additional three years beginning on the date of first delivery after January 22, 1992, the date its existing import authority expires.

A notice of the application was issued on December 24, 1991, inviting protests, motions to intervene, notices of intervention and comments to be filed by February 3, 1992, twelve days after MichCon's current authorization expires 2/. To date, no interventions have been received.

On January 17, 1992, MichCon filed a request for emergency authority under 10 CFR 590.403 to continue the importation of natural gas under the terms and conditions of its current import authorization until DOE acts on MichCon's pending application. In its request, MichCon states that uninterrupted import authority is needed to continue its natural gas/ethane exchange and overcome serious operational problems by providing a more uniform quality of gas to its customers.

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1/ See, 1 ERA Para. 70,614 (December 20, 1985), 1 ERA Para. 70,658 (July 14, 1986), and 1 ERA Para. 70,837 (January 19, 1989).

2/ 57 FR 406, January 6, 1992.

## II. Decision

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The DOE has considered MichCon's request for emergency interim authority in light of our responsibility under section 3 of the NGA and the immediate circumstances confronted by the applicant. The interim arrangement concerns the import of Canadian natural gas over a period projected to be less than four weeks. Moreover, it is apparent that DOE is faced with a request that can be honored only by immediate action. The delay inherent in waiting until the normal public comment period closes would expose the customers of MichCon to serious degradation in the quality of their natural gas supply and would especially impact MichCon's customers who require a stable Btu content for their industrial processes.

While ordinarily the DOE would take no action until expiration of the notice and comment period, MichCon's request states reasons sufficient to justify an emergency interim order until the comment period in FE Docket No. 91-88-NG closes and a decision can be made on the application.

### ORDER

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For the reasons set forth above, pursuant to section 3 of the Natural Gas Act, it is ordered that MichCon's authority to import natural gas from Canada, granted in DOE/ERA Opinion and

Order No. 96, as amended, is hereby extended on an interim emergency basis until the comment period in FE Docket No. 91-88-NG closes and a decision can be made on the pending application.

Issued in Washington, D.C. on January 17, 1992.

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Clifford P. Tomaszewski  
Acting Deputy Assistant Secretary  
for Fuels Programs  
Office of Fossil Energy