



# Federal Register

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**Monday,  
October 31, 2005**

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**Part LII**

## **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 35 rulemakings listed, 24 are current or projected rulemakings, and 11 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—Final Rule Stage**

Sequence Number	Title	Regulation Identifier Number
3988	Interconnection for Wind Energy and Other Alternative Technologies .....	1902-AC65
3989	Electronic Filing of the Application for Authorization for the Issuance of Securities or the Assumption of Liabilities.	1902-AC83
3990	Regulations Implementing Energy Policy Act of 2005; Pre-Filing Procedures for Review of LNG Terminals and Other Natural Gas Facilities. ....	1902-AC91

**Federal Energy Regulatory Commission—Long-Term Actions**

Sequence Number	Title	Regulation Identifier Number
3991	Standards of Conduct for Transmission Providers .....	1902-AC07
3992	Electronic Tariff Filings .....	1902-AC19
3993	Standardization of Small Generator Interconnection Agreements and Procedures .....	1902-AC26
3994	Natural Gas Pipelines Negotiated Rate Policies and Practices .....	1902-AC28
3995	Standard of Review for Proposed Changes to Market-Based Rate Contracts for Wholesale Sales of Electric Energy by Public Utilities .....	1902-AC29
3996	Proposed Pricing Policy for Efficient Operation and Expansion of Transmission Grid .....	1902-AC39
3997	Market-Based Rates for Public Utilities .....	1902-AC51
3998	Standards for Business Practices of Interstate Natural Gas Pipelines .....	1902-AC63
3999	Accounting and Financial Reporting for Public Utilities Including RTOs .....	1902-AC68
4000	Electronic Reporting of Shortages and Anticipated Shortages of Electric Energy and Capacity. ....	1902-AC69
4001	Standards for Business Practices and Communication Protocols for Public Utilities .....	1902-AC75
4002	Imbalance Provisions for Intermittent Resources Assessing the State of Wind Energy in Wholesale Electricity Markets. ....	1902-AC76
4003	Electronic Filing of Interlocking Positions and Twenty Largest Purchasers Information. ....	1902-AC77
4004	Modification of Nuclear Plant Decommissioning Trust Fund Guidelines. ....	1902-AC78
4005	Generator Run Status Information. ....	1902-AC79
4006	Commission Authorization to Hold Interlocking Directorates. ....	1902-AC80
4007	Information Requirements for Available Transfer Capability. ....	1902-AC81
4008	Five year Review of Oil Pipeline Pricing Index. ....	1902-AC88
4009	Modification of Natural Gas Reporting Regulations. ....	1902-AC89
4010	Modification of Hydropower Procedural Regulations, Including the Deletion of Certain Outdated or Non-Essential Regulations. ....	1902-AC90
4011	Revision of FERC Form No. 73, Oil Pipeline Data Filing Instructions. ....	1902-AC92

**Federal Energy Regulatory Commission—Completed Actions**

Sequence Number	Title	Regulation Identifier Number
4012	Standardizing Generator Interconnection Agreements and Procedures .....	1902-AC15
4013	Electricity Market Design and Structure (Remedying Undue Discrimination Through Open Access Transmission Service and Standard Electricity Market Design) .....	1902-AC18

## FERC

## Federal Energy Regulatory Commission—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
4014	Policy Statement on Creditworthiness for Interstate Natural Gas Pipelines and Order Withdrawing Rulemaking Proceeding .....	1902-AC47
4015	Critical Energy Infrastructure Information .....	1902-AC50
4016	Electronic Notification of Commission Issuances .....	1902-AC57
4017	Policy Statement on Matters Related to Bulk System Reliability .....	1902-AC59
4018	Regulations Governing the Conduct of Open Seasons for Alaska Natural Gas Transportation Projects .....	1902-AC60
4019	Policy for Selective Discounting by Natural Gas Pipelines .....	1902-AC62
4020	Reporting Requirement for Changes in Status for Public Utilities with Market-Based Rate Authority .....	1902-AC64
4021	Policy Statement Regarding Evaluation of Independent Ownership and Operation of Transmission. ....	1902-AC70
4022	Delegation of Authority to the Director of the Office of Markets, Tariff and Rates, and the Director of External Affairs. ....	1902-AC73

## Federal Energy Regulatory Commission (FERC)

## Final Rule Stage

**3988. INTERCONNECTION FOR WIND ENERGY AND OTHER ALTERNATIVE TECHNOLOGIES****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 require public utilities to append to their standard large generator interconnection procedures and large generator interconnection agreements in their open access transmission tariffs (OATTs) standard procedures and technical requirements for the interconnection of large wind generators. (Docket No. RM05-4-000.)

**Timetable:**

Action	Date	FR Cite
NPRM	01/31/05	70 FR 4791
NPRM Comment Period End	03/02/05	
Final Rule	06/16/05	70 FR 34993
Final Rule Effective	10/14/05	70 FR 47093
Order on Rehearing	To Be Determined	

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

**Agency Contact:** Bruce A. Poole, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426

Phone: 202 502-8468

RIN: 1902-AC65

**3989. • ELECTRONIC FILING OF THE APPLICATION FOR AUTHORIZATION FOR THE ISSUANCE OF SECURITIES OR THE ASSUMPTION OF LIABILITIES.****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 34; 18 CFR 131**Legal Deadline:** None

**Abstract:** The Commission amended its regulations to provide for electronic filing of Applications for Authorization for the Issuance of Securities or the Assumption of Liabilities. The Commission makes these changes as part of its effort to modernize its reporting and filing requirements and to eliminate unnecessary filing burdens for those entities that file applications or reports with the Commission pursuant to 18 CFR Part 34. (Docket No. RM05-11-000)

**Timetable:**

Action	Date	FR Cite
Final Rule	06/20/05	70 FR 35372
Final Rule Effective	10/01/05	
Order on Rehearing	To Be Determined	

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

**Agency Contact:** Joseph C. Lynch, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426

Phone: 202 502-8497

RIN: 1902-AC83

**3990. • REGULATIONS IMPLEMENTING ENERGY POLICY ACT OF 2005; PRE-FILING PROCEDURES FOR REVIEW OF LNG TERMINALS AND OTHER NATURAL GAS FACILITIES.****Priority:** Substantive, Nonsignificant**Legal Authority:** 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 153; 18 CFR 157; 18 CFR 375**Legal Deadline:** Final, Statutory, October 8, 2005.

**Abstract:** The Commission proposes regulations for environmental pre-filing processes for LNG terminals and other natural gas facilities as required by section 311 of the Energy Policy Act of 2005. (RM05-31-000)

**Timetable:**

Action	Date	FR Cite
NPRM	09/02/05	70 FR 52328
NPRM Comment Period End	09/14/05	
Final Rule	10/00/05	

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

**Agency Contact:** Whit Holden, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426

FERC

Final Rule Stage

Phone: 202 502-8089

RIN: 1902-AC91

Federal Energy Regulatory Commission (FERC)

Long-Term Actions

**3991. STANDARDS OF CONDUCT FOR TRANSMISSION PROVIDERS**

**Priority:** Other Significant

**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; 42 USC 7101 to 7352

**CFR Citation:** 18 CFR 358

**Legal Deadline:** None

**Abstract:** The Commission reaffirms its determinations in Order Nos. 2004, 2004-A, and 2004-B and C and grants rehearing and clarifies certain provisions. Orders Nos. 2004 et seq. require all natural gas and public utility transmission providers to comply with standards of conduct that govern the relationship between the natural gas and public utility transmission providers and all of their energy affiliates. (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	12/11/03	68 FR 69134
Final Rule Effective	02/09/04	
Order on Rehearing (Order No. 2004-A)	04/29/04	69 FR 23562
Order on Rehearing Effective	06/01/04	
Order on Rehearing (Order No. 2004-B)	08/10/04	69 FR 48371
Order on Rehearing Effective	09/09/04	69 FR 48371
Final Rule: Order on Rehearing (Order No. 2004-C)	01/04/05	70 FR 284
Final Rule: Order on Rehearing Effective	02/03/05	
Final Rule: Order on Rehearing (Order No. 2004-D)	03/23/05	

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**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

**3992. ELECTRONIC TARIFF FILINGS**

**Priority:** Substantive, Nonsignificant

**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 341; 18 CFR 344; 18 CFR 346; 18 CFR 348; 18 CFR 385; 18 CFR 281; 18 CFR 284; 18 CFR 300; 18 CFR 347; 18 CFR 375

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

**Abstract:** The Commission proposes to revise its prior proposal that natural gas companies and public utilities file pre-existing agreements 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	
Final Rule	To Be Determined	

**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

**3993. 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 amended its regulations under the Federal Power Act to require public utilities that own, control, or operate facilities for transmitting electric energy in interstate commerce to amend their open access transmission tariffs to include standard generator interconnection procedures and an agreement that the Commission is adopting in this order and to provide interconnection service to devices used for the production of electricity having a capacity of no more than 20 megawatts. A non-public utility that seeks voluntary compliance with the reciprocity condition of an open access transmission tariff may satisfy this condition by adopting these procedures and agreement. (Docket No. RM02-12-000.)

**Timetable:**

Action	Date	FR Cite
ANPRM	08/26/02	67 FR 54749
ANPRM Comment Period End	12/20/02	67 FR 70194
NPRM	08/19/03	68 FR 49974
NPRM Comment Period End	10/03/03	
Notice of Request for Supplemental Comments	08/17/04	69 FR 51024
Supplemental Comments Due	02/18/05	
Final Rule	06/13/05	70 FR 34189
Final Rule Effective	08/12/05	
Order on Rehearing	To Be Determined	

**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

## FERC

## Long-Term Actions

Phone: 202 502-8532

RIN: 1902-AC26

**3994. NATURAL GAS PIPELINES NEGOTIATED RATE 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 has determined to modify its negotiated rate policy. The Commission has revised its filing requirements to increase the transparency of negotiated rates in order to minimize the potential for discrimination and will no longer permit the pricing of negotiated rates based upon natural gas commodity price indices. (Docket No. PL02-6-000.)

**Timetable:**

Action	Date	FR Cite
Notice of Inquiry	07/25/02	67 FR 48592
NOI Comment Period End	09/25/02	67 FR 53350
Modification of Negotiated Rate Policy	08/05/03	68 FR 46179

Next Action Undetermined

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

**Agency Contact:** Robert D. McLean, Attorney, Federal Energy Regulatory Commission, Office of the General Counsel, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8156

RIN: 1902-AC28

**3995. 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

**Agency Contact:** Shaheda Sultan, Staff Attorney, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426  
Phone: 202 502-8845

RIN: 1902-AC29

**3996. PROPOSED PRICING POLICY FOR EFFICIENT OPERATION AND EXPANSION OF TRANSMISSION GRID****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 a new pricing policy for the rates of transmission owners that transfer operational control of their transmission facilities to a Regional Transmission Organization (RTO), from independent transmission companies (ITCs) with RTOs, or pursue additional measures that promote efficient operation and expansion of the transmission grid. The proposed policy creates rate incentives that reward RTO and ITC formation. (Docket No. PL03-1-000.)

**Timetable:**

Action	Date	FR Cite
Notice of Proposed Policy Statement	01/27/03	68 FR 3842
Comments Due	03/13/03	
Next Action Undetermined		

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

**Agency Contact:** Stephen Pointer, Federal Energy Regulatory Commission, Office of Markets, Tariffs and Rates, 888 First Street NE., Washington, DC 20426

Phone: 202 502-8761

Zeny Magos, Energy Industry Analyst, Federal Energy Regulatory Commission, Office of Markets, Tariffs and Rates, 888 First Street NE., Washington, DC 20426

Phone: 202 502-8244

RIN: 1902-AC39

**3997. MARKET-BASED RATES FOR PUBLIC UTILITIES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** Not Yet Determined**CFR Citation:** Not Yet Determined**Legal Deadline:** None

**Abstract:** The Commission initiated a rulemaking proceeding, and announces that it will hold technical conferences on the adequacy of its current four-pronged analysis used to assess whether applicants should be granted market-based rate authority, and whether and how it should be modified to ensure that the resulting rates are just and reasonable under the Federal Power Act. (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	
Next Action Undetermined		

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

**Agency Contact:** Jerome Pederson, Energy Industry Analyst, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8903

Michelle Barnaby, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8407

RIN: 1902-AC51

## FERC

## Long-Term Actions

**3998. 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 7352; 43 USC 1331 to 1356**CFR Citation:** 18 CFR 284**Legal Deadline:** None

**Abstract:** The Commission amended its regulations governing standards for conducting business practices with interstate natural gas pipelines. The Commission incorporated the most recent version of the standards, Version 1.7, promulgated December 31, 2003, by the Wholesale Gas Quadrant (WGQ) of the North American Energy Standards Board (NAESB.) (Docket Nos. RM96-1-026; RM96-1-015.)

**Timetable:**

Action	Date	FR Cite
NPRM	01/04/05	70 FR 319
NPRM Comment Period End	02/18/05	
Final Rule	05/17/05	70 FR 28204
Final Rule Effective	06/16/05	
Order on Rehearing	To Be Determined	

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

**Agency Contact:** Jamie Chabinsky, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426

Phone: 202 502-6040

**RIN:** 1902-AC63**3999. ACCOUNTING AND FINANCIAL REPORTING FOR PUBLIC UTILITIES INCLUDING RTOS****Priority:** Other Significant**Legal Authority:** 16 USC 791a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352; 42 USC 7651 to 7651o**CFR Citation:** 18 CFR 35; 18 CFR 41; 18 CFR 101; 18 CFR 141**Legal Deadline:** None

**Abstract:** The Commission proposes to amend its regulations to update the accounting requirements for public utilities and licensees, including independent system operators and regional transmission organizations (collectively referred to as RTOs). The Commission also proposes to amend its

financial reporting requirements for the quarterly and annual financial reporting forms for these entities. (Docket No. RM04-12-000.)

**Timetable:**

Action	Date	FR Cite
Notice of Inquiry	09/29/04	69 FR 58112
Comment Period End	11/04/04	
NPRM	06/27/05	70 FR 36865
NPRM Comment Period End	08/26/05	
Order on Rehearing	To Be Determined	

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

**Agency Contact:** Lodie White, Attorney, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-6193

**RIN:** 1902-AC68**4000. • ELECTRONIC REPORTING OF SHORTAGES AND ANTICIPATED SHORTAGES OF ELECTRIC ENERGY AND CAPACITY.****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 553; 16 USC 791a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 294**Legal Deadline:** None

**Abstract:** The Commission amended its regulations to provide that the means by which public utilities must report shortages and anticipated shortages of electric energy and capacity is by submitting an electronic filing via the Division of Reliability's pager system at emergency@FERC.gov, instead of filing with the Secretary of the Commission. (RM05-19-000)

**Timetable:**

Action	Date	FR Cite
Final Rule	06/16/05	70 FR 35027
Final Rule Effective	06/16/05	
Order on Rehearing	To Be Determined	

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

**Agency Contact:** Jonathan First, Attorney, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8529

**RIN:** 1902-AC69**4001. • STANDARDS FOR BUSINESS PRACTICES AND COMMUNICATION PROTOCOLS FOR PUBLIC UTILITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 791a to 825; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 35; 18 CFR 37; 18 CFR 38**Legal Deadline:** None

**Abstract:** The Commission proposes to amend its regulations to incorporate by reference standards promulgated by the North American Energy Standards Board's (NAESB's) Wholesale Electric Quadrant (WEQ) dealing with: Open Access Same-Time Information Systems (OASIS) business practice standards, including posting requirements for Order No. 2003 generator interconnection agreements and procedures; OASIS Standards and Communication Protocols and Data Dictionary; and business practice standards for Coordinate Interchange, Area Control Error (ACE) Equation Special Cases, Manual Time Error Correction, and Inadvertent Interchange Payback. (Docket No. RM05-5-000)

**Timetable:**

Action	Date	FR Cite
NPRM	05/17/05	70 FR 28222
NPRM Comment Period End	07/01/05	
Final Rule	To Be Determined	

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

**Agency Contact:** Gary Cohen, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426

Phone: 202 502-8321

**RIN:** 1902-AC75**4002. • 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

## FERC

## Long-Term Actions

**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:** Jignasa Gadani, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20735

Phone: 202 502-8608

**RIN:** 1902-AC76

#### 4003. • 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; 18 CFR 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 provides 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

**Agency Contact:** Joseph C. Lynch, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426

Phone: 202 502-8497

**RIN:** 1902-AC77

#### 4004. • MODIFICATION OF NUCLEAR PLANT DECOMMISSIONING TRUST FUND GUIDELINES.

**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 35

**Legal Deadline:** None

**Abstract:** The Commission amended its nuclear plant decommissioning trust fund (Fund) guidelines to remove the requirement that the financial report that public utilities furnish to the Commission each year must show all purchases and sales of investments and substitute a requirement that public utilities must include in their report a summary amount for purchases of fund investments and a summary amount for sales of fund investments.

(Docket No. RM05-15-000)

**Timetable:**

Action	Date	FR Cite
Final Rule	06/14/05	70 FR 34340
Final Rule Effective	07/14/05	
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  
Phone: 202 502-8426

**RIN:** 1902-AC78

#### 4005. • 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

**Agency Contact:** Joseph C. Lynch, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8497

**RIN:** 1902-AC79

#### 4006. • COMMISSION AUTHORIZATION TO HOLD INTERLOCKING DIRECTORATES.

**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 45

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend its regulations to clarify the time frame within which individuals must file applications for authorization to hold interlocking positions, and the information provided in certain informational reports required for automatic authorization of certain interlocking positions. (Docket No. RM05-6-000)

**Timetable:**

Action	Date	FR Cite
NPRM	04/05/05	70 FR 17219
NPRM Comment Period End	06/06/05	
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Melissa Mitchell, Attorney, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-6038

**RIN:** 1902-AC80

## FERC

## Long-Term Actions

**4007. • 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 seeks comments on: (a) The North American Electric Reliability Council's recent Long-Term AFC/ATC task Force Report; (b) the advisability of revising and standardizing available transfer capability calculations; and (c) the most expeditious way to obtain an industry-wide standard for available transfer capability calculations. (Docket No. RM05-17-000)

**Timetable:**

Action	Date	FR Cite
Notice of Inquiry	06/14/05	70 FR 34417
Notice of Inquiry Comments Period End	08/15/05	
Next Action Undetermined		

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

**Agency Contact:** Joseph C. Lynch, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8497

**RIN:** 1902-AC81**4008. • FIVE YEAR REVIEW OF OIL PIPELINE PRICING INDEX.****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7172; 49 USC App. 1 (1998)**CFR Citation:** 18 CFR 342**Legal Deadline:** None

**Abstract:** The Commission invites comments on its intended utilization of the Producer Price Index for Finished Goods (PPI) for oil pipeline rate changes during the next five-years. This index was adopted by the Commission in its Order No. 561, Revisions to Oil Pipelines regulations, Pursuant to the Energy Policy Act of 1992. (Docket No. RM05-22-000.)

**Timetable:**

Action	Date	FR Cite
Notice of Inquiry	07/15/05	70 FR 40943
Comment Period End	09/13/05	
Next Action Undetermined		

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

**Agency Contact:** Harris S. Wood, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8224

**RIN:** 1902-AC88**4009. • 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 1331-1356**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 sale, transportation and exchange. The Commission also proposes to modernize the filing method, develop a tracking method for filings, and develop an electronic notification system to notify 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:** Michael Miller, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8415

**RIN:** 1902-AC89**4010. • MODIFICATION OF HYDROPOWER PROCEDURAL REGULATIONS, INCLUDING THE DELETION OF CERTAIN OUTDATED OR NON-ESSENTIAL REGULATIONS.****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 791a to 825r; 16 USC 2601 to 2645; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 4**Legal Deadline:** None

**Abstract:** The Commission amended its regulations concerning applications for preliminary permits to eliminate certain outdated requirements and reduce unnecessary burdens on persons subject to the Commission's regulations. (Docket No. RM05-18-000)

**Timetable:**

Action	Date	FR Cite
Final Rule	06/10/05	70 FR 33825
Final Rule Effective	07/11/05	
Order on Rehearing	To Be	Determined

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

**Agency Contact:** William Blome, Attorney, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8426

**RIN:** 1902-AC90**4011. • REVISION OF FERC FORM NO. 73, OIL PIPELINE DATA FILING INSTRUCTIONS.****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 7101-7352; 49 USC 60502 ; 49 USC 1 to 85 (1988)**CFR Citation:** 18 CFR 347; 18 CFR 357**Legal Deadline:** None

**Abstract:** The Commission amended the FERC Form No. 73, Oil Pipeline Service Life Data to allow for filing in an Excel spreadsheet, eliminate the filing requirement for utility codes, which are no longer used by the Commission, and update the filing instructions to delete references to outdated filing formats. (Docket No. RM05-14-000)

**Timetable:**

Action	Date	FR Cite
Final Rule	06/14/05	70 FR 34343
Final Rule Effective	08/15/05	
Order on Rehearing	To Be	Determined



## FERC

## Long-Term Actions

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Andrew Lyon,  
Attorney, Federal Energy Regulatory  
Commission, 888 First Street NE.,  
Washington, DC 20735

Phone: 202 502-8637

**RIN:** 1902-AC92

## Federal Energy Regulatory Commission (FERC)

## Completed Actions

#### 4012. STANDARDIZING GENERATOR INTERCONNECTION AGREEMENTS AND PROCEDURES

**Priority:** Other Significant

**CFR Citation:** 18 CFR 35

**Completed:**

Reason	Date	FR Cite
Order on Rehearing	06/30/05	70 FR 37661
Order on Rehearing Effective	07/18/05	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick G. Rooney  
Phone: 202 502-6205

**RIN:** 1902-AC15

#### 4013. ELECTRICITY MARKET DESIGN AND STRUCTURE (REMEDYING UNDUE DISCRIMINATION THROUGH OPEN ACCESS TRANSMISSION SERVICE AND STANDARD ELECTRICITY MARKET DESIGN)

**Priority:** Other Significant

**CFR Citation:** 18 CFR 35

**Completed:**

Reason	Date	FR Cite
Order Terminating Proceeding	07/19/05	70 FR 43140

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Rossell Glasgow  
Phone: 202 502-8593

**RIN:** 1902-AC18

#### 4014. POLICY STATEMENT ON CREDITWORTHINESS FOR INTERSTATE NATURAL GAS PIPELINES AND ORDER WITHDRAWING RULEMAKING PROCEEDING

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 18 CFR 284

**Completed:**

Reason	Date	FR Cite
Policy Statement and Withdrawal of Notice of Proposed Rulemaking	06/30/05	70 FR 37717

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** David Faerberg  
Phone: 202 502-8275  
Email: david.faerberg@ferc.gov

**RIN:** 1902-AC47

#### 4015. CRITICAL ENERGY INFRASTRUCTURE INFORMATION

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 18 CFR 388

**Completed:**

Reason	Date	FR Cite
Final Rule	06/28/05	70 FR 37031
Final Rule Effective	06/28/05	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Carol C. Johnson  
Phone: 202 502-8521  
Email: carol.johnson@ferc.gov

**RIN:** 1902-AC50

#### 4016. ELECTRONIC NOTIFICATION OF COMMISSION ISSUANCES

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 18 CFR 5; 18 CFR 16; 18 CFR 156; 18 CFR 157; 18 CFR 385

**Completed:**

Reason	Date	FR Cite
Order on Rehearing	04/26/05	70 FR 21330
Order on Rehearing Effective	04/26/05	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Wilbur Miller  
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**RIN:** 1902-AC57

#### 4017. POLICY STATEMENT ON MATTERS RELATED TO BULK SYSTEM RELIABILITY

**Priority:** Other Significant

**CFR Citation:** 18 CFR 35

**Completed:**

Reason	Date	FR Cite
Supplement to Policy Statement	02/09/05	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jonathan First  
Phone: 202 502-8529

**RIN:** 1902-AC59

#### 4018. REGULATIONS GOVERNING THE CONDUCT OF OPEN SEASONS FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 18 CFR 157subpart B

**Completed:**

Reason	Date	FR Cite
Final Rule Effective	05/19/05	
Final Rule: Order on Rehearing	06/16/05	70 FR 35011
Order on Rehearing Effective Date	06/16/05	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Whit Holden  
Phone: 202 502-8089

**RIN:** 1902-AC60

## FERC

## Completed Actions

**4019. POLICY FOR SELECTIVE DISCOUNTING BY NATURAL GAS PIPELINES****Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 284**Completed:**

Reason	Date	FR Cite
Order Reaffirming Discount Policy and Terminating Rulemaking Proceeding	06/14/05	70 FR 34421

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Ingrid Olson  
Phone: 202 502-8406**RIN:** 1902-AC62**4020. REPORTING REQUIREMENT FOR CHANGES IN STATUS FOR PUBLIC UTILITIES WITH MARKET-BASED RATE AUTHORITY****Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 35**Completed:**

Reason	Date	FR Cite
Final Rule Effective	03/21/05	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Brandon Johnson  
Phone: 202 502-6143**RIN:** 1902-AC64**4021. • POLICY STATEMENT REGARDING EVALUATION OF INDEPENDENT OWNERSHIP AND OPERATION OF TRANSMISSION.****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 791a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101**CFR Citation:** 18 CFR 35**Legal Deadline:** None**Abstract:** The Commission adopts this Policy Statement to clarify the ownership structures that could qualify for passive ownership in regards to independent ownership and operation. (Docket No. PL05-11-000)**Timetable:**

Action	Date	FR Cite
Policy Statement	07/06/05	70 FR 38757

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Andre Goodson, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8560**RIN:** 1902-AC70**4022. • DELEGATION OF AUTHORITY TO THE DIRECTOR OF THE OFFICE OF MARKETS, TARIFF AND RATES, AND THE DIRECTOR OF EXTERNAL AFFAIRS.****Priority:** Substantive, Nonsignificant**Legal Authority:** 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**Legal Deadline:** None**Abstract:** The Commission amended its regulations to delegate to the Director of the Office of Markets, Tariffs and Rates the ability to refer to an Administrative Law Judge uncontested interim rate motions for natural gas rate decreases, pending Commission action on settlement agreements. This change is needed to facilitate more efficient processing of natural gas settlements, which will permit customers to receive the benefits of lower rates at an earlier time. The Commission also revised its regulations to allow the Director of the Office of External Affairs to sub delegate responsibilities under the Freedom of Information Act.

(Docket No. RM05-20-000)

**Timetable:**

Action	Date	FR Cite
Final Rule	06/15/05	70 FR 34651
Final Rule Effective	06/15/05	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Wilbur Miller, General Attorney, Federal Energy Regulatory Commission, Office of the General Counsel, 888 First Street NE., Washington, DC 20426  
Phone: 202 502-8953  
Email: wilbur.miller@ferc.gov**RIN:** 1902-AC73

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