**§ 717c. Rates and charges**

**(a) Just and reasonable rates and charges**

All rates and charges made, demanded, or received

by any natural-gas company for or in connection

with the transportation or sale of natural

gas subject to the jurisdiction of the Commission,

and all rules and regulations affecting or

pertaining to such rates or charges, shall be just

and reasonable, and any such rate or charge that

is not just and reasonable is declared to be unlawful.

**(b) Undue preferences and unreasonable rates**

**and charges prohibited**

No natural-gas company shall, with respect to

any transportation or sale of natural gas subject

to the jurisdiction of the Commission, (1) make

or grant any undue preference or advantage to

any person or subject any person to any undue

prejudice or disadvantage, or (2) maintain any

unreasonable difference in rates, charges, service,

facilities, or in any other respect, either as between

localities or as between classes of service.

**(c) Filing of rates and charges with Commission;**

**public inspection of schedules**

Under such rules and regulations as the Commission

may prescribe, every natural-gas company

shall file with the Commission, within such

time (not less than sixty days from June 21, 1938)

and in such form as the Commission may designate,

and shall keep open in convenient form and

place for public inspection, schedules showing all

rates and charges for any transportation or sale

subject to the jurisdiction of the Commission, and

the classifications, practices, and regulations affecting

such rates and charges, together with all

contracts which in any manner affect or relate to

such rates, charges, classifications, and services.

**(d) Changes in rates and charges; notice to Commission**

Unless the Commission otherwise orders, no

change shall be made by any natural-gas company

in any such rate, charge, classification, or service,

or in any rule, regulation, or contract relating

thereto, except after thirty days’ notice to

the Commission and to the public. Such notice

shall be given by filing with the Commission and

keeping open for public inspection new schedules

stating plainly the change or changes to be made

in the schedule or schedules then in force and the

time when the change or changes will go into effect.

The Commission, for good cause shown, may

allow changes to take effect without requiring

the thirty days’ notice herein provided for by an

order specifying the changes so to be made and

the time when they shall take effect and the manner

in which they shall be filed and published.

**(e) Authority of Commission to hold hearings**

**concerning new schedule of rates**

Whenever any such new schedule is filed the

Commission shall have authority, either upon complaint

of any State, municipality, State commission,

or gas distributing company, or upon its own

initiative without complaint, at once, and if it so

orders, without answer or formal pleading by the

natural-gas company, but upon reasonable notice,

to enter upon a hearing concerning the lawfulness

of such rate, charge, classification, or service; and,

pending such hearing and the decision thereon,

the Commission, upon filing with such schedules

and delivering to the natural-gas company affected

thereby a statement in writing of its reasons

for such suspension, may suspend the operation of

such schedule and defer the use of such rate, charge,

classification, or service, but not for a longer period

than five months beyond the time when it

would otherwise go into effect; and after full hearings,

either completed before or after the rate,

charge, classification, or service goes into effect,

the Commission may make such orders with reference

thereto as would be proper in a proceeding

initiated after it had become effective. If the proceeding

has not been concluded and an order made

at the expiration of the suspension period, on motion

of the natural-gas company making the filing,

the proposed change of rate, charge, classification,

or service shall go into effect. Where increased

rates or charges are thus made effective,

the Commission may, by order, require the natural-

gas company to furnish a bond, to be approved

by the Commission, to refund any amounts

ordered by the Commission, to keep accurate accounts

in detail of all amounts received by reason

of such increase, specifying by whom and in whose

behalf such amounts were paid, and, upon completion

of the hearing and decision, to order such

natural-gas company to refund, with interest, the

portion of such increased rates or charges by its

decision found not justified. At any hearing involving

a rate or charge sought to be increased,

the burden of proof to show that the increased

rate or charge is just and reasonable shall be

upon the natural-gas company, and the Commission

shall give to the hearing and decision of such

questions preference over other questions pending

before it and decide the same as speedily as possible.

**(f) Storage services**

(1) In exercising its authority under this chapter

or the Natural Gas Policy Act of 1978 (15 U.S.C.

3301 et seq.), the Commission may authorize a

natural gas company (or any person that will be

a natural gas company on completion of any proposed

construction) to provide storage and storage-

related services at market-based rates for new

storage capacity related to a specific facility placed

in service after August 8, 2005, notwithstanding

the fact that the company is unable to demonstrate

that the company lacks market power, if

the Commission determines that—

(A) market-based rates are in the public interest

and necessary to encourage the construction

of the storage capacity in the area needing

storage services; and

(B) customers are adequately protected.

(2) The Commission shall ensure that reasonable

terms and conditions are in place to protect

consumers.

(3) If the Commission authorizes a natural gas

company to charge market-based rates under this

subsection, the Commission shall review periodically

whether the market-based rate is just, reasonable,

and not unduly discriminatory or preferential.

(June 21, 1938, ch. 556, § 4, 52 Stat. 822; Pub. L.

87–454, May 21, 1962, 76 Stat. 72; Pub. L. 109–58,

title III, § 312, Aug. 8, 2005, 119 Stat. 688.)

References in Text

The Natural Gas Policy Act of 1978, referred to in subsec.

(f)(1), is Pub. L. 95–621, Nov. 9, 1978, 92 Stat. 3350, as

amended, which is classified generally to chapter 60 (§ 3301

et seq.) of this title. For complete classification of this

Act to the Code, see Short Title note set out under section

3301 of this title and Tables.

Amendments

2005—Subsec. (f). Pub. L. 109–58 added subsec. (f).

1962—Subsec. (e). Pub. L. 87–454 inserted “or gas distributing

company” after “State commission”, and struck

out proviso which denied authority to the Commission to

suspend the rate, charge, classification, or service for

the sale of natural gas for resale for industrial use only.