

UNITED STATES OF AMERICA

DEPARTMENT OF ENERGY

OFFICE OF FOSSIL ENERGY

TEXAS EASTERN TRANSMISSION
CORPORATION

)
) ERA DOCKET NO. 87-37-NG
)
)

ORDER TERMINATING LONG-TERM AUTHORIZATION
TO IMPORT NATURAL GAS FROM CANADA

DOE/FE ORDER NO. 202-B

In DOE/ERA Opinion and Order No. 202 (Order 202), issued October 30, 1987, in docket 87-37-NG, the Economic Regulatory Administration (ERA)^{1/} of the Department of Energy (DOE)

extended Texas Eastern Transmission Corporation's (Texas Eastern) previous authorization to import up to 75,000 Mcf of Canadian natural gas per day supplied by ProGas Limited (ProGas) to allow the company to import the same volume through October 31, 2000.^{2/} In addition, Texas Eastern was allowed to release

1/ By order issued February 7, 1989, the Secretary of Energy

transferred the authority to regulate natural gas imports and exports then held by the Administrator of ERA, pursuant to Secretary of Energy Delegation Order No. 0204-111, 49 F.R. 6684 (February 22, 1984), to the Assistant Secretary for Fossil Energy. See Secretary of Energy Delegation Order No. 0204-127, 54

F.R. 11436 (March 20, 1989).

2/ See Texas Eastern, 1 ERA Para. 70,733; order denying reh'g and

request for stay, ERA Opinion and Order No. 202-A, 1 ERA Para. 70,744
(December 30, 1987). Texas Eastern's importation of this gas was
originally approved by ERA in DOE/ERA Opinion and Order No. 32,

(continued...)

portions of its authorized daily volume not required to meet its system supply requirements to its own or its supplier's marketer for spot market sales to third parties for a two-year period.

On August 13, 1993, Texas Eastern notified the Office of Fuels Programs, Fossil Energy, in accordance with 590.407 of DOE's administrative procedures, that its gas supply contract with ProGas, dated November 1, 1986, as amended, expired on April 1, 1993. The expiration of the contract was part of an overall settlement between ProGas and Texas Eastern involving the assignment of certain upstream transportation agreements in connection with Texas Eastern's restructuring under Federal Energy Regulatory Commission (FERC) Order No. 636.3/

Texas Eastern states that it has not purchased or imported any gas under the ProGas contract since April 1, 1993, nor does it propose to do so in the future. Accordingly, pursuant to

2/(...continued)

in docket 79-15-NG (1 ERA Para. 70,530, April 24, 1981). Thereafter, DOE/ERA Opinion and Order No. 112, in docket 85-13-NG, authorized changes in Texas Eastern's contract with ProGas (1 ERA Para. 70,634, March 21, 1986); order denying reh'g, DOE/ERA Opinion and Order 112-A, 1 ERA Para. 70,646 (May 21, 1986).

3/ Pipeline Service Obligations and Revisions to Regulations

Governing Self-Implementing Transportation; and Regulation of

Natural Gas Pipelines After Partial Wellhead Decontrol, Order No.

636, 57 F.R. 13267 (April 16, 1992), FERC Statutes and

Regulations Para. 30,939 (April 8, 1992), order on reh'g, Order No.

636-A, 57 F.R. 36128 (August 12, 1992), FERC Statutes and

Regulations Para. 30,950 (August 3, 1992), order on reh'g, Order No.

636-B, 57 F.R. 57911 (December 8, 1992), 61 FERC Para. 61,272 (1992), rehearing denied, 62 FERC Para. 61,007 (1993); appeal pending sub nom., Atlanta Gas Light Co. v. FERC, No. 92-8782 (11th Cir.).

section 3 of the Natural Gas Act, the import authority granted to Texas Eastern in Order 32, which was amended successively in DOE/ERA Opinion and Order Nos. 112 and 202, is hereby terminated effective on the date of this order.

Issued in Washington, D.C., on September 30, 1993.

Anthony J. Como
Director
Office of Coal & Electricity
Office of Fuels Programs
Office of Fossil Energy