

READING ROOM

Service Date: August 8, 1984

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

IN THE MATTER of the Application )  
of Exxon Pipeline Company for ) DOCKET NO. 84.4.39  
Authorization to be Exempted from )  
Common Carrier Pipeline Tariff ) ORDER NO. 5075  
filing Requirements. )

On April 26, 1984, Exxon Pipeline Company (Applicant) filed an application with the Montana Public Service Commission for an order authorizing the Applicant an exemption from Section 69-13-301(1), MCA, which requires that it publish and file tariffs for its 12-inch Silver Tip to Billings crude oil pipeline.

Having considered the application and the documentation furnished by the Applicant in support of its application and deeming itself fully advised in the premises, the Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Applicant alleges the cost of maintaining a tariff file with this Commission exceeds the annual revenues generated from intrastate movements of crude oil through its pipeline. Annual revenue from intrastate movements is approximately \$500.

2. Less than one percent (1%) of the average daily throughput in Exxon Pipeline Company's 12-inch Silver Tip Pipeline represents intrastate shipments.

3. To the extent there are any intrastate tenders, the only shipper of intrastate oil is Exxon Pipeline Company's parent company, Exxon Corporation, U.S.A.

4. It has been the Applicant's past pricing policy to charge the same amount for intrastate transportation as it does for comparable interstate transportation and the Applicant proposes to apply its FERC rules and regulations to intrastate tenders on an equal and non-discriminatory basis with interstate tenders.

5. The Commission based upon the preceding Findings of Fact finds that the Applicant's intrastate operation is in essence private carriage, since its only shipper is its parent company, that no discrimination will result if it is exempted from the tariff filing requirements and further the Applicant will apply its FERC rates and rules and regulations to intrastate tenders, consistent with its past practices.

#### CONCLUSIONS OF LAW

1. Exxon Pipeline Company is a common carrier pipeline furnishing transportation within the State of Montana. As such it is subject to the supervision, regulation and control of this Commission pursuant to Section 69-13-201.

2. The granting of an exemption to the requirements contained in Section 69-13-301(1) will not result in rate levels which are unreasonable, unjust or discriminatory.

ORDER

NOW THEREFORE, IT IS ORDERED THAT:

1. Exxon Pipeline Company is authorized an exemption from the requirements of Section 69-13-301(1), MCA, as long as the conditions in Findings of Fact Nos. 2 through 4 exist.

2. Exxon Pipeline Company shall immediately notify this Commission of any change in the conditions outlined in Findings of Fact Nos. 2 through 4 and the Commission shall determine whether the exemption granted herein shall continue.

DONE IN OPEN SESSION at Helena, Montana on the 6th day of August, 1984 by 5 to 0 vote.

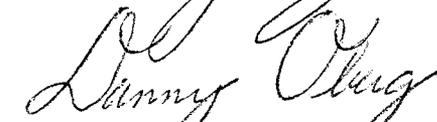
BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

  
THOMAS J. SCHNEIDER, Chairman

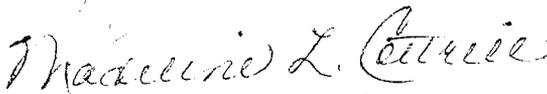
  
JOHN B. DRISCOLL, Commissioner

  
HOWARD L. ELLIS, Commissioner

  
CLYDE JARVIS, Commissioner

  
DANNY OBERG, Commissioner

ATTEST:

  
Madeline L. Cottrill  
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See ARM 38.2.4806.