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Issued in Washington DC, on December 10, 2002.

**John Rodney Clark,**

*Associate Director of Science for Resource Management.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. OR03-2-000]

#### Caesar Oil Pipeline Company, LLC; Notice of Petition for Declaratory Order

December 13, 2002.

Take notice that on December 6, 2002, Caesar Oil Pipeline Company, LLC (Caesar Company) filed in Docket No. OR03-2-000, a petition for declaratory order, pursuant to Rule 207(a)(2) of the Commission's Rules of Practice and Procedure, 18 CFR 385.207(a)(2). Caesar Company requests that the Commission issue an expedited decision on this Petition no later than the end of March 2003.

Caesar Company states that it is planning to construct the Caesar oil pipeline system (Caesar System), a major crude oil pipeline designed to transport the maximum volume of oil that is technologically feasible with existing equipment, which will provide transportation for the Green Canyon area of the deepwater Gulf of Mexico to a receiving facility at Ship Shoal 332 in the Outer Continental Shelf. In addition to serving the Green Canyon area, the Caesar System will also be available to provide transportation service to the Walker Ridge and Atwater Valley areas of the deepwater Gulf of Mexico. The Caesar System is anticipated to commence service in 2004, and will serve areas of the deepwater Gulf of Mexico that at this time have little or no available transportation capacity on existing oil pipelines.

Caesar Company states that the Caesar System will be subject to the nondiscrimination provisions of the Outer Continental Shelf Lands Act (the OCSLA), and Caesar Company seeks the requested declaratory order to ensure that the Caesar System will not be subject to common-carrier type pro rata allocation, but will rather be authorized to function as a contract carrier, hold an open season, enter into long-term transportation contracts reflecting

contract carriage principles, give those contracts precedence in allocating capacity, and contract for capacity that remains available after the open season closes on a first-come, first-served basis. Caesar Company maintains that the potential of pro rata allocation will likely discourage production development in the Green Canyon, Walker Ridge and Atwater Valley areas, and commitment on the Caesar System by prospective subscribers to capacity, thereby increasing the risk of both the Caesar System and shippers using it.

Accordingly, Caesar Company seeks the following by the end of February 2003:

A Commission declaration that that the Caesar System will be authorized to function as a contract carrier, hold an open season, enter into long-term transportation contracts reflecting contract carriage principles, give those contracts precedence in allocating capacity, and contract for capacity that remains available after the open season closes on a first-come, first-served basis.

Caesar Company requests that the Commission issue the requested declaratory order by the end of March 2003, because (1) as part of their planning for initial production when the Caesar System goes online in 2004 (as currently scheduled), Caesar Company and the shippers to be served by the Caesar System at start-up would like to execute transportation agreements incorporating contract carriage principles and be confident that those agreements are mutually binding and enforceable—lack of resolution that the Caesar System can operate on a contract carriage basis makes this impossible; and (2) in order for the Caesar System to be fully utilized, Caesar Company must obtain future transportation commitments from current and prospective producers that are currently assessing whether they should pursue development of oil field production opportunities in the Green Canyon, Walker Ridge, and Atwater Valley areas, whether the Caesar System will be able to meet their requirements for transportation of production, and whether they must construct their own isolated pipelines to service their production fields.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed on or before January 10, 2003. Protests will be considered by the Commission in determining the appropriate action to be

taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For Assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or TTY, contact (202) 502-8659. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP96-389-072]

#### Columbia Gulf Transmission Company; Notice of Negotiated Rate Filing

December 13, 2002.

Take notice that on December 9, 2002, Columbia Gulf Transmission Company (Columbia Gulf) tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, First Revised Sheet No. 20C; First Revised Sheet No. 20D; First Revised Sheet No. 20E; First Revised Sheet No. 20F; and First Revised Sheet No. 20G, with an effective date of December 1, 2002.

Columbia Gulf states that it is filing the tariff sheets to comply with the Commission's orders approving negotiated rate agreements in Docket Nos. RP96-389-052, 054, 055, 060 and 067. The instant filing contains revised tariff sheets reflecting the rate effective on December 1, 2002.

Columbia Gulf states further that copies of the filing has been served on all parties identified on the official service list in Docket No. RP96-389.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC