



Federal Register

**Thursday,
November 30, 2000**

Part LIV

Federal Energy Regulatory Commission

Semiannual Regulatory Agenda

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****18 CFR Ch. I****Semiannual Regulatory Agenda**

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Semiannual regulatory agenda.

SUMMARY: In accordance with guidance issued by the Office of Management and

Budget (OMB), the Federal Energy Regulatory Commission voluntarily submits information about rulemakings under development. Of the 18 rulemakings listed, 13 are current or projected rulemakings, and 5 are completed actions.

This edition of the **Unified Agenda of Federal Regulatory and Deregulatory Actions** includes **The Regulatory Plan**, which appears in part II of this issue of the **Federal Register**. The Federal Energy Regulatory Commission's Statement of Regulatory Priorities is included in part II.

DATES: The dates provided represent goals, not commitments, and may be revised due to shifts in workload, changes in priorities, or extensive public comments. See the various dates listed for each specific rulemaking.

ADDRESSES: Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT: Person listed for each specific rulemaking.

David P. Boergers,
Secretary.

Federal Energy Regulatory Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4622	Revision of FERC Form No. 6: Annual Report of Oil Pipeline Companies	1902-AB87

Federal Energy Regulatory Commission—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4623	Records Retention Project	1902-AB88

Federal Energy Regulatory Commission—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4624	Treatment of Responses to FERC Form No. 580 Interrogatories	1902-AB57
4625	Revised Filing Requirements Under Part 33 of the Commission's Regulations	1902-AB73
4626	Electronic Filing	1902-AB89
4627	Revision of Annual Charges Assessed to Public Utilities	1902-AB92
4628	Electronic Filing of FERC Form Nos. 423, 714 and 715	1902-AB93
4629	Well Category Determinations	1902-AB98
4630	Regulations Governing Off-the-Record Communications	1902-AB99
4631	Collaborative Procedures for Energy Facility Applications	1902-AC00
4632	Open Access Same-Time Information System and Standards of Conduct	1902-AC04
4633	Open Access Same-time Information System (OASIS) and Standards of Conduct	1902-AC05
4634	Five-Year Review of Oil Pipeline Pricing Index	1902-AC06

Federal Energy Regulatory Commission—Completed Actions

Sequence Number	Title	Regulation Identification Number
4635	Regulation of Short-Term Natural Gas Transportation Services	1902-AB74
4636	Regulations Under the Outer Continental Shelf Lands Act Governing the Movement of Natural Gas on Facilities on the Outer Continental Shelf	1902-AB84
4637	Depreciation Accounting	1902-AB85
4638	Designation of Electric Rate Schedule Sheets	1902-AB94
4639	Optional Certificate and Abandonment Procedures for Applications for New Service Under Section 7 of the Natural Gas Act	1902-AB96

Federal Energy Regulatory Commission (FERC)

Proposed Rule Stage

4622. REVISION OF FERC FORM NO. 6: ANNUAL REPORT OF OIL PIPELINE COMPANIES**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 7101 to 7352; 49 USC 60502; 49 USC app 1 to 85 (1988)**CFR Citation:** 18 CFR 357**Legal Deadline:** None**Abstract:** The Commission is proposing to revise the FERC Form No. 6 to better meet current and future regulatory requirements and industry needs. (Docket No. RM99-10-000.)**Timetable:**

Action	Date	FR Cite
NPRM	08/17/00	65 FR 50376
NPRM Comment	10/16/00	65 FR 50376
Period End		
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Donna Alane Culbertson, Project Manager, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

Phone: 202 219-1102

Fax: 202 219-0125

Email: donna.culbertson@ferc.fed.us

RIN: 1902-AB87

Federal Energy Regulatory Commission (FERC)

Final Rule Stage

4623. RECORDS RETENTION PROJECT**Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 15 USC 717 to 717w; 16 USC 792 et seq; 42 USC 7101 to 7352; 49 USC 1 to 27; EO 12009; 15 USC 3301 to 3432**CFR Citation:** 18 CFR 125; 18 CFR 225; 18 CFR 356**Legal Deadline:** None**Abstract:** The Commission has amended its record retention regulations for public utilities, licensees, natural gas companies, and oil pipeline companies to clarify its regulations and bring them up to date. (Docket No. RM99-8-000.)**Timetable:**

Action	Date	FR Cite
NPRM	01/10/00	65 FR 1484
NPRM Comment	03/10/00	
Period End		
Final Rule	08/07/00	65 FR 48148

Action	Date	FR Cite
Final Rule Effective	01/01/01	
Order on Rehearing	To Be	Determined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michael A. Oliva, Acting Director, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, Washington, DC 20426

Phone: 202 219-2597

RIN: 1902-AB88

Federal Energy Regulatory Commission (FERC)

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4624. TREATMENT OF RESPONSES TO FERC FORM NO. 580 INTERROGATORIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301 to 305; 5 USC 551 to 557; 15 USC 79; 16 USC 791a to 828c; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 141; 18 CFR 388**Legal Deadline:** None**Abstract:** The Commission proposes to codify an existing requirement for certain public utilities to file responses to FERC Form No. 580 interrogatories; provide for the filing of both hard copy and electronic copy; and provide that

responses will not qualify for claims of privilege. (Docket No. RM94-5-000.)

Timetable:

Action	Date	FR Cite
NPRM	12/01/93	58 FR 63312
NPRM Comment	03/04/94	
Period End		
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Gary Cohen, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

Phone: 202 208-2046

RIN: 1902-AB57**4625. REVISED FILING REQUIREMENTS UNDER PART 33 OF THE COMMISSION'S REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 791a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 33**Legal Deadline:** None**Abstract:** The Commission has proposed to amend 18 CFR part 33 to update the filing requirements for applications under part 33, including

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applications for public utility mergers. (Docket No. RM98-4-000.)

Timetable:

Action	Date	FR Cite
NPRM	04/24/98	63 FR 20340
NPRM Comment Period End	08/24/98	63 FR 20340
Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kimberly D. Bose, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 208-2294

RIN: 1902-AB73

4626. ELECTRONIC FILING

Priority: Other Significant

Legal Authority: 5 USC 551 to 557; 15 USC 717 to 717z; 15 USC 3301 to 3432; 16 USC 791a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352; 49 USC 60502; 49 USC app 1 to 85 (1988)

CFR Citation: 18 CFR 385

Legal Deadline: None

Abstract: The Commission is implementing electronic filing of documents with the Commission. The Commission is conducting a pilot project that allows selected participants in Commission proceedings to submit specified categories of documents electronically. The next step is expected to be a rulemaking to permit filers of specified documents to file electronically, in lieu of paper documents. Ultimately, paper filings by regulated entities will be eliminated, with limited exceptions. (Docket No. PL98-1-001.)

Timetable:

Action	Date	FR Cite
Pilot Project	09/21/99	64 FR 51116
Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Wilbur Miller, Staff Attorney, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

Phone: 202 208-0953
Email: wilbur.miller@ferc.fed.us

RIN: 1902-AB89

4627. REVISION OF ANNUAL CHARGES ASSESSED TO PUBLIC UTILITIES

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 551 to 557; 15 USC 717 to 717w; 15 USC 3301 to 3432; 16 USC 791a to 825r; 16 USC 2601 to 2645; 42 USC 7101 to 7352; 49 USC 60502; 49 app USC 1 to 85 (1988)

CFR Citation: 18 CFR 382.102; 18 CFR 382.201

Legal Deadline: None

Abstract: The Commission proposes to amend its regulations to establish a new methodology for assessment of annual charges to public utilities, based on volumes of electricity transmitted by the public utilities. (Docket No. RM00-7-000.)

Timetable:

Action	Date	FR Cite
NPRM	02/03/00	65 FR 5289
NPRM Comment Period End	04/03/00	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Herman Dalgetty, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426
Phone: 202 219-2918

RIN: 1902-AB92

4628. ELECTRONIC FILING OF FERC FORM NOS. 423, 714 AND 715

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 79; 16 USC 791a to 828c; 16 USC 2601 to 2545; 31 USC 9701; 42 USC 7101 to 7352

CFR Citation: 18 CFR 141.51; 18 CFR 141.61; 18 CFR 141.300; 18 CFR 385.2011

Legal Deadline: None

Abstract: The Commission proposes to amend its regulations to provide for the conversion from paper to electronic filing of FERC Forms Nos. 423 (Monthly Report of Cost and Quality of Fuels for Electric Plants), 714 (Annual Electric Control and Planning Area Report) and 715 (Annual Transmission Planning and Evaluation Report). (Docket No. RM00-1-000.)

Timetable:

Action	Date	FR Cite
NPRM	11/04/99	64 FR 60140
NPRM Comment Period End	12/06/99	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patrick G. Rooney, Office of Electric Power Regulation, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426
Phone: 202 501-5546

RIN: 1902-AB93

4629. WELL CATEGORY DETERMINATIONS

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 42 USC 7101 to 7352; 49 USC 60502; 49 USC app 1 to 85 (1988); 31 USC 9701; 16 USC 2601 to 2645; 5 USC 551 to 557; 15 USC 717 to 717w; 15 USC 3301 to 3432; 16 USC 791 to 825r

CFR Citation: 18 CFR 381; 18 CFR 375; 18 CFR 270

Legal Deadline: None

Abstract: The Commission has amended its regulations to reinstate certain regulations involving natural gas well category determinations. These well determinations have been found to be a prerequisite for tax credits available under Section 29 of the Internal Revenue Code. (Docket No. RM00-6-000.)

Timetable:

Action	Date	FR Cite
NPRM	02/08/00	65 FR 6048
NPRM Comment Period End	04/10/00	
Final Rule	07/26/00	65 FR 45859
Final Rule Effective	09/25/00	65 FR 45859
Order on Rehearing	To Be	Determined

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Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jacob Silverman, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426
Phone: 202 208-2078**RIN:** 1902-AB98**4630. REGULATIONS GOVERNING OFF-THE-RECORD COMMUNICATIONS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 5 USC 551 to 557; 15 USC 717 to 717w; 15 USC 3301 to 3432; 16 USC 791a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352; 49 USC 60502; 49 USC app 1 to 85 (1988)**CFR Citation:** 18 CFR 385**Legal Deadline:** None**Abstract:** The Commission revised its rules concerning off-the-record communications between persons outside the Commission and the Commission and its employees. The rule clarifies ambiguities in the ex parte rules and provides better guidance on what communications to and from the Commission are permissible and what communications are prohibited. The rule is intended to permit fully informed decisionmaking by the Commission, while at the same time ensuring the fairness and integrity of the Commission's decisionmaking process. (Docket No. RM98-1-000.)**Timetable:**

Action	Date	FR Cite
NPRM	09/25/98	63 FR 51312
NPRM Comment Period End	12/24/98	
Final Rule	09/22/99	64 FR 51222
Final Rule Effective	10/22/99	
Final Rule Correction	04/07/00	65 FR 18229
Order on Rehearing	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** David R. Dickey, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 208-2140**RIN:** 1902-AB99**4631. COLLABORATIVE PROCEDURES FOR ENERGY FACILITY APPLICATIONS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 16 USC 2601 to 2645; 42 USC 7101 to 7352; 5 USC 551 to 557; 15 USC 717 to 717w; 15 USC 3301 to 3432; 16 USC 791 to 825r; EO 10485; EO 12038**CFR Citation:** 18 CFR 4; 18 CFR 153; 18 CFR 157; 18 CFR 375**Legal Deadline:** None**Abstract:** The Commission amended its procedural rules governing natural gas facilities and services to permit applicants to employ a pre-filing collaborative process to resolve significant issues, including environmental issues. The rule provides potential applicants for certificates under sections 3 and 7 of the Natural Gas Act with optional procedures, under which issues raised by a proposal may be identified, and as practicable resolved, prior to filing an application, with the aim of making application processing more expeditious and efficient. (Docket No. RM98-16-000.)**Timetable:**

Action	Date	FR Cite
NPRM	10/07/98	63 FR 53853
NPRM Comment Period End	12/07/98	
Final Rule	09/22/99	64 FR 51209
Final Rule Effective	10/22/99	
Order on Rehearing	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Richard Hoffmann, Office of Pipeline Regulations, FederalEnergy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 208-0066**RIN:** 1902-AC00**4632. • OPEN ACCESS SAME-TIME INFORMATION SYSTEM AND STANDARDS OF CONDUCT****Priority:** Info./Admin./Other**Legal Authority:** 16 USC 791-825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 37**Legal Deadline:** None**Abstract:** The Commission requested comments on proposed changes to the "Business Practices Standards for OASIS Transactions." The changes largely reflect recommendations from the OASIS How Working Group and Market Interface Committee. (Docket No. RM95-9-013.)**Timetable:**

Action	Date	FR Cite
Order Seeking Comments on Proposed Changes to "Business Practice Standards for OASIS Transactions"	08/10/00	65 FR 48992
Comment Period End	09/11/00	65 FR 48992
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Marvin Rosenberg, Economist, Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 208-1283**RIN:** 1902-AC04**4633. • OPEN ACCESS SAME-TIME INFORMATION SYSTEM (OASIS) AND STANDARDS OF CONDUCT****Priority:** Info./Admin./Other**Legal Authority:** Not Yet Determined**CFR Citation:** 18 CFR 37**Legal Deadline:** None**Abstract:** The Commission proposed to adopt revisions to version 1.3 of the OASIS Standards and Communications Protocols Document, to improve OASIS performance and conform with Commission policy. (Docket No. RM95-9-011.)

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Long-Term Actions

Timetable:

Action	Date	FR Cite
Notice of Proposed Changes	06/07/00	65 FR 36284
Comment Period End	07/07/00	65 FR 36284
Final Action	To Be Determined	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Marvin Rosenberg, Economist, Office of Economic Policy, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

Phone: 202 208-1283

RIN: 1902-AC05

4634. • FIVE-YEAR REVIEW OF OIL PIPELINE PRICING INDEX

Priority: Info./Admin./Other

Legal Authority: 42 USC 7101 to 7352; 49 USC app 1 to 85

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Commission published the results of a staff review of the performance of the Commission's oil pipeline pricing index and is providing an opportunity to comment on that review. (Docket No. RM00-11-000.)

Timetable:

Action	Date	FR Cite
Notice of Inquiry	08/02/00	65 FR 47358
Comment Period End	09/01/00	65 FR 47358
Next Action Undetermined		

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Harris S. Wood, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

Phone: 202 208-0224

RIN: 1902-AC06

Federal Energy Regulatory Commission (FERC)

Completed Actions

4635. REGULATION OF SHORT-TERM NATURAL GAS TRANSPORTATION SERVICES

Priority: Other Significant

CFR Citation: 18 CFR 161; 18 CFR 250; 18 CFR 284

Completed:

Reason	Date	FR Cite
Order on Rehearing	06/05/00	65 FR 35706
Order Denying Rehearing	08/02/00	65 FR 47284

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Michael Goldenberg
Phone: 202 208-2294

RIN: 1902-AB74

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Gordon Wagner
Phone: 202 219-0122

RIN: 1902-AB84

4637. DEPRECIATION ACCOUNTING

Priority: Substantive, Nonsignificant

CFR Citation: 18 CFR 101

Completed:

Reason	Date	FR Cite
Final Rule	08/03/00	65 FR 47664
Final Rule Effective	10/02/00	65 FR 47664

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: James Guest
Phone: 202 219-2614
Fax: 202 219-2632

RIN: 1902-AB85

4636. REGULATIONS UNDER THE OUTER CONTINENTAL SHELF LANDS ACT GOVERNING THE MOVEMENT OF NATURAL GAS ON FACILITIES ON THE OUTER CONTINENTAL SHELF

Priority: Other Significant

CFR Citation: 18 CFR 330; 18 CFR 385

Completed:

Reason	Date	FR Cite
Final Rule	04/17/00	65 FR 20354
Final Rule Effective	05/17/00	65 FR 20354
Order on Rehearing	08/02/00	65 FR 47294

4638. DESIGNATION OF ELECTRIC RATE SCHEDULE SHEETS

Priority: Info./Admin./Other

CFR Citation: 18 CFR 35.5; 18 CFR 35.9; 18 CFR 35.18

Completed:

Reason	Date	FR Cite
Final Rule	04/07/00	65 FR 18221
Final Rule Effective	06/01/00	65 FR 18221

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: H. Keith Pierce
Phone: 202 208-0525

RIN: 1902-AB94

4639. OPTIONAL CERTIFICATE AND ABANDONMENT PROCEDURES FOR APPLICATIONS FOR NEW SERVICE UNDER SECTION 7 OF THE NATURAL GAS ACT

Priority: Other Significant

CFR Citation: 18 CFR 157.100 et seq

Completed:

Reason	Date	FR Cite
Final Rule	07/26/00	65 FR 45856
Final Rule Effective	09/25/00	65 FR 45856

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Joseph B. O'Malley
Phone: 202 208-0088

RIN: 1902-AB96

[FR Doc. 00-23752 Filed 11-29-00]

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