



# Federal Register

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**Monday,  
April 30, 2007**

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**Part LI**

## **Federal Energy Regulatory Commission**

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**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 39 rulemakings listed, 26 are current or projected rulemakings, and 13 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—Long-Term Actions**

Sequence Number	Title	Regulation Identifier Number
3562	Electronic Tariff Filings .....	1902-AC19
3563	Standard of Review for Proposed Changes to Market-Based Rate Contracts for Wholesale Sales of Electric Energy by Public Utilities .....	1902-AC29
3564	Market-Based Rates for Wholesales Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities ...	1902-AC51
3565	Imbalance Provisions for Intermittent Resources Assessing the State of Wind Energy in Wholesale Electricity Markets .....	1902-AC76
3566	Electronic Filing of Interlocking Positions and Twenty Largest Purchasers Information .....	1902-AC77
3567	Generator Run Status Information .....	1902-AC79
3568	Information Requirements for Available Transfer Capability .....	1902-AC81
3569	Modification of Natural Gas Reporting Regulations .....	1902-AC89
3570	Promoting Transmission Investment Through Pricing Reform .....	1902-AC95
3571	Long-Term Firm Transmission Rights in Organized Electricity Markets; Long-Term Transmission Rights in Markets Operated by Regional Transmission Organization and Independent System Operators .....	1902-AC97
3572	New PURPA Section 210(m) Regulations Applicable to Small Power Production and Cogeneration Facilities .....	1902-AC99
3573	Preventing Undue Discrimination and Preference in Transmission Services .....	1902-AD02
3574	Standard of Review for Modifications to Jurisdictional Agreements .....	1902-AD08
3575	Revision of Regulations To Require Reporting of Damage to Natural Gas Pipeline Facilities .....	1902-AD12
3576	Regs. Implementing EPAAct 2005: Coordinating the Processing of Fed. Authorizations for Applications under Sec. 3 and 7 of the Natural Gas Act and Maintaining a Complete Consolidated Record .....	1902-AD13
3577	Revisions to the Blanket Certificate Regulations and Clarification Regarding Rates .....	1902-AD14
3578	Regulations for Filing Applications for Permits to Site Interstate Electric Transmission Corridors .....	1902-AD16
3579	Mandatory Reliability Standards for the Bulk-Power System .....	1902-AD20
3580	Standards for Business Practices for Public Utilities .....	1902-AD21
3581	Standards of Conduct for Transmission Providers .....	1902-AD22
3582	Accounting and Reporting Requirements for Non-operating Public Utilities and Licensees .....	1902-AD23
3583	Standards of Conduct for Transmission Providers .....	1902-AD25
3584	Assessment of Information Requirements for FERC Financial Forms .....	1902-AD26
3585	Critical Energy Infrastructure Information .....	1902-AD27
3586	Critical Energy Infrastructure Information .....	1902-AD28
3587	Standards for Business Practices and Communication Protocols for Public Utilities .....	1902-AD31

**Federal Energy Regulatory Commission—Completed Actions**

Sequence Number	Title	Regulation Identifier Number
3588	Accounting and Financial Reporting for Public Utilities Including RTOs .....	1902-AC68
3589	Standards for Business Practices and Communication Protocols for Public Utilities .....	1902-AC75
3590	Policy Statement on Enforcement .....	1902-AD00
3591	Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorization .....	1902-AD01
3592	Rate Regulation of Certain Underground Storage Facilities .....	1902-AD03
3593	Repeal of the Public Utility Holding Company Act of 1935 and Enactment of the Public Utility Holding Company Act of 2005 .....	1902-AD05
3594	Transaction Subject to FPA Section 203 .....	1902-AD07

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Federal Energy Regulatory Commission—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
3595	Conditions for Public Utility Market-Based Rate Authorization Holders .....	1902-AD10
3596	Financial Accounting, Reporting and Records Retention Requirements Under the Public Utility Holding Company Act of 2005 .....	1902-AD15
3597	Commission Procedures During Periods of Emergency Requiring Activation of Continuity of Operations Plan .....	1902-AD19
3598	Update of Federal Energy Regulatory Commission's Fees Schedule for Annual Charges for the Use of Government Lands .....	1902-AD24
3599	Electronic Filing of FERC Form No. 60 .....	1902-AD29
3600	Natural Gas Pipelines; Project Cost and Annual Limits .....	1902-AD30

**Federal Energy Regulatory Commission (FERC)**

**Long-Term Actions**

**3562. ELECTRONIC TARIFF FILINGS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** OMB Circular A-130

**CFR Citation:** 18 CFR 35; 18 CFR 131; 18 CFR 154; 18 CFR 157; 18 CFR 250; 18 CFR 281; 18 CFR 284; 18 CFR 300; 18 CFR 341; 18 CFR 344; 18 CFR 346 to 348; 18 CFR 375; 18 CFR 385

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

**Abstract:** The Commission proposes to revise its regulations to provide that public utilities file tariffs and tariff revisions electronically. (Docket No. RM01-5-000.)

**Timetable:**

Action	Date	FR Cite
Notice of Inquiry	03/20/01	66 FR 15673
NPRM	07/23/04	69 FR 43929
NPRM Comment Period End	10/04/04	
Notice of Additional Proposals and Procedures	07/15/05	70 FR 40941
Notice of Additional Proposals—Comment Period End	08/12/05	
Notice of Comment Deadline	03/08/06	71 FR 11614
Final Comment Period End	05/30/06	
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1902-AC19

**3563. STANDARD OF REVIEW FOR PROPOSED CHANGES TO MARKET-BASED RATE CONTRACTS FOR WHOLESALE SALES OF ELECTRIC ENERGY BY PUBLIC UTILITIES**

**Priority:** Substantive, Nonsignificant

**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	08/08/02	67 FR 51516
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1902-AC29

**3564. MARKET-BASED RATES FOR WHOLESALSA SALES OF ELECTRIC ENERGY, CAPACITY AND ANCILLARY SERVICES BY PUBLIC UTILITIES**

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

**Unfunded Mandates:** 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 is proposing to codify, and in some respects revise, its current standards to obtain market-based rate authority for sales of energy, capacity and ancillary services. (Docket No. RM04-7-000)

**Timetable:**

Action	Date	FR Cite
Initiation of Rulemaking Proceeding on Market-Based Rates and Notice of Technical Conference	04/22/04	69 FR 21777
Notice Inviting Comments Subject to Technical Conference	02/18/05	70 FR 8358
Comment Period End	03/14/05	
NPRM	06/07/06	71 FR 33102
NPRM Comment Period End	08/07/06	
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

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## Long-Term Actions

**Government Levels Affected:** None

**Agency Contact:** Elizabeth Arnold, Attorney, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
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**RIN:** 1902-AC51

### 3565. IMBALANCE PROVISIONS FOR INTERMITTENT RESOURCES ASSESSING THE STATE OF WIND ENERGY IN WHOLESALE ELECTRICITY MARKETS

**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 35

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend its regulations to require public utilities to append to their open access transmission tariffs (OATTs) an intermittent generator imbalance service schedule. (Docket Nos. RM05-10-000 and AD04-13-000)

**Timetable:**

Action	Date	FR Cite
NPRM	04/26/05	70 FR 21349
NPRM Comment Period End	05/26/05	
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** David Withnell, Attorney, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
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**RIN:** 1902-AC76

### 3566. ELECTRONIC FILING OF INTERLOCKING POSITIONS AND TWENTY LARGEST PURCHASERS INFORMATION

**Priority:** Info./Admin./Other

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

**CFR Citation:** 18 CFR 45 to 46; 18 USC 131

**Legal Deadline:** None

**Abstract:** The Commission proposes to revise its regulations for filings by

persons holding interlocking positions and for utilities listing their twenty largest purchasers of electricity. The proposed revisions provide for electronic filing. (Docket No. RM05-13-000)

**Timetable:**

Action	Date	FR Cite
NPRM	06/17/05	70 FR 35184
NPRM Comment Period End	08/16/05	
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1902-AC77

### 3567. GENERATOR RUN STATUS INFORMATION

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Commission seeks comments on whether the Commission should require jurisdictional generators to provide the Commission with confidential access to generator-run status information. (Docket No. RM05-16-000)

**Timetable:**

Action	Date	FR Cite
Notice of Inquiry	06/14/05	70 FR 34468
Notice of Inquiry Comment Period End	08/15/05	
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1902-AC79

### 3568. INFORMATION REQUIREMENTS FOR AVAILABLE TRANSFER CAPABILITY

**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 37

**Legal Deadline:** None

**Abstract:** The Commission amended its regulations and the proforma open access transmission tariff adopted in Order Nos. 888 and 889, to ensure that transmission services are provided on a basis that is just, reasonable and not unduly discriminatory or preferential. (Docket Nos. RM05-17-000 and RM05-25-000)

**Timetable:**

Action	Date	FR Cite
Notice of Inquiry	06/14/05	70 FR 34417
Notice of Inquiry Comments Period End	08/15/05	
NPRM	06/06/06	71 32636
NPRM Comment Period End	09/20/06	
Final Rule	02/16/07	
Order on Rehearing	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1902-AC81

### 3569. MODIFICATION OF NATURAL GAS REPORTING REGULATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 15 USC 717 to 717w; 15 USC 3301 to 3432; 42 USC 7101 to 7352; 43 USC 1331 to 1356

**CFR Citation:** 18 CFR 260; 18 CFR 284

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend its regulations to standardize the filing format for reporting natural gas service interruptions and emergency natural gas sales, transportation and exchanges. The Commission also proposes to modernize the filing method, develop a tracking method for filings, and develop an electronic notification system to notify

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## Long-Term Actions

appropriate Commission staff when the information is filed with the Commission. (Docket No. RM05-12-000)

**Timetable:**

Action	Date	FR Cite
NPRM	06/10/05	70 FR 33873
NPRM Comment Period End	07/25/05	
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jacqueline Holmes, Associate General Counsel for Energy Projects, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426  
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**RIN:** 1902-AC89

**3570. PROMOTING TRANSMISSION INVESTMENT THROUGH PRICING REFORM**

**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 35

**Legal Deadline:** None

**Abstract:** The Commission amended its regulations to establish incentive-based (including performance-based) rate treatments for the transmission of electric energy in interstate commerce by public utilities for the purpose of benefiting consumers by ensuring reliability and reducing the cost of delivered power by reducing transmission congestion. (Docket No. RM06-4-000)

**Timetable:**

Action	Date	FR Cite
NPRM	11/29/05	70 FR 71409
Final Rule	07/31/06	71 FR 43294
Order on Rehearing	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1902-AC95

**3571. LONG-TERM FIRM TRANSMISSION RIGHTS IN ORGANIZED ELECTRICITY MARKETS; LONG-TERM TRANSMISSION RIGHTS IN MARKETS OPERATED BY REGIONAL TRANSMISSION ORGANIZATION AND INDEPENDENT SYSTEM OPERATORS**

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

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 791a to 825

**CFR Citation:** 18 CFR 40

**Legal Deadline:** None

**Abstract:** The Commission amended its regulations under the Federal Power Act to require transmission organizations that are public utilities with organized electricity markets to make available long-term firm transmission rights that satisfy certain guidelines adopted by the Commission in this Final Rule. (Docket No. RM06-8-000)

**Timetable:**

Action	Date	FR Cite
NPRM	02/09/06	71 FR 6693
Final Rule	08/01/06	71 FR 43564
Order on Rehearing (Order No. 681-A)	11/27/06	71 FR 68440

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Heidi Wertz, Attorney, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
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**RIN:** 1902-AC97

**3572. NEW PURPA SECTION 210(M) REGULATIONS APPLICABLE TO SMALL POWER PRODUCTION AND COGENERATION FACILITIES**

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

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 781a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352

**CFR Citation:** 18 CFR 292

**Legal Deadline:** None

**Abstract:** The Commission amended its regulations governing small power production and cogeneration in response to section 1253 of the Energy Policy Act of 2005 (EP Act 2005), which added section 210(m) to the Public Utility Regulatory Policies Act of 1978 (PURPA) which provides, among other things, for termination of the requirement that an electric utility enter into a new contract or obligation to purchase electric energy from qualifying cogeneration facilities and qualifying small power production facilities (QFs) if the Commission finds that the QF has nondiscriminatory access to one of three categories of markets. (Docket No. RM06-10-000)

**Timetable:**

Action	Date	FR Cite
NPRM	01/27/06	71 FR 4532
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Samuel Higginbottom, Attorney, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
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**RIN:** 1902-AC99

**3573. PREVENTING UNDUE DISCRIMINATION AND PREFERENCE IN TRANSMISSION SERVICES**

**Priority:** Substantive, Nonsignificant. 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 1; 18 CFR 35 ; 18 CFR 37

**Legal Deadline:** None

**Abstract:** The Commission amended its regulations and the pro forma open access transmission tariff adopted in Order Nos. 888 and 889 to ensure that transmission services are provided on a basis that is just, reasonable and not unduly discriminatory or preferential. (Docket Nos. RM05-17-000 and RM05-25-000)

**Timetable:**

Action	Date	FR Cite
NOI	09/23/05	70 FR 55797
NPRM	06/06/06	71 FR 32636

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Action	Date	FR Cite
Final Rule	02/16/07	
Order on Rehearing	To Be Determined	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

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**RIN:** 1902-AD02

**3574. STANDARD OF REVIEW FOR MODIFICATIONS TO JURISDICTIONAL AGREEMENTS**

**Priority:** Substantive, Nonsignificant. 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 7252

**CFR Citation:** 18 CFR 35; 18 CFR 370

**Legal Deadline:** None

**Abstract:** A general rule regarding the standard of review applicable to proposed modifications to Commission-jurisdictional agreements under the Federal Power Act and Natural Gas Act. The intent of the proposed rulemaking is to promote the sanctity of contracts, recognize the importance of providing certainty and stability in competitive electric energy markets, and provide adequate protection of energy customers. (Docket No. RM05-35-000)

**Timetable:**

Action	Date	FR Cite
NPRM	01/04/06	71 FR 303
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** Shaheda Sultan, Staff Attorney, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
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**RIN:** 1902-AD08

**3575. REVISION OF REGULATIONS TO REQUIRE REPORTING OF DAMAGE TO NATURAL GAS PIPELINE FACILITIES**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 15 USC 717 to 717w; 15 USC 3301 to 3432; 42 USC 7101 to 7352

**CFR Citation:** 18 CFR 260

**Legal Deadline:** None

**Abstract:** The Commission amended its regulations to require that jurisdiction natural gas companies report damage to facilities as the result of a natural disaster or terrorist activity that results in a reduction in pipeline throughput or storage deliverability. (Docket No. RM06-18-000)

**Timetable:**

Action	Date	FR Cite
NPRM	06/19/06	71 FR 35226
NPRM Comment Period End	07/19/06	
Final Rule	08/29/06	71 FR 51098
Order on Rehearing	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** William Blome, Attorney, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
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**RIN:** 1902-AD12

**3576. REGS. IMPLEMENTING EPACT 2005: COORDINATING THE PROCESSING OF FED. AUTHORIZATIONS FOR APPLICATIONS UNDER SEC. 3 AND 7 OF THE NATURAL GAS ACT AND MAINTAINING A COMPLETE CONSOLIDATED RECORD**

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

**Legal Authority:** 15 USC 717 to 717o; 15 USC 717 to 717w; 15 USC 3301 to 3432; 42 USC 7101 to 7352; 5 USC 551 to 557; 16 USC 791a to 825r; 16 USC 2601 to 2645; 28 USC 2461; 31 USC 3701; 31 USC 9701; 49 USC 60502; 49 USC 1 to 85

**CFR Citation:** 18 CFR 153; 18 CFR 157; 18 CFR 375

**Legal Deadline:** None

**Abstract:** The EPAct Section 313 amends NGA section 15 to give the Commission more authority to coordinate the processing of authorizations required under Federal law for proposed natural gas projects under NGA sections 3 and 7. The Commission proposes to promulgate regulations governing its exercise of this authority. (Docket No. RM06-1-000)

**Timetable:**

Action	Date	FR Cite
NPRM	05/30/06	71 FR 30632
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Gordon Wagner, Attorney Advisor, Federal Energy Regulatory Commission, Office of the General Counsel, 888 First Street NE., Washington, DC 20426  
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**RIN:** 1902-AD13

**3577. REVISIONS TO THE BLANKET CERTIFICATE REGULATIONS AND CLARIFICATION REGARDING RATES**

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

**Legal Authority:** 15 USC 717 to 717w; 15 USC 3301 to 3432; 42 USC 7101 to 7352

**CFR Citation:** 18 CFR 157

**Legal Deadline:** None

**Abstract:** The Commission amended its part 157, blanket certification regulations to expand the scope and scale of activities that may be undertaken pursuant to blanket certificate authority. The Commission expanded the types of natural gas projects permitted under blanket authority and increased the cost limits that apply to blanket projects. In addition, the Commission clarified that a natural gas company is not necessarily engaged in an undue discriminatory practice if it charges different customers different rates for the same service based on the date that customers commit to service. (Docket No. RM06-7-000)

**Timetable:**

Action	Date	FR Cite
NPRM	06/26/06	71 FR 36276

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## Long-Term Actions

Action	Date	FR Cite
NPRM Comment Period End	08/25/06	

Final Rule 10/31/06 71 FR 63680  
Order on Rehearing To Be Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Federalism:** Undetermined

**Agency Contact:** Gordon Wagner,  
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**RIN:** 1902-AD14**3578. REGULATIONS FOR FILING APPLICATIONS FOR PERMITS TO SITE INTERSTATE ELECTRIC TRANSMISSION CORRIDORS**

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

**Legal Authority:** 16 USC 824p; 42 USC 4321 to 4370a; 42 USC 7101 to 7352

**CFR Citation:** 18 CFR 50; 18 CFR 380**Legal Deadline:** None

**Abstract:** The Commission promulgated new regulations in accordance with section 1221 of the Energy Policy Act of 2005 to establish filing requirements and procedures for entities seeking to construct electric transmission facilities. The regulations will coordinate the processing of Federal authorizations and environmental review of electric transmission facilities in national interest transmission corridors. (Docket No. RM06-12-000)

**Timetable:**

Action	Date	FR Cite
NPRM	06/26/06	71 FR 36258
NPRM Comment Period End	08/25/06	
Final Rule	12/01/06	71 FR 69440
Order on Rehearing	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 1902-AD16**3579. • MANDATORY RELIABILITY STANDARDS FOR THE BULK-POWER SYSTEM**

**Priority:** Substantive, Nonsignificant.  
Major under 5 USC 801.

**Legal Authority:** 16 USC 824o**CFR Citation:** 18 CFR 40**Legal Deadline:** None

**Abstract:** The Commission proposes to approve 83 of 107 proposed Reliability Standards filed by the North American Electric Reliability Corporation (NERC) as the Electric Reliability Organization (ERO) as mandatory and enforceable standards and to require the ERO to make significant improvements to many of the 83 Reliability Standards. The Commission also proposes that the remaining 24 Reliability Standards remain pending at the Commission until further information is provided. The regulations to require that each Reliability Standard identify the subset of users, owners and operators to which the Reliability Standard applies and that each Reliability Standard approved by the Commission will be maintained in the Public Reference Room and on the ERO's Web site for public inspection. (Docket No. RM06-16-000)

**Timetable:**

Action	Date	FR Cite
NPRM	11/03/06	71 FR 64770
NPRM Comment Period End	12/06/06	71 FR 70695
Next Action	Undetermined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Jonathan First,  
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**RIN:** 1902-AD20**3580. • STANDARDS FOR BUSINESS PRACTICES FOR PUBLIC UTILITIES****Priority:** Substantive, Nonsignificant

**Legal Authority:** 15 USC 3301 to 3432;  
16 USC 791 to 825r; 16 USC 2601 to  
2645; 31 USC 9701; 42 USC 7101 to  
7352; 43 USC 1331 to 1356;

**CFR Citation:** 18 CFR 38; 18 CFR 248**Legal Deadline:** None

**Abstract:** The Commission proposes to amend its regulations to incorporate by reference standards developed by the Wholesale Gas and Wholesale Electric Quadrants of North American Energy Standards Board (NAESB) to establish communication protocols between interstate pipelines and powerplant operators and transmission owners and operators. The Commission seeks to improve coordination between the gas and electric industries in order to limit miscommunications about scheduling of gas-fired generators. (Docket Nos. RM96-1-027, RM05-5-001)

**Timetable:**

Action	Date	FR Cite
NPRM	11/03/06	71 FR 64655
NPRM Comment Period End	12/18/06	
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Eric Winterbauer,  
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**RIN:** 1902-AD21**3581. • STANDARDS OF CONDUCT FOR TRANSMISSION PROVIDERS****Priority:** Substantive, Nonsignificant

**Legal Authority:** 15 USC 717 to 717w;  
15 USC 3301 to 3432; 16 USC 791 to  
825r; 16 USC 2601 to 2645; 31 USC  
9701

**CFR Citation:** 18 CFR 358**Legal Deadline:** None

**Abstract:** The Commission proposes to make permanent interim regulations that respond to the Court of Appeals by making the standards of conduct inapplicable to the relationship between natural gas pipeline transmission providers and their energy affiliates. The Commission also proposes to revise the definition of marketing, sales or brokering; make permanent the changes adopted in the interim rule for risk management employees and discretionary waivers. The Commission will remove the regulations that permit transmission providers to share information

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necessary to maintain the operations of their transmission systems with their energy affiliates; add and revise various regulations to facilitate integrated resource planning and competitive solicitations. The regulations will be revised to: (1) Require each

transmission provider to post the name of its chief compliance officer and delete outdated references; (2) require that transmission provider employees certify they completed standards of conduct training; and (3) revise the definition of affiliate for exempt wholesale generators. (Docket No. RM07-1-000).

**Timetable:**

Action	Date	FR Cite
NPRM	01/29/07	72 FR 3958
NPRM Comment	03/15/07	
Period End		
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1902-AD22

### 3582. • ACCOUNTING AND REPORTING REQUIREMENTS FOR NON-OPERATING PUBLIC UTILITIES AND LICENSEES

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

**Legal Authority:** 15 USC 3301 to 3432; 15 USC 79; 16 USC 791 to 828c; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352; 42 USC 7651 to 7651o;

**CFR Citation:** 18 CFR 101; 18 CFR 141

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend the accounting and reporting regulations to require public utilities and licensees to continue to follow the Uniform System of Accounts and to continue to file annual and quarterly reports when they cease making jurisdictional sales of electric energy or providing jurisdictional transmission service but continue collecting amounts pursuant to a tariff or rate schedule or

Commission order. (Docket No. RM07-2-000)

**Timetable:**

Action	Date	FR Cite
NPRM	01/09/07	72 FR 922
NPRM Comment	02/08/07	
Period End		
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1902-AD23

### 3583. • STANDARDS OF CONDUCT FOR TRANSMISSION PROVIDERS

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

**Legal Authority:** 15 USC 717 to 717w; 15 USC 3301 to 3432; 16 USC 791 to 825r; 16 USC 2601 to 2645; 31 USC 9701

**CFR Citation:** 18 CFR 358

**Legal Deadline:** None

**Abstract:** The Commission promulgated interim standards of conduct regulations that govern the relationship between natural gas transmission providers and their marketing affiliates to respond to the Court of Appeals decision vacating and remanding Order No. 2004 et seq. (Docket No. RM07-6-000)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/19/07	72 FR 2427
Interim Final Rule	02/09/07	
Comment Period		
End		
Interim Final Rule	01/19/07	
Effective		
Next Action		Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1902-AD25

### 3584. • ASSESSMENT OF INFORMATION REQUIREMENTS FOR FERC FINANCIAL FORMS

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

**Legal Authority:** 49 app USC 1 to 85; 15 USC 717i(a); 15 USC 717io; 16 USC 825c; 16 USC 825h

**CFR Citation:** 18 CFR 141; 18 CFR 260; 18 CFR 357

**Legal Deadline:** None

**Abstract:** Inquiry into the need for changes or revisions to the Commission's reporting requirements for FERC Forms Nos. 1,1-F,2,2-A,3-q,6 and 6-Q (Financial Forms). (Docket No. RM07-9-000).

**Timetable:**

Action	Date	FR Cite
Notice of Inquiry	02/15/07	
Notice of Inquiry	03/28/07	
Comment Period		
End		
Next Action		Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1902-AD26

### 3585. • CRITICAL ENERGY INFRASTRUCTURE INFORMATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301 TO 305; 5 USC 551 to 557; 42 USC 7101 to 7352

**CFR Citation:** 18 CFR 388

**Legal Deadline:** None

**Abstract:** The Commission proposes to revise its regulations to allow annual certification for repeat requesters of Critical Energy Infrastructure Information (CEII). The Commission also proposes to: (1) Allow an authorized representative to file an executed non-disclosure agreement for colleagues; (2) apply the Freedom of



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Information Act (FOIA) fee schedule to CEII requests; (3) make CEII appeal rights compatible with FOIA appeal rights; (4) give landowners the right to obtain alignment sheets directly from Commission staff; and (5) abolish the non-Internet public category of information. The Commission also seeks comments on the CEII portions of various forms and reports, offers a more efficient process for handling CEII and provides submitters of CEII with guidance on what materials the Commission accepts as containing CEII. (Docket No. RM06-23-000)

**Timetable:**

Action	Date	FR Cite
NPRM Final Rule	10/03/06 To Be	71 FR 58325 Determined

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

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RIN: 1902-AD27

**3586. ● CRITICAL ENERGY INFRASTRUCTURE INFORMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301 to 305; 5 USC 551 to 557; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 388**Legal Deadline:** None

**Abstract:** The Commission amended its regulations to clarify and limit the definition of CEII to minimize the amount of information that qualifies as CEII and to require requesters to submit executed non-disclosure agreements with their requests. The Commission also provides notice, that for CEII requests, the notice and opportunity to comment on a request will be combined with the notice of release and reiterates the requirement that submitters segregate CEII from other information and file as CEII only information that truly warrants being kept from public access. (Docket No. RM06-24-000)

**Timetable:**

Action	Date	FR Cite
Final Rule	10/03/06	71 FR 58273
Order on Rehearing	To Be	Determined

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

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RIN: 1902-AD28

**3587. ● STANDARDS FOR BUSINESS PRACTICES AND COMMUNICATION PROTOCOLS FOR PUBLIC UTILITIES****Priority:** Substantive, Nonsignificant. 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 38**Legal Deadline:** None

**Abstract:** The Commission proposes to incorporate by reference in its regulations revisions to the Coordinate Interchange business practice standards adopted by the Wholesale Electric Quadrant of the North American Energy Standards Board. (Docket No. RM05-5-003)

**Timetable:**

Action	Date	FR Cite
NPRM	02/26/07	72 FR 8318
NPRM Comment Period End	03/28/07	
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

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RIN: 1902-AD31

## Federal Energy Regulatory Commission (FERC)

## Completed Actions

**3588. ACCOUNTING AND FINANCIAL REPORTING FOR PUBLIC UTILITIES INCLUDING RTOS****Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 101**Completed:**

Reason	Date	FR Cite
Order on Rehearing	11/06/06	71 FR 65200

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

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RIN: 1902-AC68

**3589. STANDARDS FOR BUSINESS PRACTICES AND COMMUNICATION PROTOCOLS FOR PUBLIC UTILITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 35; 18 CFR 37; 18 CFR 38**Completed:**

Reason	Date	FR Cite
Order on Rehearing	09/21/06	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Gary Cohen

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RIN: 1902-AC75

**3590. POLICY STATEMENT ON ENFORCEMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Policy Statement	11/02/05	70 FR 66378

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## Completed Actions

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 1902-AD00

**3591. INVESTIGATION OF TERMS AND CONDITIONS OF PUBLIC UTILITY MARKET-BASED RATE AUTHORIZATION**

Priority: Substantive, Nonsignificant

CFR Citation: None

**Completed:**

Reason	Date	FR Cite
Order Denying Rehearing	04/17/06	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 1902-AD01

**3592. RATE REGULATION OF CERTAIN UNDERGROUND STORAGE FACILITIES**

Priority: Substantive, Nonsignificant

CFR Citation: 18 CFR 284

**Completed:**

Reason	Date	FR Cite
Order on Clarification and Rehearing	11/16/06	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 1902-AD03

**3593. REPEAL OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935 AND ENACTMENT OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 2005**

Priority: Other Significant

CFR Citation: 18 CFR 365; 18 CFR 366

**Completed:**

Reason	Date	FR Cite
Order on Rehearing, Order No. 667-C	02/26/07	72 FR 8277

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 1902-AD05

**3594. TRANSACTION SUBJECT TO FPA SECTION 203**

Priority: Substantive, Nonsignificant

CFR Citation: 18 CFR 2; 18 CFR 33

**Completed:**

Reason	Date	FR Cite
Order on Rehearing, Order No. 669-B	07/27/06	71 FR 42579

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 1902-AD07

**3595. CONDITIONS FOR PUBLIC UTILITY MARKET-BASED RATE AUTHORIZATION HOLDERS**

Priority: Substantive, Nonsignificant

CFR Citation: 18 CFR 35

**Completed:**

Reason	Date	FR Cite
Final Rule	02/27/06	71 FR 9695

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 1902-AD10

**3596. FINANCIAL ACCOUNTING, REPORTING AND RECORDS RETENTION REQUIREMENTS UNDER THE PUBLIC UTILITY HOLDING COMPANY ACT OF 2005**

Priority: Substantive, Nonsignificant

CFR Citation: 18 CFR 366 to 369; 18 CFR 375

**Completed:**

Reason	Date	FR Cite
Final Rule	11/07/06	71 FR 65200

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 1902-AD15

**3597. COMMISSION PROCEDURES DURING PERIODS OF EMERGENCY REQUIRING ACTIVATION OF CONTINUITY OF OPERATIONS PLAN**

Priority: Substantive, Nonsignificant

CFR Citation: 18 CFR 376

**Completed:**

Reason	Date	FR Cite
Final Rule	07/27/06	71 FR 42593

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 1902-AD19

**3598. • UPDATE OF FEDERAL ENERGY REGULATORY COMMISSION'S FEES SCHEDULE FOR ANNUAL CHARGES FOR THE USE OF GOVERNMENT LANDS**

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 791 to 825r; 42 USC 7101 to 7352

CFR Citation: 18 CFR 11

Legal Deadline: None

**Abstract:** The Commission by its designee, the Executive Director, is updating its schedule of fees for the use of government lands. (Docket No. RM07-5-000)

**Timetable:**

Action	Date	FR Cite
Final Rule	01/12/07	72 FR 1453

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

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RIN: 1902-AD24

## FERC

## Completed Actions

**3599. • ELECTRONIC FILING OF FERC FORM NO. 60****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 551 to 557; 15 USC 717 to 717z; 15 USC 3301 to 3432; 16 USC 791a to 825v; 16 USC 2601 to 2645; 28 USC 2461; 31 USC 3701; 31 USC 9701; 42 USC 7101 to 7352; 42 USC 16441; 42 USC 16451 to 16463; 48 app USC 1 to 85 (1988); 49 USC 60502**CFR Citation:** 18 CFR 366; 18 CFR 385**Legal Deadline:** None**Abstract:** The Commission amended its regulations to provide for electronic filing of the currently-effective FERC Form No. 60, Annual Report of Centralized Service Companies, for the 2006 and 2007 reporting years to be filed by May 1, 2007 and May 1, 2008, respectively. (Docket No. RM06-25-000)**Timetable:**

Action	Date	FR Cite
Final Rule	11/07/06	71 FR 65049

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Julia A. Lake, Attorney, Federal Energy Regulatory Commission, Office of the General Counsel, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8370  
Email: julia.lake@ferc.gov**RIN:** 1902-AD29**3600. • NATURAL GAS PIPELINES; PROJECT COST AND ANNUAL LIMITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 717 to 717w; 15 USC 3301 to 3432; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 157**Legal Deadline:** None**Abstract:** The Commission computes and publishes the project cost and annual limits for natural gas pipelines' blanket construction certificates for 2007. (Docket No. RM81-19-000)**Timetable:**

Action	Date	FR Cite
Final Rule	02/01/07	72 FR 5614

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Michael J. McGehee, Regulatory Gas Utility Specialist, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426

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**RIN:** 1902-AD30

[FR Doc. 07-01242 Filed 04-27-07; 8:45 am]

**BILLING CODE 6717-01-S**