

ALGONQUIN GAS TRANSMISSION, LLC
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Houston, TX 77251-1642



April 19, 2016

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: OEP/DPC/CB-1
Algonquin Gas Transmission, LLC and Maritimes & Northeast Pipeline, L.L.C.
Docket No. CP16-9-000
Response to April 13, 2016, Data Request

Dear Ms. Bose:

On October 22, 2015, Algonquin Gas Transmission, LLC (“Algonquin”) and Maritimes & Northeast Pipeline, L.L.C. (“Maritimes”) filed their Abbreviated Application for a Certificate of Public Convenience and Necessity and for Related Authorizations (“Application”) with the Federal Energy Regulatory Commission (“Commission”) for their Atlantic Bridge Project (“Project”). On April 13, 2016, the Commission staff issued a Data Request in the referenced proceeding to assist staff with its analysis of the Project. Staff requested a complete response within five (5) days of the issuance of the request. Algonquin and Maritimes hereby submit a complete response to all of the requests in the Data Request.

If you have any questions regarding this filing, please contact me at (713) 627-5113.

Sincerely,

/s/ Chris Harvey
Chris Harvey
Director, Rates and Certificates

Enclosures

cc: Andrya C. Torres Perez (FERC)

**ALGONQUIN GAS TRANSMISSION, LLC
MARITIMES & NORTHEAST PIPELINE,
L.L.C.**

ATLANTIC BRIDGE PROJECT

DOCKET NO. CP16-9-000

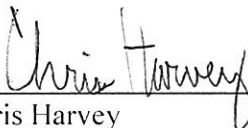
Verification

VERIFICATION

THE STATE OF TEXAS)
)
COUNTY OF HARRIS)

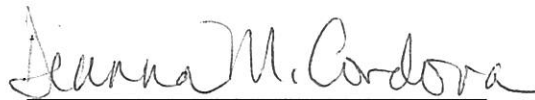
Chris Harvey, being first duly sworn, states that he is Director, Rates and Certificates, for Algonquin Gas Transmission, LLC and Maritimes & Northeast Pipeline, L.L.C.; that he is authorized to execute this Verification; that he has read the foregoing document and is familiar with the contents thereof; and that all allegations of fact therein contained are true and correct to the best of his knowledge and belief.

ALGONQUIN GAS TRANSMISSION, LLC
MARITIMES & NORTHEAST PIPELINE, L.L.C.



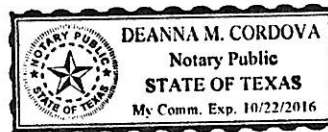
Chris Harvey
Director, Rates and Certificates

Subscribed and sworn to before me this 19th day of April, 2016.



Notary Public, State of Texas

My Commission Expires:
10/22/2016



Algonquin Gas Transmission, LLC and Maritimes & Northeast Pipeline, L.L.C.
Docket No. CP16-9-000
Response to Staff Data Request
Dated April 13, 2016

Request 1

Reconcile the proposed new capacity (gas volumes), with the volumes stated in the precedent agreements, and explain if there is any existing unsubscribed capacity (by Algonquin or Maritimes) being used for this project. Please provide a shipper list or table showing your calculations.

Response 1

The proposed new capacity for the Atlantic Bridge Project is 132,705 dekatherms per day ("Dth/d") on Algonquin and 106,276 Dth/d on Maritimes. As reflected in Algonquin's and Maritimes' "Response to Staff Data Request Dated March 25, 2016," the volumes stated in the Atlantic Bridge precedent agreements are 125,106 Dth/d for Algonquin and 106,276, Dth/d for Maritimes. Below are charts showing volumes by shipper. Neither Algonquin nor Maritimes will use any existing unsubscribed capacity for this Project.

Algonquin Volumes in Precedent Agreements

<u>Shipper</u>	<u>Volume (Dth/d)</u>
Heritage Gas Limited	10,160
NSTAR Gas Company d/b/a Eversource Energy	50,000
Exelon Generation Company, LLC	8,105
Irving Oil Terminal Operations, Inc.	30,487
Maine Natural Gas Company	6,586
New England NG Supply Limited	16,768
Norwich Public Utilities	<u>3,000</u>
TOTAL	125,106

Maritimes Volumes in Precedent Agreements

<u>Shipper</u>	<u>Volume (Dth/d)</u>
Heritage Gas Limited	10,030
Exelon Generation Company, LLC	8,000
Irving Oil Terminal Operations, Inc.	65,196
Maine Natural Gas Company	6,500
New England NG Supply Limited	<u>16,550</u>
TOTAL	106,276

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Request 2

Algonquin and Maritimes filed precedent agreements in their application as Privileged Information; however certain sections of the precedent agreements are not disclosed. Since the precedent agreements are filed as privileged, explain why Algonquin and Maritimes never-the-less decided to not disclose this information. Would any of the redacted sections of the precedent agreements have any relevance to issues pertaining to non-conforming service agreements?

Response 2

Algonquin and Maritimes submitted the precedent agreements in Exhibit I as market data supporting the need for the Project. Algonquin and Maritimes redacted limited information in two categories from these precedent agreements, specifically, the negotiated rates to be charged to the Project shippers and certain credit information, for the following reasons.

Algonquin and Maritimes, and their respective Project shippers, consider such redacted information to be highly sensitive. Although the Commission itself recognizes the sensitivity of this type of commercial information,¹ it is unclear whether Section 388.112(b)(2)² of the current regulations, governing the submission of privileged information, operates to protect sensitive commercial information from disclosure to participants who fail to demonstrate a legitimate need to review such information in order to meaningfully participate in a certificate proceeding.³

Moreover, the Commission does not approve negotiated rates or credit provisions in certificate proceedings. As stated in the Project application, all Atlantic Bridge Project shippers have agreed to pay negotiated rates, which will be reviewed by the Commission when Algonquin and Maritimes file the negotiated rate agreements or tariff records with the Commission at least 30, and not more than 60 days, before the proposed effective date of such rates.⁴ Likewise, the Commission historically has not reviewed specific credit support terms in certificate proceedings; pipelines post the credit support terms prior to the first nomination for project service.⁵ Algonquin and Maritimes plan to post the credit support terms in the precedent agreements in accordance with the Commission's regulations.

None of the redacted sections of the precedent agreements have any relevance to issues pertaining to non-conforming service agreements.

¹ *Kinder Morgan Interstate Gas Transmission LLC*, 122 FERC ¶ 61,154 at PP 40-42 (2008).

² 18 C.F.R. 388.112(b)(2).

³ Prior to promulgation of the revised regulation, requests for privileged information were handled through the Commission's Freedom of Information Act procedures which afforded applicants in certificate proceedings the ability to protect commercially sensitive information from disclosure.

⁴ *See, e.g. Algonquin Gas Transmission, LLC*, 151 FERC ¶ 61,118 at P 24 (2015).

⁵ 18 C.F.R. § 284.13(b)(1)(viii) (2015).

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Request 3

Please reconsider making a list or chart showing the volumes for each shipper shown in the precedent agreements a public exhibit to your application, or explain specifically why the shipper volumes are considered by the shippers, Algonquin or Maritimes to be Privileged Information.

Response 3

Please see Response 1 for charts showing the volumes for each Atlantic Bridge Project shipper.

Document Content(s)

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