

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

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PUBLIC SERVICE DEPARTMENT, THE CITY )	FE DOCKET NO. 90-39-NG
OF BURBANK, CALIFORNIA )	
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PUBLIC SERVICE DEPARTMENT, THE CITY )	FE DOCKET NO. 90-40-NG
OF GLENDALE, CALIFORNIA )	
)	
DEPARTMENT OF WATER AND POWER, THE CITY )	FE DOCKET NO. 90-42-NG
OF PASADENA, CALIFORNIA )	
)	
SOUTHERN CALIFORNIA EDISON COMPANY )	FE DOCKET NO. 90-43-NG
)	
PANCONTINENTAL OIL LTD. )	FE DOCKET NO. 90-45-NG
)	
PACIFIC GAS AND ELECTRIC COMPANY )	FE DOCKET NO. 90-46-NG
)	
SAN DIEGO GAS AND ELECTRIC COMPANY )	FE DOCKET NO. 90-47-NG
)	
BP RESOURCES CANADA LIMITED )	FE DOCKET NO. 90-49-NG
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ORDER GRANTING BLANKET AUTHORIZATIONS TO IMPORT  
NATURAL GAS FROM CANADA AND GRANTING INTERVENTIONS

DOE/FE OPINION AND ORDER NO. 619

May 19, 1992

## I. BACKGROUND

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Each applicant listed in the Appendix to this order 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 for two-year, blanket authorization to import natural gas from Canada. These eight import applications involve a total volume of up to 347.9 billion cubic feet (Bcf). The majority of the gas would go to California. It would be imported through the pipeline facilities of Pacific Gas Transmission Company (PGT) at the U.S.-Canada border near Kingsgate, British Columbia (Eastport, Idaho). Two of the eight applicants, Pancontinental Oil Ltd. (Pancontinental) and BP Resources Canada Limited (BPRC), would also take delivery of their gas at Huntingdon, British Columbia (Sumas, Washington) through Northwest Pipeline Company's (Northwest) system.

All of the authorizations requested would be limited to terms of two years beginning on the date of the first delivery. No detailed information of the import arrangements was provided because the nature of the requested authority does not generally permit nor does DOE require advance identification of the suppliers or the prices that would be paid for the gas. The applicants, which are comprised of three municipalities, two utilities, one local distribution company, and two producers, state that the proposed transactions would be market-oriented and competitively priced.

These proposed imports are linked to a project sponsored jointly by PGT and Pacific Gas & Electric Company (PG&E) to add delivery capacity to their gas pipeline systems through looping and installation of additional compression (referred to as the Expansion Project). At an estimated combined cost of about \$1.6 billion, the extra capacity would bring major new supplies from Canada. The Expansion Project calls for PGT to build a 430-mile, 42-inch diameter pipeline loop adjacent to its existing pipeline from the British Columbia border to Malin, Oregon, where PGT's expanded facilities would connect with the northern California intrastate expansion proposed by PG&E which extends 294 miles to a delivery point near Bakersfield, California. The Expansion Project would nearly double PGT's current 1.0 Bcf per day pipeline capacity and enable it to carry an additional 755 million cubic feet (MMcf) per day of Canadian gas to California and 148 MMcf per day to the Pacific Northwest. Construction of the Expansion Project has already begun, and the new capacity is expected to be in service by November 1993.

## II. INTERVENTIONS

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DOE gave notice of the applications in the Federal Register  

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and provided for the filing of comments and the intervention of interested parties. The notice periods expired on the dates listed in the Appendix to this order. PGT filed timely motions to intervene in Docket Nos. 90-40-NG, 90-43-NG, 90-46-NG, 90-47-NG, and 90-49-NG and a late motion to intervene in Docket No. 90-45-NG. Motions to intervene also were filed by Pacific

Interstate Transmission Company and Southern California Gas Company in Docket No. 90-47-NG. In addition, the State of New Mexico through its Energy, Minerals, and Natural Resources Department and the Commissioner of Public Lands (New Mexico) filed a motion to intervene in Docket Nos. 90-46-NG and 90-47-NG in which they requested unspecified further proceedings. Finally, El Paso Natural Gas Company (El Paso) filed a motion to intervene in each of the dockets opposing the application and requesting that it be summarily rejected. Absent summary denial, El Paso requested discovery and a trial-type hearing. The substance of El Paso's protests and the comments filed by New Mexico are discussed below.

Four applicants filed answers opposing the interventions filed by El Paso. Of these answers, the City of Glendale, California (Glendale), filed late. Another applicant filed an answer objecting to the arguments made by El Paso, but did not oppose the intervention. In addition, one applicant filed an answer opposing the intervention filed by New Mexico and objecting to the arguments made.

With respect to El Paso's and New Mexico's motions to intervene, DOE has determined that, despite the applicants' objections, El Paso and New Mexico have shown an adequate basis for intervention and therefore should be admitted. DOE also has determined the late intervention filed by PGT and Glendale's late answer to El Paso's protest will not delay or disrupt the

proceedings nor prejudice any party to them. Accordingly, this order grants intervention to all movants.

### III. DECISION

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Each of the eight import applications has been evaluated to determine if the proposed import arrangement meets the public interest requirements of section 3 of the NGA. Under section 3, an import must be authorized unless there is a finding that it "will not be consistent with the public interest." 1/ The NGA thus establishes a presumption in favor of authorizing an import of natural gas.

The section 3 determination is guided by DOE's natural gas import policy guidelines. 2/ Under these guidelines, the competitiveness of an import in the markets served is the primary consideration for meeting the public interest test. In addition, the environmental effects of natural gas import arrangements are considered.

#### A. Discussion of the Issues

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The State of New Mexico ranks fourth in domestic natural gas production, most of which is marketed to consumers in California. While not opposing the import applications, New Mexico requested that DOE establish additional procedures to examine (1) whether there is a need for this Canadian gas that may displace current U.S. supplies, (2) whether the Canadian gas to be imported by PG&E would have a competitive advantage in the

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1/ 15 U.S.C. 717b. \_

2/ 49 F.R. 6684, February 22, 1984. \_

California market resulting from the affiliate relationship between PG&E, PGT, and Alberta & Southern Gas Co. Ltd. (A&S), 3/ and (3) how regulatory decisions by the Federal Energy Regulatory Commission (FERC) and California Public Utilities Commission (CPUC) on the Expansion Project would affect the proposed imports.

El Paso is a pipeline competitor of PGT in the California market. El Paso made numerous objections to the import applications raising essentially the same issues in all eight proceedings. The five primary contentions are: (1) the applications should be rejected as deficient because they do not contain the precise contract terms needed to demonstrate that the respective import transactions would be competitive and consistent with the public interest; (2) the applicants have not demonstrated that there is a need for the Canadian gas supplies; (3) there is no evidence of the adequacy of Canadian reserves to support the proposed imports; (4) California consumers would bear the cost of the Canadian pipeline facilities expanded for the Expansion Project because of transportation arrangements that prospective importers have with Alberta Natural Gas Company Ltd.

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3/ A&S, from whom PG&E expects to purchase its imports, is a wholly owned subsidiary of PG&E. It has been a natural gas supply aggregator and broker for PG&E, holding contracts with more than 190 non-affiliated producers located in western Canada. Currently, nearly all of the firm capacity on the existing PGT interstate system to the California border is used in conjunction

with PGT's long-term, firm sales to PG&E. PGT's supply of gas comes from A&S.



(ANG); 4/ and (5) the security of the gas supply is questionable because of threats made during 1990 by provincial authorities in Alberta to place volume or price constraints on Canadian gas destined for consumption in the United States. Furthermore, El Paso asserts that DOE should have a trial-type hearing on these issues if the applications are not summarily dismissed.

Applicants counter that the arguments raised by New Mexico and El Paso are not relevant to a decision on two-year blanket import applications. DOE agrees with applicants that the intervenors inappropriately merge matters relevant to a public interest determination on a long-term import proposal with the distinct short-term and/or spot market proposals in these proceedings. As already stated, DOE's blanket import policy does not require prospective importers to provide advance detail of the terms of each transaction. They need only do so in quarterly reports filed after the imports have been received. In addition, DOE has stated in numerous previous opinions that security of supply (i.e., the firmness of a supply source) is not an

important issue in spot market and best-effort types of import arrangements. This is because spot market transactions under blanket import authorizations generally are used to displace higher-priced energy supplies or to augment normal supplies

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4/ ANG and Foothills Pipe Lines (South B.C.) will expand pipeline segments in southeastern British Columbia which connect with PGT at the border. ANG is a 49.9 percent-owned affiliate of PGT and has a 49 percent ownership interest in Foothills (South

B.C.). NOVA Corp. of Alberta is also expanding its Alberta gas-gathering system to supply the Expansion Project.

during short periods of peak demand and frequently are on an interruptible and extremely short-term basis (e.g., 30 days or month-to-month). Furthermore, we find El Paso's concern about high annual minimum take-or-pay obligations both speculative and misplaced. Spot market sales, unlike long-term arrangements, usually are not subject to fixed reservation and minimum purchase obligations, thus allowing buyers the flexibility to select their gas supply based on changing market conditions. However, to the extent short-term import arrangements contain take-or-pay, minimum take, or other quantity provisions, it is of less importance in DOE's balancing of relevant considerations than for long-term arrangements because the commitment to purchase gas would be for a shorter period.

The long-standing policy of DOE has been that need for a gas supply is intrinsically related to its anticipated marketability. A competitive import is presumed to be needed. El Paso and New Mexico have failed to present evidence that the transactions conducted under these blanket authorizations would not be competitive, and thus have failed to rebut the presumption that the gas is needed. Moreover, while DOE cannot predict what actions provincial governments or the Canadian Federal Government may take in the future with regard to interruptible exports, gas must be competitively priced to be salable in the spot market. Because these proposed imports are intended as a supplemental supply, if the delivered cost for the gas in the markets served

is not competitive with available U.S. spot gas supplies, the transactions would presumably not take place.

El Paso claims that it may not be consistent with FERC policy if U.S. utilities contracting for transportation capacity on ANG north of the U.S. - Canada border are permitted to pass on to California consumers the costs of Canadian facilities that would occur as ANG, Foothills Pipe Lines (South B.C.), and Nova Corp. of Alberta expand their pipeline systems to accommodate the PGT/PG&E expansion volumes. First, DOE does not regulate and cannot affect the transportation rates of Canadian pipelines. Second, FERC and state authorities regulate rates used to recover the cost of U.S. facilities which transport imported gas. Third, El Paso's intervention in these dockets was pending before FERC and CPUC established rates for the PGT and PG&E expansion facilities in their orders granting certificates of public convenience and necessity authorizing construction and operation of the pipelines. 5/ We note that El Paso and New Mexico were active intervenors in both the FERC and CPUC proceedings and had

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5/ See Pacific Gas Transmission Company, 54 FERC 61,035

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(January 22, 1991); 56 FERC 61,192 (August 1, 1991); and 57 FERC 61,097 (October 24, 1991). See also Pacific Gas and

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Electric Company, CPUC Decision 90-12-119 (December 27, 1990);

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Decision 91-04-074 (April 24, 1991); Decision 91-06-017 (June 5, 1991); Decision 91-06-028 (June 5, 1991); Decision 91-06-053 (June 19, 1991); Decision 91-07-071 (June 26, 1991); Decision 91-08-030 (August 7, 1991); Decision 91-09-035 (September 6, 1991); Decision 91-12-052 (December 18, 1991); and Decision 92-03-086 (March 31, 1992). CPUC has pending, in Application No. 89-04-033, a rehearing of the petition of certain PGT expansion

shippers intending to ship gas to PG&E's northern California service territory. This proceeding deals with the appropriate access and rate provisions of that service. A final decision by CPUC is expected soon.

ample opportunity to present facts and advance arguments regarding transportation rate issues. We note further that under the terms of the authorizations issued by FERC and CPUC, all of the costs of the Expansion Project will be borne by expansion shippers and sponsors; none of the costs will be passed on to PG&E's existing ratepayers unless they ship gas over the expansion facilities. Thus, even if the Expansion Project is undersubscribed, existing ratepayers will not be affected by the Expansion Project's rates.

New Mexico and El Paso emphasize the fact that PGT, PG&E, and A&S are affiliates. It is unclear whether they are suggesting that gas purchased from a Canadian affiliate by PG&E would have an unfair competitive advantage over supplies available from competing domestic producers, or that PG&E would receive a preference in the provision of transportation services and rates due to its affiliate relationship with PGT.

We note that intervenors in PGT's expansion case before FERC raised issues similar to those raised above by New Mexico and El Paso. In response, FERC expressed concern about a possibly discriminatory and anticompetitive tying arrangement between PGT and PG&E in its orders issued January 22, 1991, and August 1, 1991. The tying arrangement argument stemmed from a CPUC decision that PGT's expansion shippers must pay PG&E's postage stamp expansion rate to Kern River Station, California, even though the shippers would receive delivery of the gas in

Northern California. 6/ FERC recognized this arrangement might prevent competition in PG&E's Northern California service area by forcing shippers who wanted to serve Northern California to pay unnecessary transportation charges. FERC nevertheless granted PGT its construction certificate, but added the condition that construction could not begin until PGT demonstrated that access to California markets on the expansion facilities would be non-discriminatory. 7/ Subsequently, in an order dated October 24, 1991, FERC granted reconsideration and lifted the construction ban, but lowered PGT's allowed rate of return on equity. FERC stated that the rate of return reduction will be in effect

until such time that PGT demonstrates that neither its rates or transportation policies or practices nor those of its affiliate, PG&E, result in unduly discriminatory restraints on shippers' access to transportation on PGT's expansion project and transportation service within California." 8/

FERC also stated:

This revised condition will permit PGT to proceed with the timely construction of facilities to fulfill gas demand that is unquestioned. However, the condition should provide a strong incentive for PGT to work toward the elimination of unduly

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6/ See Pacific Gas and Electric Company, CPUC Decision No.

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91-06-017 issued June 5, 1991 and Decision No. 91-06-053 issued June 19, 1991. A postage stamp rate is a single rate for the entire pipeline system; in contrast to zone or mileage based rates.

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7/ See Pacific Gas Transmission Company, 56 FERC 61,192

(August 1, 1991).

8/ See Pacific Gas Transmission Company, 57 FERC 61,097 at

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61,361.



discriminatory conditions that limit its expansion shippers' access to transportation service." 9/

PGT accepted its FERC authorization to construct the expansion facilities on November 21, 1991.

Similarly, on November 6, 1991, CPUC adopted new rules scheduled to take effect October 1, 1992, that would open capacity on PGT's pipeline that had been reserved to A&S pool producers supplying PG&E. As part of the new rules, PG&E was ordered to give up contracted space on PGT (which is filled 100 percent with Canadian gas) to provide room for direct purchases of Canadian supplies by California industry.

Additionally, the circumstances have changed with regard to PG&E's ownership of PGT since the time New Mexico and El Paso intervened almost two years ago. Currently, TransCanada PipeLines Limited is completing a transaction to purchase PGT from PG&E, although unresolved issues are delaying the transaction.

For all the above reasons, DOE concludes that New Mexico and El Paso have failed to support their arguments and rebut the presumption in favor of granting these blanket import applications. In addition, DOE finds there are no material issues of fact in dispute relevant to a decision on blanket import applications and, therefore, denies El Paso's request for discovery and a trial-type hearing. We also deny New Mexico's request to develop additional information because the record is

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adequate and all issues relevant to these applications have been fully considered.

B. Environmental Impacts

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Environmental concerns are an important element in DOE's public interest determination. To transport and deliver the volumes in these proceedings would require construction of the pipeline facilities comprising the Expansion Project -- PGT's interstate pipeline facilities, and PG&E's intrastate pipeline facilities, except that any imports at Huntington, British Columbia, would be accomplished using Northwest's existing facilities. In general, DOE considers environmental issues in the context of the National Environmental Policy Act (NEPA) of 1969. 10/

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The proposed importation of gas by Pancontinental and BPRC near Huntington, British Columbia, would be accomplished using the existing pipeline facilities of Northwest. Because no new construction would be involved, DOE has determined that approving this place of entry is clearly not a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA and therefore an environmental impact statement or environmental assessment is not required. 11/

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10/ 42 U.S.C. 4321, et seq.

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11/ See 40 CFR 1508.4 and 54 F.R. 12474 (March 27, 1989).  
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Although the Expansion Project itself is not regulated by DOE, 12/ a portion of the new pipeline capacity would be used by each of the eight blanket import applicants. Therefore, DOE examined the environmental impacts of constructing the proposed PGT/PG&E facilities. The findings are discussed in DOE's Record of Decision (ROD) for the Expansion Project which was issued in conjunction with this order and will be published in the Federal Register. 13/ A major factor in assessing the environmental

12/ With respect to PGT's proposed expansion facilities, FERC has jurisdiction under section 3 of the NGA over the siting, construction, and maintenance of pipeline facilities that cross the international border from Canada and enter the United States. In addition under section 7 of the NGA, FERC is responsible for determining that interstate natural gas transportation facilities are in the public interest. If FERC determines that the border-crossing facilities would not be inconsistent with the public interest and there is or will be a need for a proposed service, it will issue a Presidential Permit and a Certificate of Public Convenience and Necessity authorizing the construction and operation of a proposed project. In contrast, the PG&E facilities are under the jurisdiction of CPUC. Under Sections 1001, et seq. of the California Public Utilities Code, CPUC is responsible for determining whether a public utility's proposed plant facilities or transportation services in California are in the public interest. As we pointed out, both FERC and CPUC have authorized the Expansion Project.

13/ The ROD was issued under the Council on Environmental Quality Regulations implementing the procedural provisions of NEPA and DOE's guidelines for compliance with NEPA (52 F.R. 47662, December 15, 1987). It is based on the FERC Final Environmental Impact Statement for the PGT/PG&E Expansion Project (FERC/EIS-0061) which was published May 24, 1991. The FERC document is entitled "PGT/PG&E and Altamont Pipeline Projects Final Environmental Impact Statement," Volumes I through IV.

DOE, as a cooperating agency, adopted and renamed this document DOE/EIS-0164 (57 F.R. 13744, April 17, 1992). The FERC/EIS-0061 incorporated by reference relevant portions of a related document published by CPUC on November 19, 1990, entitled "Pacific Gas Transmission Company/Pacific Gas and Electric Company Natural Gas Pipeline Project, Final EIR" (State Clearinghouse Number

(continued...)

consequences of granting the imports was the extent to which the proposed Expansion Project would make use of existing pipeline rights-of-way. The proposed pipeline would be constructed primarily parallel and adjacent to an existing PGT/PG&E pipeline and would be constructed within the existing PGT/PG&E right-of-way for approximately 87 percent of the proposed route.

Another important consideration was the extent to which FERC and CPUC were able to recommend modifications to the proposed pipeline alignments or develop mitigation measures which would minimize impact on wetlands, visual resources, historic areas, threatened or endangered species, sensitive stream crossings, and other areas of concern. FERC's certificate order issued to PGT includes 48 mitigation measures that must be implemented prior to, during, and after construction. There is a clearly defined, standardized set of construction procedures for stream and wetland crossings that would significantly reduce the impact of pipeline construction on these valuable resources. In addition, specific erosion control, revegetation, and right-of-way maintenance procedures have been developed. Further, the certificate order stipulated that PGT would need authorization from FERC's Office of Pipeline and Producer Regulation that the environmental conditions were being satisfied in order to start

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13/(...continued)  
89081512). We note that the ROD is concerned only with the PGT/PG&E expansion facilities. None of the applications for import authority issued herein will be using the proposed Altamont Pipeline.

construction. Finally, CPUC's order authorizing construction of PG&E's pipeline expansion in California contained approximately 200 mitigation measures and a monitoring plan.

C. Conclusion \_\_\_\_\_

DOE has examined the entire record of each proceeding listed in the Appendix to this order, including the environmental documents prepared for the Expansion Project. I find that these eight applications for blanket authority to import natural gas from Canada into the United States are not inconsistent with the public interest and should be approved. Accordingly, the applicants are authorized to import this gas at Kingsgate, British Columbia, through PGT's existing and new expansion facilities. As an alternate to Kingsgate, Pancontinental and BPRC are also permitted to import gas at Huntingdon, British Columbia.

ORDER

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For the reasons set forth above, pursuant to section 3 of the Natural Gas Act, it is order that:

A. The Public Service Department of the City of Burbank, California, is authorized to import from Canada near Kingsgate, British Columbia, up to 3.8 Bcf of natural gas over a two-year period, beginning on the date of the first delivery.

B. The Public Service Department of the City of Glendale, California, is authorized to import from Canada near Kingsgate, British Columbia, up to 3.8 Bcf of natural gas over a two-year period, beginning on the date of the first delivery.



C. The Department of Water and Power of the City of Pasadena, California, is authorized to import from Canada near Kingsgate, British Columbia, up to 3.8 Bcf of natural gas over a two-year period, beginning on the date of the first delivery.

D. Southern California Edison Company is authorized to import from Canada near Kingsgate, British Columbia, up to 146 Bcf of natural gas over a two-year period, beginning on the date of the first delivery.

E. Pancontinental Oil Ltd. is authorized to import from Canada near Kingsgate or Huntingdon, British Columbia, up to 8 Bcf of natural gas over a two-year period, beginning on the date of the first delivery.

F. Pacific Gas and Electric Company is authorized to import from Canada near Kingsgate, British Columbia, up to 73 Bcf of natural gas over a two-year period, beginning on the date of the first delivery.

G. San Diego Gas & Electric Company is authorized to import from Canada near Kingsgate, British Columbia, up to 73 Bcf of natural gas over a two-year period, beginning on the date of the first delivery.

H. BP Resources Canada Limited is authorized to import from Canada near Kingsgate or Huntingdon, British Columbia, up to 36.5 Bcf of natural gas over a two-year period, beginning on the date of the first delivery.

I. Each importer shall notify the Office of Fuels Programs (OFP), Fossil Energy, FE-50, Forrestal Building, 1000

Independence Avenue S.W., Washington, D.C. 20585, in writing of the date of initial deliveries of natural gas authorized by this order within two weeks after deliveries begin.

J. With respect to the imports authorized by this order, each importer shall file with OFP, within 30 days following each calendar quarter, quarterly reports indicating whether sales of imported natural gas have been made, and if so, giving by month, the total volume of imports in Mcf and the average price per MMBtu at the international border. The reports shall also provide the details of each import transaction, the names of the seller(s) and purchaser(s), estimated or actual duration of the agreements, transporter(s), point(s) of entry, geographic markets served, and if applicable, the per unit (MMBtu) demand/commodity/reservation charge breakdown of any special contract price adjustment clauses, and any take-or-pay or make-up provisions. If no imports have been made, a report of "no activity" for that calendar quarter must be filed. Failure to file quarterly reports may result in termination of the authorization.

K. The first quarterly report required by paragraph D of this order is due not later than July 30, 1992, and should cover the period from the date of this order until the end of the current calendar quarter, June 30, 1992.

L. The motions to intervene as set forth in this Opinion and Order are hereby granted, provided that their participation shall be limited to matters specifically set forth in their

motions to intervene and not herein specifically denied, and that admission of these intervenors shall not be construed as recognition that they may be aggrieved because of any order issued in these proceedings.

M. The request by El Paso Natural Gas Company for dismissal of these import applications, discovery, and trial-type hearings is denied. Also, the request of the Energy, Minerals, and Natural Resources Department of the State of New Mexico and the Commissioner of Public Lands for additional procedures is denied.

Issued in Washington, D.C., on May 19, 1992.

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James G. Randolph  
Assistant Secretary for Fossil Energy

Appendix

Docket No. and Date Filed	Applicant	Notice	Notice Expiration	Maximum Volume Requested (Bcf)
90-39-NG 5/10/90	The Public Service Department, of the City of Burbank, California	55 FR 38142 9/17/90	10/17/90	3.8
90-40-NG 5/11/90	The Public Service Department, of the City of Glendale, California	55 FR 38143 9/17/90	10/17/90	3.8
90-42-NG 5/11/90	The Department of Water and Power, of the City of Pasadena, California	55 FR 38144 9/17/90	10/17/90	3.8
90-43-NG 5/11/90	Southern California Edison Company	55 FR 27883 7/6/90	8/6/90	146
90-45-NG 5/14/90	Pancontinental Oil Ltd.	55 FR 25696 6/22/90	7/23/90	8
90-46-NG 5/15/90	Pacific Gas and Electric Company	55 FR 33369 8/15/90	9/14/90	73
90-47-NG 5/15/90	San Diego Gas & Electric Company	55 FR 31878 8/6/90	9/5/90	73
90-49-NG 5/15/90	BP Resources Canada Limited	55 FR 27675 7/5/90	8/6/90	36.5