



Federal Register

**Monday,
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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 19 rulemakings listed, 15 are current or projected rulemakings, and 4 are completed actions.

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.

Magalie R. Salas,
Secretary.

Federal Energy Regulatory Commission—Prerule Stage

Sequence Number	Title	Regulation Identification Number
4133	Standardization of Small Generator Interconnection Agreements and Procedures	1902-AC26

Federal Energy Regulatory Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4134	Electricity Market Design and Structure (Remedying Undue Discrimination Through Open Access Transmission Service and Standard Electricity Market Design)	1902-AC18
4135	Hydroelectric Licensing Regulations Under the Federal Power Act	1902-AC30

Federal Energy Regulatory Commission—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4136	Standards of Conduct for Transmission Providers	1902-AC07
4137	Electronic Filing of Documents	1902-AC09
4138	Critical Energy Infrastructure Information and Guidance for Filings in the Interim	1902-AC11
4139	Standards For Business Practices of Interstate Natural Gas Pipelines	1902-AC13
4140	Accounting and Reporting of Financial Instruments, Comprehensive Income, Derivatives and Hedging Activities	1902-AC14
4141	Standardizing Generator Interconnection Agreements and Procedures	1902-AC15
4142	Electronic Tariff Filings	1902-AC19
4143	Regulations of Cash Management Practices	1902-AC23
4144	Civil Monetary Penalty Inflation Adjustment Rule	1902-AC24
4145	Assignment of Firm Capacity on Upstream Interstate Pipelines	1902-AC25
4146	Notice of Inquiry Concerning Natural Gas Pipelines Negotiated Policies and Practices	1902-AC28
4147	Standard of Review for Proposed Changes to Market-Based Rate Contracts for Wholesale Sales of Electric Energy by Public Utilities	1902-AC29

Federal Energy Regulatory Commission—Completed Actions

Sequence Number	Title	Regulation Identification Number
4148	Electronic Service of Documents	1902-AC08
4149	Revised Public Utility Filing Requirements	1902-AC16
4150	Standards For Business Practices Of Interstate Natural Gas Pipelines	1902-AC22
4151	Revised Fees for Record Requests	1902-AC27

Federal Energy Regulatory Commission (FERC)

Prerule Stage

4133. • STANDARDIZATION OF SMALL GENERATOR INTERCONNECTION AGREEMENTS AND PROCEDURES**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 791a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7532**CFR Citation:** 18 CFR 35**Legal Deadline:** None**Abstract:** The Commission seeks comments on standard small generator interconnection agreements and procedures. (Docket No. RM02-12-000)**Timetable:**

Action	Date	FR Cite
ANPRM	08/26/02	67 FR 54749
ANPRM Comment Period End	11/04/02	
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Michael G. Henry, Attorney, Federal Energy Regulatory Commission, Office of the General Counsel, 888 First Street NE, Washington, DC 20426
Phone: 202 502-8532**RIN:** 1902-AC26

Federal Energy Regulatory Commission (FERC)

Proposed Rule Stage

4134. ELECTRICITY MARKET DESIGN AND STRUCTURE (REMEDYING UNDUE DISCRIMINATION THROUGH OPEN ACCESS TRANSMISSION SERVICE AND STANDARD ELECTRICITY MARKET DESIGN)**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 791s 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 is proposing to amend its regulations under the Federal Power Act, to modify the pro forma open access transmission tariff established under the Commission's order No. 888, to provide for non-discriminatory standardized transmission service and wholesale electric markets, and so to remedy remaining undue discrimination in the provision of interstate transmission services and in other industry practices, and to assure just and reasonable rates

within and among regional power markets. (Docket No. RM01-12-000.)

Timetable:

Action	Date	FR Cite
NPRM	08/29/02	67 FR 55452
NPRM Comment Period End	11/15/02	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Alice Fernandez, Federal Energy Regulatory Commission, Office of Markets Tariffs and Rates, 888 First Street NE, Washington, DC 20426
Phone: 202 502-6389**RIN:** 1902-AC18**4135. • HYDROELECTRIC LICENSING REGULATIONS UNDER THE FEDERAL POWER ACT****Priority:** Other Significant**Legal Authority:** 16 USC 797(e); 16 USC 825h**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** The Commission expects to issue a notice of proposed rulemaking to amend its regulations under the Federal Power Act concerning the development and processing of applications for a hydroelectric project license. (Docket No. RM02-16-000)**Timetable:**

Action	Date	FR Cite
NPRM	02/00/03	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal, Federal**Agency Contact:** Timothy Welch, Federal Energy Regulatory Commission, Office of Energy Projects, 888 First Street NE, Washington, DC 20426
Phone: 202 502-8760
Email: timothy.welch@ferc.gov**RIN:** 1902-AC30

Federal Energy Regulatory Commission (FERC)

Long-Term Actions

4136. STANDARDS OF CONDUCT FOR TRANSMISSION PROVIDERS**Priority:** Other Significant**Legal Authority:** 15 USC 717 to 717w; 15 USC 3301 to 3423; 16 USC 791 to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 37; 18 CFR 161; 18 CFR 250; 18 CFR 358**Legal Deadline:** None**Abstract:** The Commission is considering whether to promulgate new standards of conduct regulations that would apply uniformly to natural gas pipelines and public utilities that are currently subject to the gas standards of conduct of 18 CFR part 161 and the electric standards of conduct at 18 CFR part 37. (Docket No. RM01-10-000.)**Timetable:**

Action	Date	FR Cite
NPRM	10/05/01	66 FR 50919
NPRM Comment Period End	12/20/01	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

FERC

Long-Term Actions

Government Levels Affected: None

Agency Contact: Demetra E. Anas, Attorney, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 502-8178
Fax: 202 208-0057

RIN: 1902-AC07

4137. ELECTRONIC FILING OF DOCUMENTS

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 USC app 1 to 85 (1988)

CFR Citation: 18 CFR 385

Legal Deadline: Other, Statutory, October 21, 2003, Government Paperwork Elimination Act.

Abstract: The Commission has issued a rulemaking to begin implementing electronic filing of documents via the Internet, in lieu of paper filings. At this time, only specified categories of documents are being accepted, but these categories will be expanded gradually over time, in some cases by further rulemakings. Ultimately, paper filings by regulated entities will be eliminated, with limited exceptions. (Docket No. RM00-12-000.)

Timetable:

Action	Date	FR Cite
Final Rule	09/21/00	65 FR 57088
Final Rule Effective	11/01/00	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Wilbur Miller, General Attorney, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426
Phone: 202 502-8953
Email: wilbur.miller@ferc.fed.us

RIN: 1902-AC09

4138. CRITICAL ENERGY INFRASTRUCTURE INFORMATION AND GUIDANCE FOR FILINGS IN THE INTERIM

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 to 305; 5 USC 551 to 557; 15 USC 717 to 717w; 15 USC 3301 to 3432; 16 USC 791 to 825r; 16 USC 2601 to 2645; 42 USC 7101 to 7352

CFR Citation: 18 CFR 375; 18 CFR 388

Legal Deadline: None

Abstract: The Commission is proposing to revise its rules to address public availability of critical energy infrastructure information. (Docket Nos. RM02-4-000, PL02-1-000.)

Timetable:

Action	Date	FR Cite
Notice of Inquiry	01/23/02	67 FR 3129
NPRM	09/13/02	67 FR 57994
NPRM Comment Period End	10/15/02	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Carol C. Johnson, Staff Attorney, Federal Energy Regulatory Commission, Office of the General Counsel, 888 First Street NE., Washington, DC 20426
Phone: 202 502-8521
Email: carol.johnson@ferc.gov

RIN: 1902-AC11

4139. STANDARDS FOR BUSINESS PRACTICES OF INTERSTATE NATURAL GAS PIPELINES

Priority: Substantive, Nonsignificant

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

CFR Citation: 18 CFR 284

Legal Deadline: None

Abstract: The Commission amended its open access regulations governing standards for conducting business practices and electronic communications with interstate natural gas pipeline. The Commission adopted the most recent version, Version 1.5, of the consensus industry standards, promulgated by the Wholesale Gas Quadrant of the North American Energy Standards Board (NAESB), formerly the

Gas Industry Standards Board. (Docket No. RM96-1-020.)

Timetable:

Action	Date	FR Cite
NPRM	01/02/02	67 FR 44
NPRM Comment Period End	02/01/02	
Final Rule	05/08/02	67 FR 30788
Final Rule Effective	06/07/02	
Order on Rehearing	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: 202 502-8685

RIN: 1902-AC13

4140. ACCOUNTING AND REPORTING OF FINANCIAL INSTRUMENTS, COMPREHENSIVE INCOME, DERIVATIVES AND HEDGING ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 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; 42 USC 7651 to 7651c; 49 USC 60502; 49 app. USC 1 to 85 (1988)

CFR Citation: 18 CFR 101; 18 CFR 201; 18 CFR 352

Legal Deadline: None

Abstract: The Commission proposes to revise its regulations to update the accounting and reporting requirements under its Uniform Systems of Accounts for jurisdictional public utilities, natural gas companies and oil pipelines. (Docket No. RM02-3-000.)

Timetable:

Action	Date	FR Cite
NPRM	01/08/02	67 FR 1026
NPRM Comment Period End	03/11/02	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Julia A. Lake, General Attorney, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

FERC

Long-Term Actions

Phone: 202 502-8370

RIN: 1902-AC14

4141. STANDARDIZING GENERATOR INTERCONNECTION AGREEMENTS AND PROCEDURES**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 791a 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 proposes to amend its regulations to require public utilities to file the standardized interconnection agreement and procedures to be adopted in this proceeding and to take and provide interconnection service under them. (Docket No. RM02-1-000.)**Timetable:**

Action	Date	FR Cite
ANPRM	11/01/01	66 FR 55140
Extension of Time	12/21/01	66 FR 65858
Extension of Time	01/25/02	67 FR 3632
ANPRM Comment Period End	02/01/02	
NPRM	05/02/02	67 FR 22249
NPRM Comment Period End	06/17/02	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Patrick G. Rooney, Federal Energy Regulatory Commission, Office of Markets, Tariffs and Rates, 888 First Street NE., Washington, DC 20426

Phone: 202 502-6205

RIN: 1902-AC15

4142. ELECTRONIC TARIFF FILINGS**Priority:** Other Significant**Legal Authority:** OMB Circular A-130**CFR Citation:** 18 CFR 131; 18 CFR 154; 18 CFR 157; 18 CFR 35; 18 CFR 250; 18 CFR 330; 18 CFR 341; 18 CFR 342; 18 CFR 344; 18 CFR 346; 18 CFR 348; 18 CFR 385**Legal Deadline:** Other, Statutory, October 21, 2003, Government Paperwork Elimination Act.**Abstract:** The Commission is considering making the electronic filing

format of gas, electric, and oil tariffs mandatory. (Docket No. RM01-5-000.)

Timetable:

Action	Date	FR Cite
Notice of Inquiry	03/20/01	66 FR 15673
Next Action	Undetermined	

Regulatory Flexibility Analysis
Required: No**Government Levels Affected:** None**Agency Contact:** Bolton Pierce, Federal Energy Regulatory Commission, Office of Markets, Tariffs and Rates, 888 First Street NE, Washington, DC 20426
Phone: 202 502-8803

RIN: 1902-AC19

4143. • REGULATIONS OF CASH MANAGEMENT PRACTICES**Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 717o; 16 USC 825(h); 49 App USC 20 (1988); 49 App USC 12 (1988)**CFR Citation:** 18 CFR 101; 18 CFR 201; 18 CFR 352**Legal Deadline:** None**Abstract:** The Commission is proposing to establish limits on the amount of funds that can be swept from a regulated subsidiary to a nonregulated parent under so-called "cash management" programs, as well as certain other requirements. (Docket No. RM02-14-000.)**Timetable:**

Action	Date	FR Cite
NPRM	08/07/02	67 FR 51150
NPRM Comment Period End	08/28/02	
Final Rule	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Mark Klose, Federal Energy Regulatory Commission, Office of Executive Director, Division of Regulatory Accounting Policy, 888 First Street, NE, Washington, DC 20426
Phone: 202 502-8283
Email: mark.klose@ferc.gov

RIN: 1902-AC23

4144. • CIVIL MONETARY PENALTY INFLATION ADJUSTMENT RULE**Priority:** Routine and Frequent**Legal Authority:** 28 USC 2461; 31 USC 3701**CFR Citation:** 18 CFR 385 (Revision)**Legal Deadline:** None**Abstract:** The Commission issued a final rule for a Civil Monetary Penalty Inflation Adjustment as mandated by the Debt Collection Improvement Act of 1996 (DCIA) to adjust the Commission's civil monetary penalties for inflation on a periodic bases. This rule will allow the Commission's penalties to keep pace with inflation and thereby maintain the deterrent effect Congress intended when it originally specified penalties.

The first mandatory adjustment, as mandated by the DCIA, increases all of the Commission's penalty provisions by ten percent. The Commission is required to review its penalties again at least once every four years thereafter and adjust them as necessary for inflation according to a specified formula. (Docket No. RM02-11-000.)

Timetable:

Action	Date	FR Cite
Final Rule	08/12/02	67 FR 52410
Final Rule Effective	08/12/02	
Next Action	Undetermined	

Regulatory Flexibility Analysis
Required: No**Government Levels Affected:** None**Agency Contact:** Carolyn Van DerJagt, Attorney Advisor, Federal Energy Regulatory Commission, Office of the General Counsel, 888 First Street NE, Washington, DC 20426
Phone: 202 502-8620

RIN: 1902-AC24

4145. • ASSIGNMENT OF FIRM CAPACITY ON UPSTREAM INTERSTATE PIPELINES**Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 717 to 717w; 15 USC 3301 to 3432; 42 USC 1331 to 1356**CFR Citation:** 18 CFR 284**Legal Deadline:** None**Abstract:** The Commission proposes to remove from its regulations the Order No. 636 requirement that pipelines assign their upstream capacity to their firm shippers. (Docket No. RM01-6-000)**Timetable:**

Action	Date	FR Cite
NPRM	04/18/02	67 FR 19136

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Long-Term Actions

Action	Date	FR Cite
NPRM Comment Period End	06/03/02	
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Cecilia Desmond, Attorney Advisor, Federal Energy Regulatory Commission, Office of the General Counsel, 888 First Street NE, Washington, DC 20426
Phone: 202 502-8695**RIN:** 1902-AC25**4146. • NOTICE OF INQUIRY CONCERNING NATURAL GAS PIPELINES NEGOTIATED POLICIES AND PRACTICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 717d; 15 USC 717e**CFR Citation:** 18 CFR 284**Legal Deadline:** None**Abstract:** The Commission issued a notice of inquiry to seek comments on its negotiated rate policies and practices, established in Alternatives to Traditional Cost-of-Service Ratemaking for Natural Gas Pipelines, Regulation of

Negotiated Transportation Services of Natural Gas Pipelines, Statement of Policy and Request for Comments. (Docket No. PL02-6-000)

Timetable:

Action	Date	FR Cite
Notice of Inquiry	07/25/02	67 FR 48592
Comment Period End	08/26/02	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Michael G. Henry, Attorney, Federal Energy Regulatory Commission, Office of the General Counsel, 888 First Street NE, Washington, DC 20426
Phone: 202 502-8532**RIN:** 1902-AC28**4147. • STANDARD OF REVIEW FOR PROPOSED CHANGES TO MARKET-BASED RATE CONTRACTS FOR WHOLESALE SALES OF ELECTRIC ENERGY BY PUBLIC UTILITIES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 5 USC 601; 15 USC 717 to 717w; 15 USC 3301 to 3432;

16 USC 792 to 825y; 16 USC 2601 to 2645; 42 USC 4321 to 4361; 42 USC 7101 to 7352

CFR Citation: 18 CFR 2**Legal Deadline:** None**Abstract:** The Commission proposes to adopt a policy statement on the standard of review to be met to justify proposed changes in market-based rate contracts for wholesale sales of electric energy by public utilities in light of Mobile-Sierra doctrine. (Docket No. PL02-7-000)**Timetable:**

Action	Date	FR Cite
Notice of Proposed Policy Statement	08/01/02	67 FR 51516
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Shaheda Sultan, Staff Attorney, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426
Phone: 202 502-8845**RIN:** 1902-AC29

Federal Energy Regulatory Commission (FERC)

Completed Actions

4148. ELECTRONIC SERVICE OF DOCUMENTS**Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 385**Completed:**

Reason	Date	FR Cite
Notice of Inquiry	10/04/01	66 FR 50591

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Wilbur Miller
Phone: 202 502-8953
Email: wilbur.miller@ferc.fed.us**RIN:** 1902-AC08**4149. REVISED PUBLIC UTILITY FILING REQUIREMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 2.8; 18 CFR 35.1; 18 CFR 35.10a; 18 CFR 35.10b**Completed:**

Reason	Date	FR Cite
Final Rule	05/08/02	67 FR 31043
Final Rule Effective	07/08/02	
Order on Rehearing	07/18/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** H. Keith Pierce
Phone: 202 502-8525**RIN:** 1902-AC16**4150. STANDARDS FOR BUSINESS PRACTICES OF INTERSTATE NATURAL GAS PIPELINES****Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 284**Completed:**

Reason	Date	FR Cite
Final Rule Effective	04/17/02	
Order on Rehearing	07/03/02	67 FR 44529

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Michael Goldenberg
Phone: 202 502-8685**RIN:** 1902-AC22**4151. • REVISED FEES FOR RECORD REQUESTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 44 USC 3506(d)(4)(D)

FERC

Completed Actions

CFR Citation: 18 CFR 388

Legal Deadline: None

Abstract: The Commission amended its regulation to increase the fee for hard copies of documents printed from the Federal Energy Regulatory Records Information System (FERRIS) from 15 to 20 cents per page. (Docket No. RM02-8-000)

Timetable:

Action	Date	FR Cite
Final Rule Effective	04/26/02	
Final Rule	05/02/02	67 FR 21994

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Katherina Quijada-Cusack, Federal Energy Regulatory Commission, Office of the Chief of Information Officer, 888 First Street NE, Washington, DC 20426
Phone: 202 502-8748

RIN: 1902-AC27

[FR Doc. 02-23910 Filed 12-06-02; 8:45 am]

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