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§ 15501. Standards for pipeline rates, classifications, through routes, rules, and practices

(a) REASONABLENESS.—A rate, classification, rule, or practice related to transportation or service provided by a pipeline carrier subject to this part must be reasonable. A through route established by such a carrier must be reasonable.

(b) NONDISCRIMINATION.—A pipeline carrier providing transportation subject to this part may not discriminate in its rates against a connecting line of any other pipeline, rail, or water carrier providing transportation subject to this subtitle or unreasonably discriminate against that line in the distribution of traffic that is not routed specifically by the shipper.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 923.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 10701 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

EFFECTIVE DATE

Chapter effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 701 of this title.

§ 15502. Authority for pipeline carriers to establish rates, classifications, rules, and practices

A pipeline carrier providing transportation or service subject to this part shall establish—

(1) rates and classifications for transportation and service it may provide under this part; and

(2) rules and practices on matters related to that transportation or service.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 923.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 10702 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

§ 15503. Authority and criteria: rates, classifications, rules, and practices prescribed by Board

(a) IN GENERAL.—When the Board, after a full hearing, decides that a rate charged or collected by a pipeline carrier for transportation subject to this part, or that a classification, rule, or practice of that carrier, does or will violate this part, the Board may prescribe the rate, classification, rule, or practice to be followed. In prescribing the rate, classification, rule, or practice, the Board may utilize rate reasonableness procedures that provide an effective simulation of a market-based price for a stand alone pipeline. The Board may order the carrier to stop

the violation. When a rate, classification, rule, or practice is prescribed under this subsection, the affected carrier may not publish, charge, or collect a different rate and shall adopt the classification and observe the rule or practice prescribed by the Board.

(b) FACTORS TO CONSIDER.—When prescribing a rate, classification, rule, or practice for transportation or service by a pipeline carrier, the Board shall consider, among other factors—

(1) the effect of the prescribed rate, classification, rule, or practice on the movement of traffic by that carrier;

(2) the need for revenues that are sufficient, under honest, economical, and efficient management, to let the carrier provide that transportation or service; and

(3) the availability of other economic transportation alternatives.

(c) PROCEEDING.—The Board may begin a proceeding under this section on complaint. A complaint under this section must contain a full statement of the facts and the reasons for the complaint and must be made under oath.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 924.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 10704 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

§ 15504. Government traffic

A pipeline carrier providing transportation or service for the United States Government may transport property for the United States Government without charge or at a rate reduced from the applicable commercial rate. Section 6101(b) to (d) of title 41 does not apply when transportation for the United States Government can be obtained from a carrier lawfully operating in the area where the transportation would be provided.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 924; amended Pub. L. 111-350, §5(o)(6), Jan. 4, 2011, 124 Stat. 3853.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 10721 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

AMENDMENTS

2011—Pub. L. 111-350 substituted “Section 6101(b) to (d) of title 41” for “Section 3709 of the Revised Statutes (41 U.S.C. 5)”.

§ 15505. Prohibition against discrimination by pipeline carriers

A pipeline carrier providing transportation or service subject to this part may not subject a person, place, port, or type of traffic to unreasonable discrimination.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 924.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 10741 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).