

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SFPP, L.P.,	)	
Petitioner,	)	
	)	
v.	)	No. 18-1133
	)	
Federal Energy Regulatory Commission,	)	
Respondent.	)	
	)	

**MOTION FOR LEAVE TO INTERVENE OF  
THE AMERICAN PUBLIC GAS ASSOCIATION**

Pursuant to Rules 15(d) and 27 of the Federal Rules of Appellate Procedure and Circuit Rules 15(b) and 27, the American Public Gas Association (APGA) respectfully moves for leave to intervene in this case. In support of this motion, APGA states as follows:

1. APGA is the national, non-profit association of publicly owned natural gas distribution systems, with more than 730 members in 36 states. Publicly owned gas systems are not-for-profit retail distribution entities that are owned by, and accountable to, the citizens they serve. They include municipal gas distribution systems, public utility districts, county districts, and other public agencies that have natural gas distribution facilities.

2. On May 11, 2018, SFPP, L.P. filed a petition for review of the following order issued by the Federal Energy Regulatory Commission (FERC):

*Inquiry Regarding the Commission's Policy for Recovery of Income Tax Costs*, Docket No. PL17-1-000, 162 FERC ¶ 61,227 (March 15, 2018) (Revised Policy Statement).

3. APGA filed comments in the FERC proceeding in which the Revised Policy Statement was subsequently issued. In the Revised Policy Statement, FERC revised its policy to no longer permit a Master Limited Partnership (MLP) pipeline to recover an income tax allowance in its cost of service.

4. A number of APGA members receive FERC-jurisdictional service from natural gas pipelines that are organized as MLPs. As an association representing the interests of its members, APGA has an interest in ensuring that the rates, terms and conditions of FERC-jurisdictional pipeline services are just and reasonable and otherwise in accordance with the law. APGA therefore has a direct, immediate, and substantial interest in this proceeding that cannot be adequately represented by any other party.

Accordingly, APGA respectfully moves for leave to intervene with the right to participate fully in all aspects of this proceeding.

Respectfully submitted,

/s/ Jeffrey K. Janicke

John P. Gregg

Jeffrey K. Janicke

McCarter & English, LLP

1015 Fifteenth Street, NW, Twelfth Floor

Washington, DC 20005

Tel: (202) 753-3400

jjanicke@mccarter.com

*Attorneys for the American Public Gas  
Association*

June 6, 2018

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SFPP, L.P.,	)	
Petitioner,	)	
	)	
v.	)	No. 18-1133
	)	
Federal Energy Regulatory Commission,	)	
Respondent.	)	
	)	

**DISCLOSURE STATEMENT PURSUANT TO RULE 26.1**

The American Public Gas Association (APGA) is a non-profit, non-stock corporation organized and existing under the laws of Commonwealth of Virginia, and has its principal place of business at 201 Massachusetts Avenue, N.E., Ste. C-4, Washington, D.C. 20002. APGA is the national association of publicly owned natural gas distribution systems, with more 700 members in 36 states. APGA promotes and advances the interests of publicly owned gas systems, including municipal gas distribution systems, public utility districts, county districts, and other public agencies that have natural gas distribution facilities.

APGA is a trade association within the meaning of Circuit Rule 26.1(b) and therefore is exempt from the requirement to list the names of its members that have issued shares or debt securities to the public. APGA has no parent company, and no publicly held company has any ownership interest in APGA.

Respectfully submitted,

/s/ Jeffrey K. Janicke

John P. Gregg

Jeffrey K. Janicke

McCarter & English, LLP

1015 Fifteenth Street, NW, Twelfth Floor

Washington, DC 20005

(202) 753-3400

jjanicke@mccarter.com

*Attorneys for the American Public Gas  
Association*

June 6, 2018

**CERTIFICATE OF SERVICE**

I hereby certify that service of the foregoing will be made electronically via CM/ECF system. All participants in the case are registered CM/ECF users and will be served by the appellate CM/ECF system.

Dated this 6th day of June, 2018.

*/s/ Jeffrey K. Janicke*

Jeffrey K. Janicke

McCarter & English, LLP

1015 Fifteenth Street, NW, Twelfth Floor

Washington, DC 20005

(202) 753-3400

jjanicke@mccarter.com

*Attorney for the American Public Gas  
Association*