

**BEFORE THE
RAILROAD COMMISSION OF TEXAS**

APPLICATION FILED BY BORDER PIPELINE, LLC PURSUANT TO NGPA § 311 § **GAS UTILITIES DOCKET NO. 10980**
§

ORDER

Notice of Open Meeting to consider this Order was duly posted with the Secretary of State within the time period provided by law pursuant to TEX. GOV'T CODE ANN. Chapter 551 (Open Meetings). The Railroad Commission of Texas ("Commission") adopts the following findings of fact, conclusions of law, and orders as follows:

FINDINGS OF FACT

1. Border Pipeline, LLC ("Applicant" or "Border Pipeline") owns and operates an intrastate natural gas pipeline within the State of Texas.
2. On June 3, 2020, Border Pipeline filed with the Commission an application for review of the reasonableness of a transportation rate under Section 311 of the Natural Gas Policy Act ("NGPA").
3. Applicant does not seek to change or modify any existing intrastate rates.
4. Due notice of this proceeding was served on all persons for whom Applicant performs § 311(a)(2) transportation services.
5. This docket was processed informally without an evidentiary hearing. No motion to intervene or statement of protest was filed.
6. Border Pipeline has shown that a volumetric rate for transportation service of \$0.19 per MMBtu plus 1% retention of system fuel is fair and equitable and not in excess of a cost-based rate.

CONCLUSIONS OF LAW

1. Border Pipeline is an intrastate "gas utility" under TEX. UTIL. CODE § 101.003 (Definitions).
2. Applicant transports natural gas on behalf of others pursuant to § 311(a)(2) of the Natural

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Gas Policy Act of 1978, 15 U.S.C. § 3371, *et seq.*, and 18 C.F.R. 284.121-126.

- 3. The application is properly before the Commission pursuant to 15 U.S.C. § 3371, *et seq.*, and TEX. UTIL. CODE ANN. § 121.151.

THE RAILROAD COMMISSION OF TEXAS hereby finds that a volumetric rate of \$0.19 per MMBtu plus 1% retention of system fuel for firm transportation service by Border Pipeline, LLC is fair and equitable and not in excess of a cost-based rate.

IT IS FURTHER ORDERED that all proposed findings of fact and conclusions of law not specifically adopted herein are **DENIED**.

SIGNED this 3rd day of August, 2021.

RAILROAD COMMISSION OF TEXAS

DocuSigned by:

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CHRISTI CRADDICK, CHAIRMAN

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WAYNE CHRISTIAN, COMMISSIONER

DocuSigned by:

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JIM WRIGHT, COMMISSIONER

ATTEST:



SECRETARY

