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Title 18: Conservation of Power and Water Resources

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### PART 342—OIL PIPELINE RATE METHODOLOGIES AND PROCEDURES

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AUTHORITY: 5 U.S.C. 571-83; 42 U.S.C. 7101-7532; 49 U.S.C. 60502; 49 App. U.S.C. 1-85.

SOURCE: Order 561, 58 FR 58779, Nov. 4, 1993, unless otherwise noted.

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#### §342.0 Applicability.

(a) Except as provided in paragraph (b) of this section, rate changes by oil pipelines shall be governed by this part.

(b) *Exception for the Trans-Alaska Pipeline.* This part shall not apply to the Trans-Alaska Pipeline authorized by the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1651, *et seq.*) or to any pipeline delivering oil directly or indirectly to the Trans-Alaska Pipeline.

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#### §342.1 General rule.

Each carrier subject to the jurisdiction of the Commission under the Interstate Commerce Act:

- (a) Must establish its initial rates subject to such Act pursuant to §342.2; and
- (b) Must make any change in existing rates pursuant to §342.3 or §342.4, whichever is applicable, unless directed otherwise by the Commission.

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#### §342.2 Establishing initial rates.

A carrier must justify an initial rate for new service by:

(a) Filing cost, revenue, and throughput data supporting such rate as required by part 346 of this chapter; or

(b) Filing a sworn affidavit that the rate is agreed to by at least one non-affiliated person who intends to use the service in question, *provided* that if a protest to the initial rate is filed, the carrier must comply with paragraph (a) of this section.

[Order 561, 58 FR 58779, Nov. 4, 1993, as amended at 59 FR 59146, Nov. 16, 1994]