



November 1, 2016

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

Northern Border Pipeline Company
700 Louisiana Street, Suite 700
Houston, TX 77002-2700

John A. Roscher
Director, Rates & Regulatory

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Re: Northern Border Pipeline Company
Negotiated Rate Agreement
Docket No. RP17-_____ - _____

Dear Ms. Bose:

Pursuant to Section 4 of the Natural Gas Act (“NGA”) and Part 154 of the Federal Energy Regulatory Commission’s (“FERC” or “Commission”) regulations,¹ Northern Border Pipeline Company (“Northern Border”) hereby submits for filing a revised tariff section² to be part of its FERC Gas Tariff, Second Revised Volume No. 1 (“Tariff”). This revised tariff section is being submitted to report one (1) negotiated rate transaction that Northern Border has entered into with James Valley Ethanol, LLC d/b/a POET Biorefining – Groton (“James Valley”). Northern Border requests that the Commission accept the proposed tariff section to be effective November 1, 2016.

Correspondence

The names, titles, mailing addresses, and telephone numbers of those persons to whom correspondence and communications concerning this filing should be addressed are as follows:

¹ 18 C.F.R. Part 154 (2016).

² Specifically, Northern Border is submitting Section 4.8 – Statement of Rates, Statement of Negotiated Rates, (“Section 4.8”).

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Statement of Nature, Reasons, and Basis for Filing

This filing is being submitted to update Northern Border's reporting of negotiated rate transactions initiated in accordance with the Commission's May 16, 2001, order in Docket No. RP01-377-000.³ Within Northern Border's Tariff, Section 4.8 lists each negotiated rate agreement, identifying the: a) shipper; b) agreement number; c) applicable rate schedule; d) contract quantity; e) reservation charge; f) commodity rate; g) primary receipt and delivery points; and h) termination date.

By this filing, Northern Border is proposing to modify Section 4.8 to reflect the addition of one (1) new negotiated rate service agreement with James Valley under Rate Schedule T-1 ("T-1"). Service under the James Valley agreement commences on November 1, 2016. Additionally, Section 4.8 has been revised to reflect the elimination of three negotiated rate agreements, which have terminated.

The negotiated rate service agreement between Northern Border and James Valley does not contain any provision that deviates in any material respect from Northern Border's T-1 Form of Service Agreement in its Tariff.

³ On May 16, 2001, in Docket No. RP01-377-000, the Commission approved Northern Border's proposal to implement a negotiated rate program for transportation services on its system. See *Northern Border Pipeline Company*, 95 FERC ¶ 61,207 (2001).

Effective Date and Request for Waiver

Northern Border requests that the Commission accept the tariff section attached as Appendix A to be effective on November 1, 2016, and respectfully requests waiver of Section 154.207 of the Commission's regulations⁴ along with any other waivers necessary to allow for this effective date.

Other Filings That May Affect This Proceeding

There are no other filings before the Commission that may significantly affect the changes proposed herein.

Contents of Filing

In accordance with Section 154.7 of the Commission's regulations and Order No. 714,⁵ Northern Border is submitting the following XML filing package, which includes:

1. This transmittal letter;
2. A clean tariff section (Appendix A); and
3. A marked tariff section (Appendix B).

Certificate of Service

As required by Sections 154.7(b) and 154.208 of the Commission's regulations, copies of this filing are being served upon all of Northern Border's existing customers and interested state regulatory agencies. A copy of this letter, together with the other attachments, is available during regular business hours for public inspection at Northern Border's principal place of business.

Pursuant to Section 385.2005 and Section 385.2011(c) (5), the undersigned has read this filing and knows its contents, and the contents are true as stated, to the best of his knowledge and belief. Additionally, the undersigned possesses full power and authority to sign such filing.

⁴ See *Statement of Policy on Alternatives to Traditional Cost-of-Service Ratemaking for Natural Gas Pipelines and Regulation of Negotiated Transportation Services of Natural Gas Pipelines*, 74 FERC ¶ 61,076 at 61,241-242 (1996) (indicating that the Commission will "readily grant requests to waive the 30-day notice requirement").

⁵ *Electronic Tariff Filings*, 124 FERC ¶ 61,270 (2008) ("Order No. 714").

Any questions regarding this filing may be directed to Joan Collins at (832) 320-5651.

Respectfully submitted,

NORTHERN BORDER PIPELINE COMPANY
By: TransCanada Northern Border Inc., Its Operator

A handwritten signature in black ink that reads "John A. Roscher". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

John A. Roscher
Director, Rates, Tariffs, and Certificates

Enclosures

Appendix A

Northern Border Pipeline Company FERC Gas Tariff, Second Revised Volume No. 1

Clean Tariff

<u>Tariff Section</u>	<u>Version</u>
4.8 – Statement of Rates, Statement of Negotiated Rates	v.11.0.0

STATEMENT OF NEGOTIATED RATES (1) (2)

Shipper Name	Agreement Number	Rate Schedule	Contract Quantity (Dth/day)	Reservation Charge (3)	Commodity Rate (3)	Primary Receipt Point	Primary Delivery Point	Termination Date
Northern States Power Company, a Minnesota Corporation	FB0676	T-1B	59,681	1.00 cents	(9)	DP Transfer Point	Ventura	03-31-27
Northern States Power Company, a Minnesota Corporation	DP001F (7)	FCS-DP	60,000	13.00 cents (11)	0.00 cents (10)	DP Receipt Point	DP Transfer Point	03-31-27
Ameren Illinois Company	PL001F (7)	FTL-1	121,320	7.51 cents (11)	0.00 cents (14)	Kasbeer Lateral	Princeton	10-31-21
Continental Resources, Inc.	T9279F	T-1	30,550	22.50 cents (11)	(6)	Port of Morgan	Ventura	10-31-23
Dakota Gasification Company	T7577F	T-1	47,000	3.21 cents (12)	.04 cents (12)	Hebron	Harper	12-31-20
Dakota Gasification Company	T7578F	T-1	34,375	3.21 cents (12)	.04 cents (12)	Hebron	Ventura	12-31-20
BP Canada Energy Marketing Corp.	TB683F	T-1	33,481	14.73 cents (11)	(6)	Hebron	Ventura	07-31-17
BP Canada Energy Marketing Corp.	TC045F	T-1	25,025	23.50 cents (11)	(6)	Port of Morgan	Ventura	03-31-20
BP Canada Energy Marketing Corp.	TD203F	T-1	10,010	2.86 cents (12)	.04 cents (12)	Port of Morgan	Welcome	03-31-19
BP Canada Energy Marketing Corp.	TD204F	T-1	5,963	2.86 cents (12)	.04 cents (12)	Port of Morgan	Ventura	03-31-19
James Valley Ethanol, LLC d/b/a POET Biorefining - Groton	TD883F	T-1	5,050	17.77 cents (11)	(6)	Port of Morgan	Brandt	10-31-21

- (1) Unless otherwise noted, negotiated contracts do not deviate in any material respect from the applicable form of service agreement set forth in Company's FERC Gas Tariff.
- (2) Unless otherwise noted, rates are inclusive of all surcharges.
- (3) Unless otherwise noted, this Tariff section reflects the essential elements of the negotiated contracts, including a specification of all consideration.
- (4) Reserved for future use.
- (5) The Demand Charge and Commodity Charge are per 100 Dekatherm-miles and are established for the primary term of the Service Agreement. The Commodity Charge rate does not include the FERC ACA. However, an ACA charge is applicable to the Dekatherm-miles transported under this contract in accordance with Section 6.16.1 of the General Terms and Conditions. Compressor Usage Surcharge is not applicable to the Service Agreement.
- (6) Plus the applicable Commodity Charge and Other Rates and Charges set forth in Section 3.1 of Rate Schedule T-1.
- (7) Identified as non-conforming agreement in Section 6.42 of the General Terms and Conditions.
- (8) The daily rate of \$.265/Dth shall apply. The daily reservation charge component shall be determined by subtracting the applicable daily Compressor Usage Surcharge amount from the revenue calculated by applying the total daily rate per Dekatherm to Shipper's applicable Contract Quantity. In addition, the applicable Maximum Commodity Rate and ACA surcharge will be charged on a per 100 Dekatherm-miles basis.
- (9) Plus the applicable Commodity Charge and Other Rates and Charges set forth in Section 3.1 of Rate Schedule T-1B.
- (10) Plus all applicable surcharges, including any costs incurred by Company for or related to taxes or fees imposed, currently or in the future and (2) a negotiated Compressor Fuel Gas Percentage of .53%.
- (11) Rate is per dekatherm.
- (12) Charge/rate stated on a per 100 Dekatherm-miles basis. Shipper is responsible for applicable surcharges.
- (13) Reserved for future use.
- (14) The Commodity Charge rate does not include the FERC ACA; however, an ACA charge is applicable in accordance with Section 6.16.1 of the General Terms and Conditions.

Appendix B

Northern Border Pipeline Company FERC Gas Tariff, Second Revised Volume No. 1

Marked Tariff

<u>Tariff Section</u>	<u>Version</u>
4.8 – Statement of Rates, Statement of Negotiated Rates	v.11.0.0

STATEMENT OF NEGOTIATED RATES (1) (2)

Shipper Name	Agreement Number	Rate Schedule	Contract Quantity (Dth/day)	Reservation Charge (3)	Commodity Rate (3)	Primary Receipt Point	Primary Delivery Point	Termination Date
BP Canada Energy Marketing Corp.	T2206F (7)	T-1	60,000	3.60 cents (5)	.06 cents (5)	Ventura	Manhattan	04-29-14
Dakota Gasification Company	T2577F (7)	T-1	30,630	3.60 cents (5)	.06 cents (5)	Harper	North Hayden	05-04-16
Tenaska Marketing Ventures	T2576F (7)	T-1	30,630	3.60 cents (5)	.06 cents (5)	Harper	North Hayden	05-04-16
Northern States Power Company, a Minnesota Corporation	FB0676	T-1B	59,681	1.00 cents	(9)	DP Transfer Point	Ventura	03-31-27
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