



Florida Gas Transmission Company

An Energy Transfer/Kinder Morgan Affiliate

February 22, 2022

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

RE: Florida Gas Transmission Company, LLC
Amended Negotiated Rate Agreements with Non-Conforming Provisions
Docket No. RP22-_____

Dear Ms. Bose:

Florida Gas Transmission Company, LLC (FGT) hereby electronically submits for filing with the Federal Energy Regulatory Commission (Commission) the tariff records listed below as part of its FERC NGA Gas Tariff, Original Volume No. 1-A, (Tariff), proposed to become effective September 1, 2021, as requested herein:

<u>Version</u>	<u>Description</u>	<u>Title</u>
1.0.0	Contract No. 122314	Exhibits A, B, C
1.0.0	Contract No. 122315	Exhibits A, B, C

STATEMENT OF NATURE, REASONS AND BASIS

FGT is submitting Amendments No.1 to two previously accepted negotiated rate service agreements containing non-conforming provisions entered into between FGT and Seminole Electric Cooperative, Inc. (Seminole) under Rate Schedule FTS-3 (Contract Nos. 122314 and 122315).¹ The respective Amendments No. 1 extend the end dates of the primary terms of the previously filed agreements for Contract Nos. 122314 and 122315 from August 31, 2021 to August 31, 2022. There are no other changes to Contracts 122314 and 122315 with regard to rates or other general terms and conditions from what FGT previously filed in Docket No. RP18-826-000.

IMPLEMENTATION AND WAIVER REQUEST

Due to an administrative oversight, FGT did not file the Amendments No. 1 before their September 1, 2021 effective dates. However, such information was posted timely to FGT's Firm Transactional Report. Pursuant to Section 154.7(a)(9) of the Commission's Regulations, FGT requests that the proposed tariff records be accepted effective September 1, 2021, the effective date of the extension period of Amendments No. 1 to Contract Nos. 122314 and 122315.

FGT respectfully requests the Commission grant waiver of any of its Regulations that it deems necessary to allow the proposed tariff records in the instant filing to become effective September 1, 2021,

¹ Letter Order, *Florida Gas Transmission Company, LLC*, Docket No. RP18-826-000 (issued Jun. 14, 2018).

as requested. In addition, FGT respectfully requests that, if the Commission determines suspension to be in order, only the minimum suspension be imposed.

The Commission evaluates requests for waivers using the “four-factor test.” The Commission grants waivers of tariff provisions where: (1) the applicant acted in good faith; (2) the waiver is of limited scope; (3) the waiver addresses a concrete problem; and (4) the waiver does not have undesirable consequences, such as harming third parties.² FGT respectfully states that the circumstances here satisfy the foregoing criteria.

First, FGT has acted in good faith by submitting this filing as soon as it became aware of the administrative oversight. Second, FGT’s waiver request is limited in scope to an extension of the end dates of the primary terms and not a change to the overall previously accepted Contract Nos. 122314 and 122315. Third, FGT’s requested waiver addresses a concrete problem because, absent the waiver, the currently filed tariff records for Contract Nos. 122314 and 122315 are not correct. Finally, FGT’s requested waiver does not result in undesirable consequences, such as harm to any third parties, because the changes are only extending the terms of the existing agreements and the information was posted timely to FGT’s Firm Transactional Report.

CONTENTS OF THE FILING

This filing is made in electronic format in compliance with Section 154.4 of the Commission’s Regulations. In addition to two proposed tariff records filed in whole document format with metadata attached, the eTariff XML filing package contains:

- . this transmittal letter in PDF format
- . a clean copy of the proposed tariff records in PDF format
- . a marked version of the proposed tariff changes in PDF format
- . a copy of the complete filing in PDF format for publishing in eLibrary

² See, e.g., *Citizens Sunrise Transmission LLC*, 171 FERC ¶ 61,106 at P 10 (2020).

COMMUNICATIONS, PLEADINGS AND ORDERS

FGT requests that all Commission orders and correspondence as well as pleadings and correspondence from other parties concerning this filing be served on each of the following:

Michael T. Langston³
Vice President
Chief Regulatory Officer
Florida Gas Transmission Company, LLC
1300 Main Street
Houston, TX 77002
(713) 989-7610
(713) 989-1205 (Fax)
michael.langston@energytransfer.com

Kevin Erwin³
General Counsel
Florida Gas Transmission Company, LLC
1300 Main Street
Houston, TX 77002
(713) 989-2745
(713) 989-1189 (Fax)
kevin.erwin@energytransfer.com

Lawrence J. Biediger^{3 4}
Sr. Director, Rates and Regulatory Affairs
Florida Gas Transmission Company, LLC
1300 Main Street
Houston, TX 77002
(713) 989-7670
(713) 989-1205 (Fax)
larry.biediger@energytransfer.com

In accordance with Section 154.2(d) of the Commission's Regulations, a copy of this filing is available for public inspection during regular business hours at FGT's office at 1300 Main Street, Houston, Texas 77002. In addition, copies of this filing are being served on jurisdictional customers and interested state regulatory agencies. FGT has posted a copy of this filing on its Internet website accessible via <http://fgttransfer.energytransfer.com> under Informational Postings, Regulatory.

Pursuant to Section 385.2011(c)(5) of the Commission's Regulations, the undersigned has read this filing and knows its contents; the contents are true as stated, to the best of his knowledge and belief; and the undersigned possesses full power and authority to sign such filing.

Respectfully submitted,

FLORIDA GAS TRANSMISSION COMPANY, LLC

/s/ Lawrence J. Biediger

Lawrence J. Biediger
Sr. Director, Rates and Regulatory Affairs

³ Designated as responsible Company official under Section 154.7(a)(2) of the Commission's Regulations.

⁴ Designated to receive service pursuant to Rule 2010 of the Commission's Rules of Practice and Procedure. FGT respectfully requests that the Commission waive Rule 203(b)(3), 18 C.F.R. § 385.203(b)(3), in order to allow FGT to include additional representatives on the official service list.

FLORIDA GAS TRANSMISSION COMPANY, LLC

FERC NGA Gas Tariff

Original Volume No. 1-A

Effective on September 1, 2021

(Version 1.0.0, Contract No. 122314) Exhibits A, B, C

Option Code "A"

EXHIBIT A
TO
RATE SCHEDULE FTS-3 SERVICE AGREEMENT
BETWEEN
Florida Gas Transmission Company, LLC
AND
Seminole Electric Cooperative, Inc.
DATED
06/01/2018
Contract No. 122314
Amendment No. 1
Effective Date of this Exhibit A: 08/31/2020

Date Range: 09/01/2021 to 08/31/2022

<u>Point(s) of Receipt</u>	<u>Point</u>	<u>DRN</u>	<u>Apr</u>	<u>Maximum Daily Quantity (MMBtu)*</u>		
				<u>May-Sept</u>	<u>Oct</u>	<u>Nov-Mar</u>
Zone 3						
<i>Destin P/L</i>	71298	241390	16000	16000	16000	16000
Zone 3 Total:			16000	16000	16000	16000
Total MDTQ:			16000	16000	16000	16000

*Quantities are exclusive of Fuel Reimbursement. Shipper shall provide fuel pursuant to Fuel Reimbursement Charge Adjustment provisions of Transporter's F.E.R.C. Gas Tariff, General Terms and Conditions.

EXHIBIT B
TO
RATE SCHEDULE FTS-3 SERVICE AGREEMENT
BETWEEN
Florida Gas Transmission Company, LLC
AND
Seminole Electric Cooperative, Inc.
DATED
06/01/2018
Contract No. 122314
Amendment No. 1
Effective Date of this Exhibit B: 08/31/2020

Date Range: 08/01/2021 to 08/31/2022

<u>Point(s) of Delivery</u>	<u>Point</u>	<u>DRN</u>	<u>Apr</u>	<u>Maximum Daily Quantity (MMBtu)*</u>		
				<u>May-Sept</u>	<u>Oct</u>	<u>Nov-Mar</u>
Point Description	78138	292526	16000	16000	*6000	16000
Midulla Generation Station			16000	16000	16000	16000
Total MDTQ:						

*Quantities are exclusive of Fuel Reimbursement.

FOR INTERNAL USE ONLY
Request No.
Contract No. 122314
Legal Entity No. 6500
DUNS No. 78332867

EXHIBIT C
TO
RATE SCHEDULE FTS-3 SERVICE AGREEMENT
BETWEEN
Florida Gas Transmission Company, LLC
AND
Seminole Electric Cooperative, Inc
DATED
06/01/2018
Contract No. 122314
Amendment No. 1
Effective Date of this Exhibit C: 00/31/2020

The parties hereby agree that Exhibit A and/or B are revised as described below and revised Exhibit A and/or B are attached hereto.

- Realignment of Points
- Contract Extension

The Parties agree to extend the end date of the primary term of the Agreement from 8/31/2021 to 8/31/2022 and to include Shipper's Right of First Refusal in Article V as follows: "In accordance with the provisions of Section 20 of the General Terms and Conditions of the Transporter's Tariff, Shipper shall have a contractual Right of First Refusal."

- Contract Quantity
- Administrative Contract Consolidation

Service Agreement Number MDTQ Termination Date Extension Rights

TRANSPORTER
Florida Gas Transmission Company, LLC
DocuSigned by:
By: Beth Hickey
Name: _____
Title: _____
Date: _____

SHIPPER
Seminole Electric Cooperative, Inc.
By: [Signature]
Name: Lisa Johnson
Title: CEO & General Manager
Date: August 18, 2020

DS DM DS DL DS JD

FLORIDA GAS TRANSMISSION COMPANY, LLC

FERC NGA Gas Tariff

Original Volume No. 1-A

Effective on September 1, 2021

(Version 1.0.0, Contract No. 122315) Exhibits A, B, C

Option Code "A"

EXHIBIT A
TO
RATE SCHEDULE FTS-3 SERVICE AGREEMENT
BETWEEN
Florida Gas Transmission Company, LLC
AND
Seminole Electric Cooperative, Inc.
DATED
06/01/2018
Contract No. 122315
Amendment No. 1
Effective Date of this Exhibit A: 08/31/2020

Date Range: 09/01/2021 to 08/31/2022

Point(s) of Receipt

Point Description	Point	DRN	<u>Maximum Daily Quantity (MMBtu)*</u>			
			<u>Apr</u>	<u>May-Sept</u>	<u>Oct</u>	<u>Nov-Mar</u>
Zone 3						
Destin P/L	71298	241390	15000	15000	15000	15000
Zone 3 Total:			15000	15000	15000	15000
Total MDTQ:			15000	15000	15000	15000

*Quantities are exclusive of Fuel Reimbursement. Shipper shall provide fuel pursuant to Fuel Reimbursement Charge Adjustment provisions of Transporter's F.E.R.C. Gas Tariff, General Terms and Conditions.

EXHIBIT B
TO
RATE SCHEDULE FTS-3 SERVICE AGREEMENT
BETWEEN
Florida Gas Transmission Company, LLC
AND
Seminole Electric Cooperative, Inc.
DATED
06/01/2018
Contract No. 122315
Amendment No. 1
Effective Date of this Exhibit B: 08/31/2020

Date Range: 09/01/2021 to 08/31/2022

Point(s) of Delivery

Point Description	Point	DRN	<u>Maximum Daily Quantity (MMBtu)*</u>			
			<u>Apr</u>	<u>May-Sept</u>	<u>Oct</u>	<u>Nov-Mar</u>
Mikulla Generation Station	78138	292526	15000	15000	15000	15000
Total MDTQ:			15000	15000	15000	15000

***Quantities are exclusive of Fuel Reimbursement.**

FOR INTERNAL USE ONLY
Request No.
Contract No. 122315
Legal Entity No. 8500
DUNS No. 78332657

EXHIBIT C
TO
RATE SCHEDULE FTS-3 SERVICE AGREEMENT
BETWEEN
Florida Gas Transmission Company, LLC
AND
Seminole Electric Cooperative, Inc.
DATED
08/01/2018
Contract No. 122315
Amendment No. 1
Effective Date of this Exhibit C: 08/31/2020

The parties hereby agree that Exhibit A and/or B are revised as described below and revised Exhibit A and/or B are attached hereto.

- Realignment of Points
- Contract Extension

The Parties agree to extend the end date of the primary term of the Agreement from 8/31/2021 to 8/31/2022 and to include Shipper's Right of First Refusal in Article V as follows: "In accordance with the provisions of Section 20 of the General Terms and Conditions of the Transporter's Tariff, Shipper shall have a contractual Right of First Refusal."

- Contract Quantity
 - Administrative Contract Consolidation
- | <u>Service Agreement Number</u> | <u>MDTQ</u> | <u>Termination Date</u> | <u>Extension Rights</u> |
|---------------------------------|-------------|-------------------------|-------------------------|
|---------------------------------|-------------|-------------------------|-------------------------|

TRANSPORTER
Florida Gas Transmission Company, LLC

SHIPPER
Seminole Electric Cooperative, Inc.

DocuSigned by:
Beth Hickey
By: _____
Name: _____
Title: _____
Date: _____

By: [Signature]
Name: Lisa Johnson
Title: CEO & General Manager
Date: August 18, 2020

DS DS DS
DM DA JD

MARKED VERSION

FLORIDA GAS TRANSMISSION COMPANY, LLC

FERC NGA Gas Tariff

Original Volume No. 1-A

Effective on ~~June 1, 2018~~ September 1, 2021

(Version ~~01~~.0.0, Contract No. 122314) Exhibits A, B, C

Option Code "A"

EXHIBIT A
TO
RATE SCHEDULE FTS-3 SERVICE AGREEMENT
BETWEEN
FLORIDA GAS TRANSMISSION COMPANY, LLC
AND
SEMINOLE ELECTRIC COOPERATIVE, INC.
DATED
06/01/2018
Contract No. 122314
Amendment 01
Effective Date of this Exhibit A: ~~06/01/2018~~08/31/2020

Date Range: ~~06/01/2018~~09/01/2021 to 08/31/~~2021~~2022

<u>Point(s) of Receipt</u>	<u>Maximum Daily Quantity (MMBtu)*</u>					
Point Description	Point	DRN	<u>Apr</u>	<u>May-Sept</u>	<u>Oct</u>	<u>Nov-Mar</u>
Zone 3						
Destin P/L	71298	241390	16000	16000	16000	16000
Zone 3 Total:			16000	16000	16000	16000
Total MDTQ:			16000	16000	16000	16000

*Quantities are exclusive of Fuel Reimbursement. Shipper shall provide fuel pursuant to Fuel Reimbursement Charge Adjustment provisions of Transporter's FERC Gas Tariff, General Terms and Conditions.

EXHIBIT B
TO
RATE SCHEDULE FTS-3 SERVICE AGREEMENT
BETWEEN
FLORIDA GAS TRANSMISSION COMPANY, LLC
AND
SEMINOLE ELECTRIC COOPERATIVE, INC.
DATED
06/01/2018
Contract No. 122314
Amendment 01
Effective Date of this Exhibit B: ~~06/01/2018~~08/31/2020

Date Range: ~~06/01/2018~~09/01/2021 to 08/31/~~2021~~2022

<u>Point(s) of Delivery</u>	<u>Maximum Daily Quantity (MMBtu)*</u>					
Point Description	Point	DRN	<u>Apr</u>	<u>May-Sept</u>	<u>Oct</u>	<u>Nov-Mar</u>
Midulla Generation Station	78138	292526	16000	16000	16000	16000
Total MDTQ:			16000	16000	16000	16000

*Quantities are exclusive of Fuel Reimbursement.

FLORIDA GAS TRANSMISSION COMPANY, LLC

FERC NGA Gas Tariff

Original Volume No. 1-A

Effective on ~~June 1, 2018~~ September 1, 2021

(Version ~~01~~.0.0, Contract No. 122315) Exhibits A, B, C

Option Code "A"

EXHIBIT A
TO
RATE SCHEDULE FTS-3 SERVICE AGREEMENT
BETWEEN
FLORIDA GAS TRANSMISSION COMPANY, LLC
AND
SEMINOLE ELECTRIC COOPERATIVE, INC.
DATED
06/01/2018
Contract No. 122315
Amendment 01
Effective Date of this Exhibit A: ~~06/01/2018~~08/31/2020

Date Range: ~~06/01/2018~~09/01/2021 to 08/31/~~2021~~2022

<u>Point(s) of Receipt</u>	<u>Maximum Daily Quantity (MMBtu)*</u>					
Point Description	Point	DRN	<u>Apr</u>	<u>May-Sept</u>	<u>Oct</u>	<u>Nov-Mar</u>
Zone 3						
Destin P/L	71298	241390	15000	15000	15000	15000
Zone 3 Total:			15000	15000	15000	15000
Total MDTQ:			15000	15000	15000	15000

*Quantities are exclusive of Fuel Reimbursement. Shipper shall provide fuel pursuant to Fuel Reimbursement Charge Adjustment provisions of Transporter's FERC Gas Tariff, General Terms and Conditions.

EXHIBIT B
TO
RATE SCHEDULE FTS-3 SERVICE AGREEMENT
BETWEEN
FLORIDA GAS TRANSMISSION COMPANY, LLC
AND
SEMINOLE ELECTRIC COOPERATIVE, INC.
DATED
06/01/2018
Contract No. 122315
Amendment 01
Effective Date of this Exhibit B: ~~06/01/2018~~08/31/2020

Date Range: ~~06/01/2018~~09/01/2021 to 08/31/~~2021~~2022

<u>Point(s) of Delivery</u>	<u>Maximum Daily Quantity (MMBtu)*</u>					
Point Description	Point	DRN	<u>Apr</u>	<u>May-Sept</u>	<u>Oct</u>	<u>Nov-Mar</u>
Midulla Generation Station	78138	292526	15000	15000	15000	15000
Total MDTQ:			15000	15000	15000	15000

*Quantities are exclusive of Fuel Reimbursement.