

(d) Calls to the Hotline may be made anonymously.

(e) Any person who contacts the Hotline is not precluded from filing a formal action with the Commission if discussions assisted by Hotline Staff are unsuccessful at resolving the matter. A caller may terminate use of the Hotline procedure at any time.

(f) The Hotline may be reached by calling (202) 208-1390 or toll free (877) 303-4340, by e-mail at hotline@ferc.fed.us, or writing to: Enforcement Hotline, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

[Order 602, 64 FR 17097, Apr. 8, 1999]

PART 2—GENERAL POLICY AND INTERPRETATIONS

STATEMENTS OF GENERAL POLICY AND INTERPRETATIONS OF THE COMMISSION

Sec.

- 2.1 Initial notice; service; and information copies of formal documents.
- 2.1a Public suggestions, comments, proposals on substantial prospective regulatory issues and problems.
- 2.1b Availability in contested cases of information acquired by staff investigation.
- 2.1c Policy statement on consultation with Indian tribes in Commission proceedings.

STATEMENTS OF GENERAL POLICY AND INTERPRETATIONS UNDER THE FEDERAL POWER ACT

- 2.2 Transmission lines.
- 2.4 Suspension of rate schedules.
- 2.7 Recreational development at licensed projects.
- 2.8 [Reserved]
- 2.9 Conditions in preliminary permits and licenses—list of and citations to “P—” and “L—” forms.
- 2.12 Calculation of taxes for property of public utilities and licensees constructed or acquired after January 1, 1970.
- 2.13 Design and construction.
- 2.15 Specified reasonable rate of return.
- 2.17 Price discrimination and anticompetitive effect (price squeeze issue).
- 2.18 Phased electric rate increase filings.
- 2.19 State and Federal comprehensive plans.
- 2.20 Good faith requests for transmission services and good faith responses by transmitting utilities.
- 2.21 Regional Transmission Groups.
- 2.22 Pricing policy for transmission services provided under the Federal Power Act.
- 2.23 Use of reserved authority in hydro-power licenses to ameliorate cumulative impacts.

- 2.24 Project decommissioning at relicensing.
- 2.25 Ratemaking treatment of the cost of emissions allowances in coordination transactions.
- 2.26 Policies concerning review of applications under section 203.

STATEMENTS OF GENERAL POLICY AND INTERPRETATIONS UNDER THE NATURAL GAS ACT

- 2.51 [Reserved]
- 2.52 Suspension of rate schedules.
- 2.55 Definition of terms used in section 7(c).
- 2.57 Temporary certificates—pipeline companies.
- 2.60 Facilities and activities during an emergency—accounting treatment of defense-related expenditures.
- 2.67 Calculation of taxes for property of pipeline companies constructed or acquired after January 1, 1970.
- 2.69 [Reserved]
- 2.76 Regulatory treatment of payments made in lieu of take-or-pay obligations.
- 2.78 Utilization and conservation of natural resources—natural gas.

STATEMENT OF GENERAL POLICY TO IMPLEMENT PROCEDURES FOR COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

- 2.80 Detailed environmental statement.

STATEMENT OF GENERAL POLICY TO IMPLEMENT THE ECONOMIC STABILIZATION ACT OF 1970, AS AMENDED, AND EXECUTIVE ORDERS 11615 AND 11627

- 2.100-2.102 [Reserved]
- 2.103 Statement of policy respecting take or pay provisions in gas purchase contracts.
- 2.104 Mechanisms for passthrough of pipeline take-or-pay buyout and buydown costs.
- 2.105 Gas supply charges.

RULES OF GENERAL APPLICABILITY

- 2.201 [Reserved]

STATEMENTS OF GENERAL POLICY AND INTERPRETATIONS UNDER THE NATURAL GAS POLICY ACT OF 1978

- 2.300 Statement of policy concerning allegations of fraud, abuse, or similar grounds under section 601(c) of the NGPA.

STATEMENT OF INTERPRETATION UNDER THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978

- 2.400 Statement of interpretation of waste concerning natural gas as the primary energy source for qualifying small power production facilities.

Federal Energy Regulatory Commission

§2.1

STATEMENT OF PENALTY REDUCTION/WAIVER POLICY TO COMPLY WITH THE SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT OF 1996

2.500 Penalty reduction/waiver policy for small entities.

APPENDIX A TO PART 2—GUIDANCE FOR DETERMINING THE ACCEPTABLE CONSTRUCTION AREA FOR REPLACEMENTS

APPENDIX B TO PART 2 [RESERVED]

APPENDIX C TO PART 2—NATIONWIDE PROCEEDING COMPUTATION OF FEDERAL INCOME TAX ALLOWANCE INDEPENDENT PRODUCERS, PIPELINE AFFILIATES AND PIPELINE PRODUCERS CONTINENTAL U.S.

AUTHORITY: 5 U.S.C. 601; 15 U.S.C. 717-717w, 3301-3432; 16 U.S.C. 792-825y, 2601-2645; 42 U.S.C. 4321-4361, 7101-7352.

STATEMENTS OF GENERAL POLICY AND INTERPRETATIONS OF THE COMMISSION

§2.1 Initial notice; service; and information copies of formal documents.

(a) Whenever appropriate, publication of an initial notice or order in the FEDERAL REGISTER shall be the primary means of informing interested persons and the general public that the proceeding to which the notice or order relates has been instituted before the Commission. The mailing of individual copies shall be confined to that which is required by law, by the Commission's rules and regulations, or by other considerations deemed valid by the Secretary in specific instances.

(1) It is the policy of the Commission to publish notice in the FEDERAL REGISTER upon the institution of the following proceedings before the Commission:

(i) *Natural gas pipeline companies and public utility rate schedules and tariffs.*

(A) Initial rate schedule filings and changes in rates schedules proposed by public utilities and changes in rate schedules or tariffs proposed by natural gas pipeline companies, including purchased gas adjustment clauses.

(B) Changes in rates proposed by natural gas pipeline companies for field sales.

(C)-(D) [Reserved]

(E) Tracking rate schedule or tariff filings made pursuant to settlement agreements.

(F) Rate schedule or tariff filings made by natural gas pipeline compa-

nies or public utilities in compliance with Commission orders.

(G) Reports of refunds by natural gas pipeline companies and public utilities.

(H) [Reserved]

(I) Complaints against natural gas pipeline companies and public utilities, unless otherwise directed.

(ii) *Interconnections, service and exportation pursuant to the Federal Power Act.*

(A) Applications for interconnection and service under section 202(b).

(B)-(C) [Reserved]

(D) Applications pursuant to section 207.

(E) [Reserved]

(iii) *Hydroelectric, Federal Power Act.*

(A) Applications for preliminary permits pursuant to section 4(f).

(B) Applications for licenses for constructed or unconstructed projects, or notice of declaration of intention, sections 4(e), 23(a)(b).

(C) Applications for amendment of license, unless otherwise directed.

(D) Application for relicenses or nonpower licenses, or a recommendation for takeover, sections 14 and 15.

(E) Applications for transfer of license, section 8.

(F) Applications for surrender of license, section 6.

(G) Proceeding for revocation or termination of license, sections 6, 13, 26.

(H) Issuance of annual licenses, section 15.

(I) Lands withdrawn pursuant to an application for preliminary permit or license, and the vacation of such land withdrawals, section 24.

(J) Complaints against licensees, unless otherwise directed.

(iv) *Corporate electric.* (A) Applications pursuant to sections 203, 204, of the Federal Power Act, and applications or complaints pursuant to section 305 of the Federal Power Act.

(v) *Accounting, gas and electric.* (A) Applications pursuant to sections 4, 23, 301, and 302 of the Federal Power Act.

(B) Applications pursuant to sections 8 and 9 of the Natural Gas Act.

(vi) *Federal rates.* (A) Application for confirmation and approval of rate schedules for Federal hydroelectric projects.

(vii) *Natural gas pipeline certificates, exportations, and importations, Natural*

§2.1a

Gas Act. (A) Applications for exemption under section 1(c).

(B) Applications for authorization to import and export gas under section 3.

(C) Applications for orders directing physical connection of facilities and sale of natural gas under section 7(a).

(D) Applications for permission and approval to abandon under section 7(b).

(E) Applications for permanent certificates under section 7(c).

(F) [Reserved]

(G) Complaints against natural gas pipeline companies, filed by individuals and companies, unless otherwise directed.

(viii)–(ix) [Reserved]

(x) *Environmental statements.* (A) Notice to be published pursuant to Order series 415.

(xi) *Miscellaneous, gas and electric.* (A) Order instituting an investigation in which hearings are fixed or in which an opportunity is given for filing comments or petitions to intervene.

(B) Show cause order, in which hearings are fixed or in which an opportunity is given for filing comments or petitions to intervene.

(C) Order or notice consolidating proceedings for hearing purposes or severing a proceeding formerly consolidated for hearing purposes.

(D) Applications for declaratory order, disclaimers of jurisdiction, or waiver of Commission regulations, unless otherwise directed.

(E) Requests for redesignation pursuant to §3.5(a)(26) of this subchapter, unless otherwise directed.

(F) Requests for extension of time pursuant to §3.75.302(j) of this chapter, unless otherwise directed.

(G) Consolidations and severance pursuant to §375.302(f) of this chapter, unless otherwise directed.

(H) Notice of correction of a document in any of the above categories.

(I) Notice of meetings of advisory committees established by the Commission.

(J) Notices of conferences in docketed rulemaking proceedings.

(K) Proposed penalties under section 31 of the Federal Power Act.

(L) Such other notices or orders as may be submitted by the Secretary for publication.

18 CFR Ch. I (4–1–04 Edition)

(2) *Otherwise directed*, as referred to above, shall be interpreted to mean notice given by the discretion of the Secretary.

(b) After notice has been given, the service of formal documents issued in a proceeding shall be confined to the parties of record or their attorneys, and the mailing of information copies shall be confined to that which is required by the Commission's rules and regulations, by courtesy in response to written requests for copies, or by other considerations deemed valid by the Secretary in specific instances.

(Secs. 308, 309; 49 Stat. 858; 16 U.S.C. 825g, 825h; secs. 15, 16; 52 Stat. 829, 830; 15 U.S.C. 717n, 717o)

[Order 211, 24 FR 1345, Feb. 21, 1959, as amended by Order 463, 37 FR 28054, Dec. 20, 1972; 38 FR 3192, Feb. 2, 1973; 44 FR 34941, June 18, 1979; 45 FR 21224, Apr. 1, 1980; Order 541, 57 FR 21733, May 22, 1992; Order 603, 64 FR 26603, May 14, 1999; Order 2002, 68 FR 51115, Aug. 25, 2003]

§2.1a Public suggestions, comments, proposals on substantial prospective regulatory issues and problems.

(a) The Commission by this policy statement explicitly encourages the public, including those persons subject to regulation by the Commission, to submit suggestions, comments, or proposals concerning substantial prospective regulatory policy issues and problems, the resolution of which will have a substantial impact upon those regulated by the Commission or others affected by the Commission's activities. This policy is intended to serve as a means of advising the Commission on a timely basis of potential significant issues and problems which may come before it in the course of its activities and to permit the Commission an early opportunity to consider argument regarding policy questions and administrative reforms in a general context rather than in the course of individual proceedings.

(b) Upon receipt of suggestions, comments, or proposals pursuant to paragraph (a) of this section, the Commission shall review the matters raised and take whatever action is deemed necessary with respect to the filing, including, but not limited to, requesting further information from the filing