

125 FERC ¶ 61,302
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Sudeen G. Kelly, Marc Spitzer,
Philip D. Moeller, and Jon Wellinghoff.

Transparency Provisions of Section 23
of the Natural Gas Act

Docket No. RM07-10-002

ORDER NO. 704-B

ORDER DISMISSING REHEARING REQUEST AS DEFICIENT,
DENYING RECONSIDERATION, AND GRANTING AND DENYING
CLARIFICATION

(Issued December 18, 2008)

I. Introduction

1. On December 26, 2007, the Federal Energy Regulatory Commission (Commission) issued a Final Rule in Order No. 704,¹ which amended Part 260 of its regulations to require that certain natural gas market participants file annually FERC Form No. 552. Form No. 552 requires Respondents to identify themselves and provide summary information about physical natural gas transactions on an annual, calendar year basis.² On September 18, 2008, the Commission issued Order No. 704-A in response to requests seeking rehearing or clarification of the Final Rule.³

2. Three pleadings were filed with the Commission in response to the issuance of Order No. 704-A: Gas South, LLC (Gas South) filed a request for clarification, or in the

¹ *Transparency Provisions of Section 23 of the Natural Gas Act*, Order No. 704, FERC Stats. & Regs. ¶ 31,260 (2007) (Final Rule).

² A copy of Form No. 552, as revised by this order, is attached hereto as Attachment A. Where appropriate, we capitalize herein terms defined in Form No. 552.

³ *Transparency Provisions of Section 23 of the Natural Gas Act*, Order No. 704-A, FERC Stats. & Regs. ¶ 31,275 (2008).

alternative, reconsideration; the National Energy Marketers Association (NEM) submitted a motion for rehearing or, in the alternative, clarification; and the Interstate Natural Gas Association of America (INGAA) filed a request for clarification. On November 18, 2008, we issued an order granting rehearing for further consideration of the issues presented.⁴

3. As a procedural matter, we find that Gas South has accurately styled its submission as a request for reconsideration rather than a request for rehearing. Gas South's filing was made on October 29, 2008, following expiration of the 30-day statutory deadline for filing requests for rehearing.⁵ The Commission has broad discretion regarding whether to reconsider its orders, although we have no discretion to alter the statutory deadline.⁶ While we discuss Gas South's arguments below, we decline to modify Order No. 704-A as suggested by the company.

4. Additionally, we find that NEM has failed to comply with Rule 713(c)(2) of the Commission's regulations.⁷ Requests for rehearing of our orders *must* include a section entitled "Statement of Issues" listing each issue in a separately enumerated paragraph that includes representative Commission and court precedent on which the party is relying. Failure to list any issue results in waiver of the issue under our regulations. The purpose of this requirement is to benefit all participants in a proceeding by ensuring that the Commission and all other participants understand the issues raised by the filer, and to enable the Commission to respond to these issues. Having a clearly articulated Statement of Issues ensures that issues are properly raised before the Commission. A Statement of Issues also avoids the waste of time and resources involved in litigating appeals regarding which the courts of appeals lack jurisdiction because the issues on appeal were not clearly identified before the Commission.⁸ Headings to arguments, while helpful to our review,

⁴ *Transparency Provisions of Section 23 of the Natural Gas Act*, Order Granting Rehearing for Further Consideration (Nov. 18, 2008).

⁵ Natural Gas Act (NGA) § 19(a), 15 U.S.C. § 717r. *See also* 18 C.F.R. § 713(b) (2008) (requests for rehearing must be filed within 30 days following issuance of the order to be reheard).

⁶ *See, e.g., Cities of Campbell and Thayer v. FERC*, 770 F.2d 1180, 1183 (D.C. Cir. 1985).

⁷ 18 C.F.R. § 385.713(c)(2) (2008). *See Revision of Rules of Practice and Procedure Regarding Issue Identification*, Order No. 663, FERC Stats. & Regs. ¶ 31,193 (2005), *order on reh'g*, Order No. 663-A, FERC Stats. & Regs. ¶ 31,211 (2006) (amending Order No. 663 to limit its applicability to rehearing requests).

⁸ *See* Order No. 663 at P 3-4.

do not satisfy the requirement that issues be listed in a separate section.⁹ For this reason, we dismiss NEM's request for rehearing.¹⁰ Nevertheless, we address the substance of NEM's arguments as they pertain equally to the company's request for clarification.

II. Background

5. In the Final Rule, the Commission, acting under its authority in section 23 of the NGA,¹¹ adopted an annual reporting requirement for certain natural gas buyers and sellers. On rehearing in Order No. 704-A, the Commission substantially clarified and modified the reporting requirement, including modification of Form No. 552.

6. In relevant part, the Commission clarified that transactions to end-users generally are reportable by purchasers and sellers. However, we found that traditional retail transactions are not relevant to the goals of Form No. 552 and, thus, are not to be reported on the form. Such transactions do not utilize a price index and could not contribute to index price formation. The Commission identified this type of transaction as: "a bundled retail transaction through a LDC [local distribution company] at a state-approved tariff rate."¹² Consistent with this finding, Form No. 552 was amended to exclude "sales to and purchases by retail consumers of natural gas pursuant to a state commission-approved bundled tariff."¹³

7. Separately, the Commission found that "volumes reportable on Form No. 552 should include volumes that utilize next-day or next-month price indices, volumes that are reported to any price index publisher, and any volumes that could be reported to an index publisher even if the respondent has chosen not to report to a publisher."¹⁴ Form

⁹ See *Entergy Services, Inc.*, 123 FERC ¶ 61,078, at P 8 (2008).

¹⁰ See, e.g., *Entergy Services, Inc.*, 119 FERC ¶ 61,190, *order dismissing reh'g*, 121 FERC ¶ 61,126 (2007), *order denying reh'g*, 123 FERC ¶ 61,078, at P 8 (2008); *Joseph M. Keating*, 120 FERC ¶ 61,246, *order dismissing reh'g*, 121 FERC ¶ 61,192 (2007); *18 CFR Part 40 Mandatory Reliability Standards for the Bulk-Power System*, Order No. 693, FERC Stats. & Regs. ¶ 31,242, *order on reh'g*, Order No. 693-A, 120 FERC ¶ 61,053 at P 5 (2007).

¹¹ 15 U.S.C. § 717t-2 (2006).

¹² Order No. 704-A at P 41.

¹³ Form No. 552, definition of "Physical Natural Gas Transaction."

¹⁴ Order No. 704-A at P 13.

No. 552 was amended to exclude “volumes that are not Next-Day Delivery or Next-Month Delivery.”¹⁵ The form itself does not explicitly address whether transactions that utilize an index must be for Next-Day Delivery or Next Month Delivery to be reportable.

III. Requests for Clarification and Reconsideration

A. Retail End-Use Transactions

8. In its request for clarification, or in the alternative, rehearing, NEM requests that the Commission list among the definitions of Form No. 552 in the volumes to be excluded from reporting, “sales to and purchases by retail customers pursuant to a state-approved retail access program.”¹⁶ NEM claims that Order No. 704-A’s references to *bundled* retail service are unclear and that the Commission should clarify whether purchases and sales under retail access programs, which may or may not involve a bundled product, are properly excluded from reported volumes.¹⁷ While “NEM would ordinarily construe the term ‘bundled retail service’ to denote only LDC commodity sales, not competitive retail access program sales,” NEM believes that such an interpretation is inequitable.¹⁸ NEM states that retail marketers, like LDCs, are not consuming gas that they sell to customers and that it discerns “no basis” for distinguishing between sales by LDCs and sales by marketers under our regulations.¹⁹ According to NEM, imposing the requirement of submission of an annual report on marketers, but not LDCs, would result in a “large and unjustified competitive advantage” for LDCs.²⁰

9. Gas South similarly requests clarification or, in the alternative, reconsideration, of Order No. 704-A’s exclusion of retail end-use transactions from volumes reported on Form No. 552. Gas South requests that we clarify that Form No. 552 need not be filed by “state-certificated retail natural gas marketers, like Gas South, who sell natural gas to retail customers located behind the city-gate under an unbundled retail rate.”²¹ Gas South

¹⁵ Form No. 552, definition of “Physical Natural Gas Transaction.”

¹⁶ NEM Comments at 1.

¹⁷ *Id.* at 5.

¹⁸ *Id.* at 6.

¹⁹ *Id.* at 9.

²⁰ *Id.* at 10.

²¹ Gas South Comments at 3.

claims that there is “no significant difference” between bundled retail transactions by an LDC and retail transactions by marketers operating in a state-approved retail access program.²² Gas South argues that, like LDC bundled retail transactions, marketer transactions that occur behind the city-gate do not utilize a price index or contribute to index price formation.²³

10. As discussed above, NEM’s request for rehearing is deficient and, therefore, dismissed. For the reasons now stated, we reject NEM’s requested clarification and Gas South’s similar requests for clarification or reconsideration.

11. In Order No. 704-A, we concluded that many end-use transaction volumes are properly included on Form No. 552. As we stated, “it is our experience and industry common knowledge that many end-use transactions utilize price indices and/or could be relied upon to form price indices. End-use transactions, specifically transactions involving large consumers of natural gas that compete directly with wholesale market participants, are very relevant to the Commission’s transparency mission.”²⁴ We noted that not all end-use transactions utilize price indices or have the capability to contribute to the formation of price indices. One example of such an end-use transaction is a “bundled retail transaction through an LDC at a state-approved tariff rate.”²⁵ Thus, a transaction is excluded from reporting if (1) the seller is an LDC; (2) the transaction bundles commodity and transportation costs; (3) the purchaser is a retail end-user; and (4) the transaction is priced at a state-approved tariff rate.

12. Order No. 704-A provides that other types of transactions to end-users need not be reported. For example, Fixed Price transactions to end-users that are not for Next-Day Delivery or Next-Month Delivery could not contribute to index price formation. Therefore, these transactions are not reportable.²⁶ In Order Nos. 704 and 704-A, the Commission recognized that, in our nation’s robust natural gas markets, transaction terms vary substantially.²⁷ The approach taken by Form No. 552, therefore, is to set forth specific criteria against which Respondents could determine whether individual

²² *Id.* at 5.

²³ *Id.*

²⁴ Order No. 704-A at P 36.

²⁵ *Id.* at P 41.

²⁶ *Id.* at P 13.

²⁷ NEM appears to acknowledge this point as well, noting the variety of transaction formats even among retail access program participants in various states.

transactions should be reported. By referencing bundled retail transactions made by an LDC at state-approved tariff rates, the Commission provided one example of a transaction type that is not reportable.

13. Form No. 552 requires reporting of volumes associated with transactions that utilize, contribute to, or could contribute to a price index. Transactions made by marketers under state-sponsored retail access programs may or may not be reportable, depending on the terms of the transactions at issue. If a particular retail marketer transaction does not utilize a price index, is not reported to an index publisher, and could not contribute to a price index even if reported to a publisher, then the transaction would not be reportable on Form No. 552. However, not all retail marketer transactions are structured in such a manner. We therefore decline to modify Form No. 552 to provide a blanket exclusion for all retail marketer transactions to end-users as suggested by NEM and Gas South. We urge all potential Respondents to review the terms of Form No. 552 and our orders to determine whether specific transactions are reportable. As we discussed in Order No. 704-A, Respondents may contact our new compliance help desk for direction regarding specific transactions once they begin to complete Form No. 552.²⁸ Alternately, Respondents may contact Commission staff by electronic mail with questions regarding Form No. 552.²⁹

B. Cash-out Transactions that are Not Next-Day Delivery or Next-Month Delivery

14. INGAA requests clarification of the definition of “Physical Natural Gas Transaction” as that term is defined in Form No. 552. INGAA states that the Commission made clear in Order No. 704-A that cash-out transactions must be reported if they “rely on, contribute to, or could contribute to a price index.”³⁰ INGAA asserts that while the definition of “Physical Natural Gas Transaction” specifically contemplates that cash-out transactions will be reported on Form No. 552, the definition also provides that transactions should be reported only if they are for Next-Day Delivery or Next-Month Delivery. INGAA claims that cash-out transactions are “payments in settlement

²⁸ See *Obtaining Guidance on Regulatory Requirements*, 123 FERC ¶ 61,157 (2008) (cited in Order No. 704-A at P 95).

²⁹ The electronic mail address to direct such questions is form552@ferc.gov, a link to which can be found at <http://www.ferc.gov/docs-filing/eforms.asp>. This webpage will, in the future, include a list of frequently asked questions providing Commission staff guidance on some of the more common, generic inquiries that have been received.

³⁰ INGAA Comments at 2 (citing Order No. 704-A at P 59).

of over-deliveries or under-deliveries” and, therefore, are not for Next-Day Delivery or Next-Month Delivery.³¹ INGAA argues that, should we retain the requirement to report cash-out volumes, the Commission should clarify the instructions of Form No. 552 and indicate the specific line on which cash-out volumes should be reported.

15. We agree with INGAA and clarify that cash-out, balancing, and in-kind transactions are reportable on Form No. 552 if they rely on, contribute to, or could contribute to a price index. Form No. 552 is amended to provide that Fixed Price transactions are reportable only if they are for Next-Day Delivery or Next-Month Delivery. Index-based transactions are reportable even if they are not for Next-Day Delivery or Next-Month Delivery. This clarification is consistent with our determination in Order No. 704 that one of the goals of Form No. 552 is to allow the Commission to “not only understand the transactions used to formulate price indices; it is to understand how influential price indices are in the overall transacting of natural gas in U.S. wholesale markets.”³² Further, we clarify that cash-out, balancing, and in-kind volumes are reportable on specific lines of Form No. 552 depending upon the substance of the underlying transaction. For example, cash-out transactions that utilize a Next-Day Delivery gas price index would be reportable on lines 1 and 3 of page 4 (Purchase and Sales Information).³³ If a cash-out transaction utilizes a Next-Month Delivery price index, then the volumes associated with the cash-out would be reportable on page 4 (Purchase and Sales Information), lines 1 and 5.

IV. Other Modifications to Form No. 552

16. In addition to the clarification of the definition of “Physical Natural Gas Transaction” discussed above, we modify the format of Form No. 552 to accommodate the technical requirements necessary for on-line electronic submission of the form. These modifications are non-substantive and merely reorganize the data to be collected. Further, we clarify on page 3 (Schedule of Reporting Companies and Price Index Reporting) of the form that non-volumetric information should be provided not just for Affiliates, but also for the Respondent itself.

17. An electronic version of Form No. 552 will be made *available at* <http://www.ferc.gov/docs-filing/eforms.asp> by the middle of January 2009. Respondents

³¹ *Id.*

³² Order No. 704 at P 73.

³³ As discussed below, the pagination of Form No. 552 has been changed.

may download and complete Form No. 552 as a fillable .pdf document and then submit completed Form No. 552 to the Commission via the eFiling system.³⁴

The Commission orders:

- (A) NEM's request for rehearing is dismissed.
- (B) Gas South's request for reconsideration is denied.
- (C) NEM's and Gas South's requests for clarification are denied and INGAA's request for clarification is granted, as discussed herein.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

³⁴ Instructions on registering and submitting documents via eFiling can be found at <http://www.ferc.gov/docs-filing/efiling.asp>.

Attachment A

THIS FILING IS
Item 1: <input type="checkbox"/> An Initial (Original) Submission OR <input type="checkbox"/> Resubmission No. ____

Form No. 552
OMB No. 1902-0242
Expires (3/31/2011)



FERC TRANSACTION REPORT FERC FORM No. 552: Annual Report of Natural Gas Transactions

These reports are mandatory under the Natural Gas Act, Section 23(a)(2), and 18 CFR Parts 260.401. Failure to report may result in criminal fines, civil penalties, and other sanctions as provided by law. The Federal Energy Regulatory Commission does not consider these reports to be of a confidential nature.

Exact Legal Name of Respondent (Company)	Year of Report End of
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FERC FORM No. 552 (New)

INSTRUCTIONS FOR FILING THE FERC FORM NO. 552**GENERAL INFORMATION****I Purpose**

FERC Form No. 552 collects transactional information from natural gas market participants. The filing of this information is necessary to provide information regarding the use of the natural gas spot markets and the use of fixed and index price transactions. This form is considered to be a non-confidential public use form.

II. Who Must Submit

Physical natural gas buyers and sellers must fill out the form annually if they make use of a blanket sales certificate under § 284.402 or § 284.284 or if their reportable physical natural gas purchases or sales were equal to or greater than 2.2 million (2,200,000) MMBtus in the reporting year. As explained elsewhere in Form No. 552, not all transactions involving physical natural gas are reportable. Potential respondents should review the instructions to determine whether their reportable purchases or their reportable sales meet or exceed this *de minimis* threshold. For example, purchases and sales of natural gas made at retail to a natural gas consumer pursuant to a state commission-approved bundled tariff rate are not reportable.

If a natural gas market participant is required to fill out Form No. 552 because it makes use of a blanket sales certificate under § 284.402 or § 284.284, but its natural gas purchases and sales were each lower than 2.2 million (2,200,000) MMBtus in the reporting year, then it is not required to report the schedule of Form No. 552 that collects volumetric information.

III. What and Where to Submit

- (a) Submit FERC Form No. 552 electronically through the submission software at <http://www.ferc.gov/docs-filing/eforms.asp#552>.
- (b) The Corporate Officer Certification must be submitted electronically as part of the FERC Form No. 552 filing.
- (c) Users may obtain additional blank copies of FERC Form No. 552 for reference free of charge from: <http://www.ferc.gov/docs-filing/eforms.asp#552>. Copies may also be obtained from the Public Reference and Files Maintenance Branch, Federal Energy Regulatory Commission, 888 First Street, NE, Room 2A, Washington, DC 20426 or by calling (202) 502-8371.

IV. When to Submit:

The FERC Form No. 552 must be filed by May 1st of the year following the reporting year (18 C.F.R. § 260.401).

V. Where to Send Comments on Public Reporting Burden.

The public reporting burden for the FERC Form No. 552 collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data-needed, and completing

and reviewing the collection of information. This estimate was noted in the Notice of Purposed Rulemaking and in the Final Rule (RM07-10-000) and addressed by commenters.

Filers may send additional comments regarding these burden estimates or any aspect of these collections of information, including suggestions for reducing burden, to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426 (Attention: Information Clearance Officer); and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 (Attention: Desk Officer for the Federal Energy Regulatory Commission). No person shall be subject to any penalty if any collection of information does not display a valid control number (44 U.S.C. § 3512 (a)).

GENERAL INSTRUCTIONS

- I. All respondents must identify themselves annually by filling-out the first part of Form No. 552.
- II. Aggregation across affiliates (or members of a public joint action agency) is permitted, though not required. If a respondent is aggregating volumes across affiliates, the respondent must fill in the "Schedule of Reporting Companies" which lists those affiliates and a separate "Price Index Reporting" schedule for each affiliate.
- III. Asset managers may not report aggregated information for their customers in Form No. 552. Customers of asset managers are individually responsible for determining whether they must file Form No. 552.
- IV. Report all gas quantities in Trillion British Thermal Unit (Tbtu) unless the schedule specifically requires the reporting in another unit of measurement.
- V. For reported volumes, enter numbers to the tenth of a unit only, except where otherwise noted.
- VI. Report volumes of physical natural gas as explained in the definitions.
- VII. Complete each question fully and accurately, even if it has been answered in a previous report. Enter the word "None" where it truly and completely states the fact.
- VIII. Enter the month, day, and year for all dates. Use customary abbreviations. **The "Date of Report" included in the header of each page is to be completed only for resubmissions (see IX. below).**
- IX. For any resubmissions, submit the electronic filing using the form submission only. Please explain the reason for the resubmission in a footnote to the data field.
- X. Footnote and further explain as necessary.
- XI. Do not make references to reports of previous periods/years or to other reports in lieu of required entries, except as specifically authorized.
- XII. Regarding reportable transactions that involve deliveries that occur or may occur over multiple calendar years, only volumes for delivery that use or may contribute to the formation of a price index during the subject calendar year should be reported. For a multi-year contract that relies

on a price index to establish a price, volumes should be reported in the year in which the index is referenced.

DEFINITIONS	
I.	<u>Affiliate</u> – An affiliate means a person who controls, is controlled by or is under common control with another person. For purposes of the completion of Form No. 552, a joint public action agency may submit members' collective information as if those members were affiliates.
II.	<u>Blanket Certificate</u> – A blanket certificate means either (i) a blanket marketing certificate granted to a person that is not an interstate pipeline pursuant to 18 CFR § 284.402 or (ii) a blanket certificate for unbundled sales service granted to an interstate pipeline pursuant to 18 CFR § 284.284.
III.	<u>Date of Report</u> – The date the report is submitted to the Commission.
IV.	<u>Fixed Price</u> – A "Physical Natural Gas Transaction" price determined by agreement between buyer and seller and not benchmarked to any other source of information. For example, physical basis transactions that directly refer to futures prices, for the purpose of this form, are not "Fixed Price" transactions.
V.	<u>Next-Day Delivery</u> – Delivery of a transaction executed prior to NAESB nomination deadline (11:30am Central Prevailing Time) on one day for uniform physical delivery over the next pipeline day. Transactions done for Friday are usually for flow on Saturday, Sunday, and Monday inclusive. Trading patterns may vary in the case of holidays or the end of a month that occurs on a weekend. Commission staff will maintain links to "Price Index Publishers'" descriptions of their processes for receiving price information and publishing indices on the ferc.gov website at http://www.ferc.gov/docs-filing/eforms.asp#552 .
VI.	<u>Next-Month Delivery</u> – Delivery of a transaction executed during the last five (5) business days of one month for uniform physical delivery over the next month.
VII.	<u>Physical Natural Gas Transaction</u> – A natural gas transaction that contains an obligation to deliver natural gas at a specified location and at a specified time, with the exception of physically-delivered futures contracts. It is not necessary that natural gas actually be delivered under the transactions, only that the delivery obligation existed in the agreement when executed. Certain Physical Natural Gas Transactions may not remain in existence through the time of delivery because they were traded away or "booked out." For purposes of this form, these transactions should be included whether they went to delivery or not. Order No. 704 and 704-A discuss a variety of particular instances. Physical Natural Gas Transactions are only those transactions that refer to or could contribute to the formation of a price index during the calendar year. The following physical natural gas volumes should be <i>included</i> in volumetric data submitted in Form No. 552 if the relevant transactions refer to or could contribute to the formation of a price index: <ol style="list-style-type: none"> a. cash-out, imbalance makeup and operational volumes reported by pipelines; and b. volumes attributable to royalty-in-kind transactions, gas provided for processing such as plant thermal reduction (not including unprocessed gas), and purchases and sales related to the production and gathering function. <p>Notwithstanding the above, the following volumes should, in all cases, be <i>excluded</i> in volumetric data submitted in Form No. 552:</p>

- a. sales to and purchases by retail consumers of natural gas pursuant to a state commission-approved bundled tariff,
 - b. sales or purchases of volumes that originate outside of the lower 48 states of the United States of America and are delivered outside of the lower 48 states,
 - c. volumes associated with transactions among affiliates,
 - d. volumes associated with any type of financially-settled transaction,
 - e. unprocessed gas volumes,
 - f. volumes traded in futures contracts, even those that go to physical delivery,
 - g. volumes of imported LNG traded prior to regasification and exported LNG traded after liquefaction, and
 - h. Fixed Price transaction volumes that are not Next-Day Delivery or Next-Month Delivery.
- VIII. Price Index Publisher – Companies that report price indices for U.S. wholesale natural gas markets. The list of companies can change over time.
- IX. Prices that Refer to (Daily or Monthly) Price Indices – Prices for Physical Natural Gas Transactions that reference directly a daily or monthly index price published by a “Price Index Publisher” rather than a “Fixed Price” or a price that refers directly to some other benchmark.
- X. Quantity – Amount of purchases or sales expressed in units of energy “British Thermal Units” (Btu). One million BTUs (MMBtu) are, by definition, the same as one Dekatherm (Dth). A volume of one billion cubic feet (Bcf) of natural gas contains approximately one trillion Btus (TBtu or million MMBtu) of energy depending on the exact energy content of the natural gas. The quantities to be reported in the “Purchase and Sales Information” schedule should be measured in tenths of TBtus.
- XI. Reporting Company – The person, corporation, licensee, agency, authority, or other legal entity or instrumentality on whose behalf the report is being submitted by the “Respondent.”
- XII. Respondent – The person, corporation, licensee, agency, authority, or other legal entity or instrumentality that is submitting the report either on its own behalf, or on behalf of itself and/or its affiliates. A Respondent may choose to either report for all its affiliates collectively, or may choose to have each of its affiliates report separately as their own “Respondent.” If reporting collectively, the reporting “Respondent” and must report for each “Affiliate” in the “Schedule of Reporting Companies” and the “Price Index Reporting Schedule,” and collectively for all its affiliates in the “Purchase and Sales Information” schedule.
- XIII. Natural Gas Purchases – The volumetric “Quantity” of “Physical Natural Gas Transactions” purchased by the “Reporting Company” during the “Year of Report.”
- XIV. Natural Gas Sales – The volumetric “Quantity” of “Physical Natural Gas Transactions” sold by the “Reporting Company” during the “Year of Report.”
- XV. Year of Report – The calendar year for which the report is being submitted.

ANNUAL REPORT OF NATURAL GAS TRANSACTIONS		
IDENTIFICATION OF RESPONDENT		
01 Exact Legal Name of Respondent	02 Year of Report End of	
03 Previous Name and Date of Change (If name changed during year)		
04 Address of Principal Office at End of Year (Street, City, State, Zip Code)		
05 Name of Contact Person	06 Title of Contact Person	
07 Address of Contact Person (Street, City, State, Zip Code)		
08 Email Address of Contact Person		
09 Telephone of Contact Person, Including Area Code	10 This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	11 Date of Report (MM,DD,YYYY)
ANNUAL CORPORATE OFFICER CERTIFICATION		
<p>The undersigned officer certifies that:</p> <p>I have examined this report and to the best of my knowledge, information, and belief all statements of fact contained in this report are accurate and complete statements of the business affairs of the respondent.</p>		
12 Name	13 Title	
14 Signature	15 Date Signed	
<p>Title 18, U.S.C. 1001, makes it a crime for any person knowingly and willingly to make to any Agency or Department of the United States any false, fictitious or fraudulent statements as to any matter within its jurisdiction.</p>		

Name of Respondent*	This Report is: (1) An Original (2) A Resubmission	Date of Report* (Mo, Da, Yr)	Year/Period of Report* End of <u>Year/Qtr</u>
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List of Schedules

Enter in column (d) the terms "none," "not applicable," or "NA" as appropriate, where no information or amounts have been reported for certain pages. Omit pages where the responses are "none," "not applicable," or "NA."

* An asterisk means that the previous term is explained in more detail in the definitions.

Line No	Title of Schedule (a)	Reference Page No. (b)	Date Revised (c)	Remarks (d)
1	Schedule of Reporting Companies	3		
2	Price Index Reporting	3		
3	Price Index Reporting cont'd	3a		
4	Purchases and Sales Information	4		

Name of Respondent*	This Report is: (1) An Original (2) A Resubmission	Date of Report* (Mo, Da, Yr)	Year/Period of Report* End of Year/Qtr
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Schedule of Reporting Companies and Price Index Reporting

If the Respondent* is reporting collectively for multiple affiliates*, list the exact legal name of those affiliates as well as the name of the Respondent* in this form.. Respondent* should complete the Price Index Reporting, for itself and each of these companies separately... Respondent* should complete the "Purchase and Sales Information" schedule only once for these companies collectively. *An asterisk means that the previous term is explained in more detail in the definitions.

(a) List the Exact Legal Names of all Affiliates* Reported by Respondent* below
 (b) At any time during the report year, did the Reporting Company* operate under a Blanket Certificate*?
 (c) Did the Reporting Company* report any transaction information to Price Index Publishers* during the Report Year*?
 (d) If yes on column (c), did the Reporting Company's* reporting comply with the regulations governing reporting to Price Index Publishers* pursuant to 18 C.F.R. § 284.403?
 (e) Were the Reporting Company's* total Natural Gas Purchases* equal to or greater than 2.2 TBtu for the Report Year*?
 (f) Were the Reporting Company's* total Natural Gas Sales* equal to or greater than 2.2 TBtu delivered in the Report Year*?
 Please place either a "y" for (Yes) or an "n" for (No) by the fields (b) – (f). If no in both columns (e) and (f), Reporting Company* is not required to go to the next schedule and has completed Form No. 552. If yes in either columns (e) or (f), Reporting Company* is required to complete the next schedule, including volumes related both to Natural Gas Purchases* and Natural Gas Sales*.

Line No.	Legal Name (a)	Blanket Certificate (b)	Report Transactions (c)	Comply with Regulations (d)	Purchase (e)	Sales (f)
1						
2						
3						
4						
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6						
7						
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9						
10						
11						
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13						
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20						

Name of Respondent*	This Report is: (1) An Original (2) A Resubmission	Date of Report* (Mo, Da, Yr)	Year/Period of Report* End of Year/Qtr
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	Legal Name	Blanket Certificate	Report Transactions	Comply with Regulations	Purchase	Sales
Line No.	(a)	(b)	(c)	(d)	(e)	(f)
21						
22						
23						
24						
25						
26						
27						
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Name of Respondent*	This Report is: (1) An Original (2) A Resubmission	Date of Report* (Mo, Da, Yr)	Year/Period of Report* End of <u>Year</u>
Name of Reporting Company*	Reporting Company* is: (1) Same as Respondent* (2) An affiliate* of Respondent* (other affiliates reported separately)		

Purchase and Sales Information			
If the Respondent* is reporting collectively for multiple affiliates, the Respondent* should complete this schedule for all of its affiliate* companies collectively. Volumes should be reported to the nearest tenth of a TBtu.			
* An asterisk means that the previous term is explained in more detail in the definitions.			

Line No.	Item	Purchases (TBtu)	Sales (TBtu)
	(a)	(b)	(c)
1	What was the total volume of Physical Natural Gas Transactions* (sales and purchases) engaged in by the Respondent in the prior calendar year?		
2	Of the amounts reported on line 1, what quantities were contracted at Fixed Prices* for Next-Day Delivery*?		
3	Of the amounts reported on line 1, what quantities were contracted at prices that refer to* published Next-Day Delivery* gas price indices?		
4	Of the amounts reported on line 1, what quantities were contracted at Fixed Prices for Next-Month Delivery*?		
5	Of the amounts reported on line 1, what quantities were contracted at prices that refer to* published Next-Month Delivery* gas price indices?		
6	Of the amounts reported on line 1, what quantities were contracted under trigger agreements, such as NYMEX Plus contracts.		
7	Of the amounts reported on line 1, what quantities were contracted as physical basis transactions?		
8	If there is a difference between Respondent's* purchases reported on line 1 and the sum of its purchases on lines 2, 3, 4, 5, 6 and 7, please explain the difference in the space below.		
9	If there is a difference between Respondent's* sales reported on line 1 and the sum of its sales on lines 2, 3, 4, 5, 6 and 7, please explain the difference in the space below.		

Name of Respondent*	This Report is: (1) An Original (2) A Resubmission	Date of Report* (Mo, Da, Yr)	Year/Period of Report* End of Year/Qtr
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	Legal Name	Blanket Certificate	Report Transactions	Comply with Regulations	Purchase	Sales
Line No.	(a)	(b)	(c)	(d)	(e)	(f)
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