



FILED

03-05-12

04:59 PM

**BEFORE THE CALIFORNIA PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

)	
)	
Application of SFPP, L.P. for authority,)	
pursuant to Public Utilities Code Section)	Application No. A.12-01-015
455.3, to change its rates for pipeline)	
transportation services within California.)	
)	

**MOTION OF TESORO REFINING AND MARKETING COMPANY TO
CONSOLIDATE THIS PROTEST WITH COMPLAINT**

Pursuant to Rules 7.4 and 11.1 of the Rules of Practice and Procedure of the California Public Utilities Commission (CPUC or Commission), Tesoro Refining and Marketing Company (Tesoro) respectfully requests that the Commission consolidate the above captioned proceeding with the Complaint of Tesoro Refining and Marketing Company against SFPP, L.P. (SFPP) which Tesoro filed on March 5, 2012 (Complaint No. C1203005). Additionally, Tesoro requests that all other related shipper Protests and Complaints be consolidated with Tesoro's submissions into a single proceeding.

The Tesoro Protest as well as the Complaint relate to the same set of facts involving rates that SFPP, L.P. (SFPP) is charging on its petroleum products pipeline.

In its Protest, filed on March 5, 2012, Tesoro requested that the Commission immediately set for hearing the General Rate Application (Application No. 12-01-015) that SFPP filed on January 30, 2012. In its Application, SFPP proposes to reduce rates for the transportation of petroleum products by 6.62 to 6.79 percent, depending on the specific origin and destination

points on its pipeline system. While Tesoro does not oppose these rate reductions, Tesoro demonstrates in its Protest that SFPP's proposed reductions are insufficient to establish its rates at a just and reasonable level. Tesoro requests that the Commission order SFPP to reduce its rates by at least another 20 percent.

On March 5, 2012, Tesoro also filed a Complaint that the rates that SFPP has and will be charging on the basis of its General Rate Application are unjust, unreasonable and unlawful. The SFPP Complaint involves the very same issues that Tesoro presents in its Protest. In both proceedings, the complainant or protestant is Tesoro, and the defendant or respondent is SFPP. Moreover, the arguments in both proceedings are supported by the same analysis conducted by Peter K. Ashton, a financial and economic expert with considerable experience in cost of service ratemaking.

Section 7.4 of the Commission's Rules of Practice and Procedure states that consolidation is appropriate when two or more matters involve "related questions of law or fact."¹

That is the very situation that pertains here.

As stated above, both the Tesoro Protest and Complaint are based on the rates that SFPP is charging and involve the same set of facts. The relief requested is also the same. Additionally, we anticipate that other shippers will also file complaints and protests contesting SFPP's general rate application. If these Protests and Complaints are consolidated, it will conserve resources and enable administrative proceedings at the Commission to be conducted as efficiently as possible.

Accordingly, Tesoro Refining and Marketing Company respectfully requests that the Commission consolidate Tesoro's Protest of SFPP's Application No. 12-01-015 with Tesoro's

¹ California Public Utilities Commission Rules of Practice and Procedure, §7.4.

Complaint against SFPP, L.P., both filed on March 5, 2012. Tesoro also respectfully requests that all other shipper Protests and Complaints relating to SFPP's rates be consolidated with Tesoro's proceedings into a single proceeding.

Dated: March 5, 2012

Respectfully submitted,

/s/ Melvin Goldstein

Melvin Goldstein

Matthew A. Corcoran

GOLDSTEIN & ASSOCIATES, P.C.

1757 P Street NW

Washington, D.C. 20036

T: (202) 872-8740

F: (202) 872-8744

mgoldstein@goldstein-law.com

mcorcoran@goldstein-law.com

*Attorneys for Tesoro Refining and
Marketing Company*