



Monday,
November 22, 1999

Part LV

**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 20 rulemakings listed, 12 are current or projected rulemakings, and 8 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.

Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4438	Depreciation Accounting	1902-AB85
4439	Designation of Corporate Officials or Other Persons to Receive Service	1902-AB90

Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4440	Treatment of Responses to FERC Form No. 580 Interrogatories	1902-AB57
4441	Revised Filing Requirements under Part 33 of the Commission's Regulations	1902-AB73
4442	Regulation of Short-Term Natural Gas Transportation Services	1902-AB74
4443	Regulation of Interstate Natural Gas Transportation Services	1902-AB76
4444	Regional Transmission Organizations	1902-AB77
4445	Open Access Same-Time Information System and Standards of Conduct	1902-AB78
4446	Regulations under the Outer Continental Shelf Lands Act Governing the Movement of Natural Gas on Facilities on the Outer Continental Shelf	1902-AB84
4447	Revision of FERC Form No. 6: Annual Report of Oil Pipeline Companies	1902-AB87
4448	Records Retention Project	1902-AB88
4449	Electronic Filing	1902-AB89

Completed Actions

Sequence Number	Title	Regulation Identification Number
4450	Complaint Procedures	1902-AB75
4451	Revision to Oil Pipeline Regulations	1902-AB79
4452	Regulations Governing Off-the-Record Communications	1902-AB80
4453	Collaborative Procedures for Energy Facility Applications	1902-AB81
4454	Revision of Existing Regulations under Part 157 and Related Sections of the Commission's Regulations under the Natural Gas Act	1902-AB82
4455	Landowner Notification, Residential Area Designation, and Other Environmental Filing Requirements	1902-AB83
4456	Determining the Need for New Interstate Natural Gas Pipeline Facilities	1902-AB86
4457	Electronic Service of Documents	1902-AB91

Federal Energy Regulatory Commission (FERC)

Proposed Rule Stage

4438. • DEPRECIATION ACCOUNTING**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 791a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7102 to 7352; 42 USC 7651 to 7651o**CFR Citation:** 18 CFR part 101**Legal Deadline:** None**Abstract:** The Commission proposes to amend its regulations to set forth uniform standards, based on the straight-line method of depreciation and the assets' estimated useful service lives, for determining depreciation for accounting purposes. (Docket No. RM99-7-000.)**Timetable:**

Action	Date	FR Cite
NPRM	08/04/99	64 FR 42304
NPRM Comment Period End	10/04/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Gregory Berson, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 219-2603
Fax: 202 219-2632
Email: gregory.berson@ferc.fed.us**RIN:** 1902-AB85**4439. • DESIGNATION OF CORPORATE OFFICIALS OR OTHER PERSONS TO RECEIVE SERVICE****Priority:** Substantive, Nonsignificant**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 App USC 1 to 85**CFR Citation:** 18 CFR 385**Legal Deadline:** None**Abstract:** The Commission is proposing to add a new section to its regulations to require that all entities regulated by the Commission designate a corporate

official or other person to receive service of certain types of pleadings where a person to receive service has not otherwise been designated under the Commission's regulations. (Docket No. RM99-9-000.)

Timetable:

Action	Date	FR Cite
NPRM	08/04/99	64 FR 42307
NPRM Comment Period End	10/04/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** David Faerberg, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 208-1275
Fax: 202 208-0017
Email: david.fajerberg@ferc.fed.us**RIN:** 1902-AB90

Federal Energy Regulatory Commission (FERC)

Long-Term Actions

4440. 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 Period End	03/04/94	59 FR 1690
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**4441. 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

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	
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

FERC

Long-Term Actions

4442. REGULATION OF SHORT-TERM NATURAL GAS TRANSPORTATION SERVICES

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

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 et seq; 15 USC 3301 to 3432; 42 USC 7101 to 7532; 43 USC 1331 to 1356

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

Legal Deadline: None

Abstract: The Commission has proposed an integrated package of revisions to its regulations governing interstate natural gas pipelines to reflect the changes in the market for short-term transportation services on pipelines. Under the regulations proposed, cost-based regulation would be eliminated for short-term transportation and replaced by regulatory policies intended to maximize competition in the short-term transportation market, to mitigate the ability of firms to exercise residual monopoly power, and to foster greater innovation in pipeline services and permit pipelines and shippers to better allocate the risks of long-term contracts. The regulatory model that the Commission proposed satisfies the Commission's statutory obligation by achieving the appropriate balance between the benefits to be garnered from efficient trading in the short-term market and the protection needed against the exercise of market power. (Docket No. RM98-10-000.)

Timetable:

Action	Date	FR Cite
NPRM	08/11/98	63 FR 42982
Order Granting Extension of Time	10/16/98	63 FR 55563
Order Granting Extension of Time	12/30/98	63 FR 71806
Comment Period End	04/22/99	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Michael Goldenberg, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory

Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 208-2294

RIN: 1902-AB74

4443. REGULATION OF INTERSTATE NATURAL GAS TRANSPORTATION SERVICES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 717 et seq; 15 USC 3301 to 3432; 42 USC 7101 to 7532; 43 USC 1331 to 1356

CFR Citation: 18 CFR ch 1

Legal Deadline: None

Abstract: The Commission is seeking comments on its long-term regulatory policies for interstate natural gas transportation services in view of the changes that have taken place in the natural gas industry in recent years. (Docket No. RM98-12-000.)

Timetable:

Action	Date	FR Cite
Notice of Inquiry	08/11/98	63 FR 42974
Order Granting Extension of Time	10/16/98	63 FR 55563
Order Granting Extension of Time	12/30/98	63 FR 71806
Comment Period End	04/22/99	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ingrid Olson, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 208-2015

RIN: 1902-AB76

4444. REGIONAL TRANSMISSION ORGANIZATIONS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 791 to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352

CFR Citation: 18 CFR 35

Legal Deadline: None

Abstract: The Commission has proposed to amend its regulations under the Federal Power Act to facilitate and encourage the formation

of Regional Transmission Organizations (RTOs). The Commission proposed that each public utility that owns, operates or controls facilities for the transmission of electric energy in interstate commerce make certain filings with respect to forming and participating in an RTO. The Commission also proposed certain minimum characteristics and functions that must be satisfied in order to be considered to be an RTO. (Docket No. RM99-2-000.)

Timetable:

Action	Date	FR Cite
Notice of Intent to Consult	12/01/98	63 FR 66158
NPRM	05/13/99	64 FR 31390
NPRM Comment Period End	09/29/99	64 FR 40533
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Brian Gish, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 208-0996

RIN: 1902-AB77

4445. OPEN ACCESS SAME-TIME INFORMATION SYSTEM AND STANDARDS OF CONDUCT

Priority: Info./Admin./Other

Legal Authority: 16 USC 791 to 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 proposes to adopt a set of uniform business practices implementing policies on transmission price negotiation and improving interactions over OASIS nodes. (Docket No. RM95-9-003.)

Timetable:

Action	Date	FR Cite
NPRM	02/03/99	64 FR 5206
NPRM Comment Period End	04/05/99	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

FERC

Long-Term Actions

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-AB78

4446. REGULATIONS UNDER THE OUTER CONTINENTAL SHELF LANDS ACT GOVERNING THE MOVEMENT OF NATURAL GAS ON FACILITIES ON THE OUTER CONTINENTAL SHELF

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; 43 USC 1334(e) and (f); 49 USC 60502; 49 USC app 1 to 85

CFR Citation: 18 CFR 330; 18 CFR 385

Legal Deadline: None

Abstract: The Commission is proposing requiring offshore natural gas transportation service providers to make available information regarding affiliations with shippers served and the conditions under which all shippers are served. These reporting requirements will assist the Commission and interested persons in determining whether gas transportation services conform with OCSLA's open access and nondiscrimination mandates. (Docket NO. RM99-5-000.)

Timetable:

Action	Date	FR Cite
Notice of Intent	06/05/98	63 FR 30675
NPRM	07/13/99	64 FR 37718
NPRM Comment Period End	08/27/99	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Gordon Wagner, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 219-0122

RIN: 1902-AB84

4447. • 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

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	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

4448. • 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 is proposing to revise 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	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marybeth Haley Schumann, Auditor, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 208-2332
Fax: 202 219-0125
Email: marybeth.schumann@ferc.fed.us

RIN: 1902-AB88

4449. • 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 App USC 1 to 85

CFR Citation: 18 CFR Part 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. 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
NPRM	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

FERC

Long-Term Actions

Email: wilbur.miller@ferc.fed.us

RIN: 1902-AB89

Federal Energy Regulatory Commission (FERC)

Completed Actions

4450. COMPLAINT PROCEDURES**Priority:** Other Significant**CFR Citation:** 18 CFR 1b; 18 CFR 343; 18 CFR 385**Completed:**

Reason	Date	FR Cite
Final Rule	04/08/99	64 FR 17087
Order on Rehearing	08/11/99	64 FR 43600

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** David Faerberg

Phone: 202 208-1275

Fax: 202 208-0017

Email: david.faarberg@ferc.fed.us

RIN: 1902-AB75

4451. REVISION TO OIL PIPELINE REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 3; 18 CFR 341; 18 CFR 342; 18 CFR 343; 18 CFR 346; 18 CFR 357; 18 CFR 362; 18 CFR 385**Completed:**

Reason	Date	FR Cite
Final Rule	08/16/99	64 FR 44400
Final Rule Effective	09/15/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Travis R. Smith

Phone: 202 208-0696

RIN: 1902-AB79

4452. REGULATIONS GOVERNING OFF-THE-RECORD COMMUNICATIONS**Priority:** Other Significant**CFR Citation:** 18 CFR 385**Completed:**

Reason	Date	FR Cite
Final Rule	09/22/99	64 FR 51222
Final Rule Effective	10/22/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State, Local, Tribal**Agency Contact:** David R. Dickey

Phone: 202 208-2140

RIN: 1902-AB80

4453. COLLABORATIVE PROCEDURES FOR ENERGY FACILITY APPLICATIONS**Priority:** Other Significant**CFR Citation:** 18 CFR 4; 18 CFR 153; 18 CFR 157; 18 CFR 375**Completed:**

Reason	Date	FR Cite
Final Rule	09/22/99	64 FR 51209
Final Rule Effective	10/22/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State, Local, Tribal**Agency Contact:** Richard Hoffmann

Phone: 202 208-0066

RIN: 1902-AB81

4454. REVISION OF EXISTING REGULATIONS UNDER PART 157 AND RELATED SECTIONS OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT**Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 2; 18 CFR 157; 18 CFR 284; 18 CFR 375; 18 CFR 380; 18 CFR 381; 18 CFR 385**Completed:**

Reason	Date	FR Cite
Final Rule	05/14/99	64 FR 26572
Final Rule Effective	06/14/99	
Final Rule Correction	07/09/99	64 FR 37037

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Michael J. McGehee

Phone: 202 208-2257

RIN: 1902-AB82

4455. LANDOWNER NOTIFICATION, RESIDENTIAL AREA DESIGNATION, AND OTHER ENVIRONMENTAL FILING REQUIREMENTS**Priority:** Other Significant**CFR Citation:** 18 CFR 380**Completed:**

Reason	Date	FR Cite
NPRM	05/21/99	64 FR 27717
NPRM Comment Period End	06/21/99	
Final Rule	10/25/99	64 FR 57374

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** John S. Leiss

Phone: 202 208-1106

RIN: 1902-AB83

4456. • DETERMINING THE NEED FOR NEW INTERSTATE NATURAL GAS PIPELINE FACILITIES**Priority:** Other Significant**Legal Authority:** 15 USC 717 to 717w**CFR Citation:** 18 CFR Part 2**Legal Deadline:** None

Abstract: This policy statement is intended to provide guidance as to how the Commission will evaluate proposals for certificating major new pipeline construction proposals. One key element of the policy is that a project must not rely on subsidies from existing customers. With a policy favoring incremental pricing, the market will decide whether a project is financially viable. Moreover, under this policy, construction projects that will have adverse effects on relevant interests (the applicant's existing customers, existing pipelines that serve the market and their captive customers, landowners, and communities) can be approved only if on balance the benefits outweigh the harm. (Docket No. PL99-3-000.)

Timetable:

Action	Date	FR Cite
Policy Statement	09/22/99	64 FR 51309

FERC

Completed Actions

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Robert Christin, Asst. Gen. Counsel for Pipeline Certificates, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

Phone: 202 208-1022

RIN: 1902-AB86**4457. • ELECTRONIC SERVICE OF DOCUMENTS****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: 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 App. USC 1 to 85**CFR Citation:** 18 CFR 385.2010(f)**Legal Deadline:** None**Abstract:** The Commission amended its rules to allow participants in Commission proceedings to serve documents upon one another by electronic means. Electronic service is permitted where the sending and receiving participants agree, by means that are mutually agreeable. (Docket No. RM99-6-000.)**Timetable:**

Action	Date	FR Cite
Final Rule	06/11/99	64 FR 31493

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**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-AB91

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