

UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY

PHILLIPS ALASKA NATURAL GAS CORPORATION AND MARATHON OIL COMPANY

FE DOCKET NO. 96-99-LNG

ORDER DENYING MOTION TO COMPEL DISCOVERY OF DOCUMENTS AND DATA

On November 6, 1997, the Office of Fossil Energy (FE) of the Department of Energy (DOE) issued an order in FE Docket No. 96- 99-NG establishing procedures for the submission of written comments on a variety of issues in order to develop further the record upon which a decision in this proceeding can be based. On November 20, 1997, ENSTAR Natural Gas Company (ENSTAR) filed a motion for FE to issue an order compelling the production of documents and data from Phillips Alaska Natural Gas Corporation (PANGC) and Marathon Oil Company (Marathon). On December 5, 1997, PANGC and Marathon filed a joint answer in opposition to ENSTAR's motion.

In the November 6, 1997, procedural order FE denied all pending requests for formal discovery procedures finding no good cause has been shown for granting such requests.¹

Additionally, FE found [after] the submission of initial and reply comments, FE will consider, upon request, whether further procedures are necessary and appropriate to develop material factual issues that could not be developed adequately through the prescribed comment process.²

Therefore, for the reasons already set forth in FE's November 6 procedural order, ENSTAR's November 20, 1997, motion to compel PANGC and Marathon to produce documents and data is denied without prejudice to the consideration of such a request in accordance with the schedule set forth in Paragraph C of the procedural order.³

Issued in Washington, D.C., on December 16, 1997.

Wayne E. Peters

Manager, Natural Gas Regulation

Office of Natural Gas & Petroleum

Import and Export Activities

Office of Fossil Energy

1. See page 12.

2. Id. at 13.

3. Id. at 22.