

§ 385.101

18 CFR Ch. I (4–1–00 Edition)

- 385.1903 Notice in rulemaking proceedings (Rule 1903).
- 385.1904 Copies of transcripts (Rule 1904).
- 385.1907 Reports of compliance (Rule 1907).

Subpart T—Formal Requirements for Filings in Proceedings Before the Commission

- 385.2001 Filings (Rule 2001).
- 385.2002 Caption of filings (Rule 2002).
- 385.2003 Specifications (Rule 2003).
- 385.2004 Original and copies of filings (Rule 2004).
- 385.2005 Subscription and verification (Rule 2005).
- 385.2006 Docket system (Rule 2006).
- 385.2007 Time (Rule 2007).
- 385.2008 Extensions of time (Rule 2008).
- 385.2009 Notice (Rule 2009).
- 385.2010 Service (Rule 2010).
- 385.2011 Procedures for filing on electronic media (Rule 2011).
- 385.2012 Petitions for review of Commission Orders (Rule 2012).
- 385.2013 Videotapes (Rule 2013).

Subpart U—Appearance and Practice Before the Commission

- 385.2101 Appearances (Rule 2101).
- 385.2102 Suspension (Rule 2102).
- 385.2103 Appearance of former employees (Rule 2103).

Subpart V—Off-the-Record Communications; Separation of Functions

- 385.2201 Rules governing off-the-record communications (Rule 2201).
- 385.2202 Separation of functions (Rule 2202).

AUTHORITY: 5 U.S.C. 551–557; 15 U.S.C. 717–717z, 3301–3432; 16 U.S.C. 791a–825r, 2601–2645; 31 U.S.C. 9701; 42 U.S.C. 7101–7352; 49 U.S.C. 60502; 49 App. U.S.C. 1–85.

SOURCE: Order 225, 47 FR 19022, May 3, 1982, unless otherwise noted.

Subpart A—Applicability and Definitions

§ 385.101 Applicability (Rule 101).

(a) *General rules.* Except as provided in paragraph (b) of this section, this part applies to:

- (1) Any filing or proceeding under this chapter; and
- (2) Any oil pipeline filing or proceeding under this chapter or 49 CFR Chapter X and replaces the Interstate Commerce Commission General Rules of Practice (49 CFR part 1100) with respect to any oil pipeline filing or proceeding.

(b) *Exceptions.* (1) This part does not apply to investigations under part 1b of this chapter.

(2) If any provision of this part is inconsistent with any provision of another part of this chapter, the provision of this part is inapplicable and the provision of the other part governs to the extent of the inconsistency.

(3) If any provision of this part is inconsistent with any provision of 49 CFR Chapter X that is not otherwise replaced by this part or Commission rule or order, the provision of this part is inapplicable and the provision of 49 CFR Chapter X governs to the extent of the inconsistency.

(c) *Transitional provisions.* (1) This part applies to any filing submitted on or after and to any proceeding pending on or initiated after, August 26, 1982.

(2) A decisional authority may, in the interest of justice:

(i) Apply the appropriate provisions of the prior Rules of Practice and Procedure (18 CFR part 1) to any filing submitted after, or to any proceeding or part of a proceeding pending on August 26, 1982;

(ii) Apply the provisions of this part to any filing submitted, or any proceeding or part of a proceeding initiated, after April 28, 1982 but before August 26, 1982.

(d) [Reserved]

(e) *Waiver.* To the extent permitted by law, the Commission may, for good cause, waive any provision of this part or prescribe any alternative procedures that it determines to be appropriate.

[Order 225, 47 FR 19022, May 3, 1982, as amended by Order 376, 49 FR 21705, May 23, 1984; Order 607, 65 FR 51234, Sept. 22, 1999]

§ 385.102 Definitions (Rule 102).

For purposes of this part—

(a) *Decisional authority* means the Commission or Commission employee that, at the time for decision on a question, has authority or responsibility under this chapter to decide that particular question.

(b) *Participant* means:

- (1) Any party; or
- (2) Any employee of the Commission assigned to present the position of the Commission staff in a proceeding before the Commission.