

## § 250.5 [Reserved]

**§ 250.6 Form of application to be filed by distributor under section 7(a), seeking gas service of not more than 2,000 Mcf per day (3d year of operation) for a single community (see § 156.3(d) of this chapter).**

1. Name of applicant (indicate whether individual, corporation or municipality).
2. Address.
3. Name, title, mailing address, and telephone number of person to be contacted concerning the application.
4. Name of natural gas company from whom service is desired.
5. Are you now rendering gas service? If so, briefly describe operations.
6. Nature of service sought, giving a brief description of proposal, including location of community, population, number of residences and kind of service sought and to be rendered, showing:
  - (a) Is this an initial connection with the pipe line, or is it an extension or improvement of existing facilities?
  - (b) Estimate of maximum day requirements for residential, commercial and industrial customers for each of the first three years of proposed operations (Mcf at 14.73 psia), and how the estimates were derived;
  - (c) Estimate of annual requirements for residential, commercial and industrial customers for each of the first three years of proposed operations (Mcf at 14.73 psia), and how the estimates were derived.
7. Do you have or do you need a franchise to render the proposed service? If you have filed an application for such a franchise, with whom was it filed and what action has been taken on it?
8. Do you have or do you need a state certificate approving the proposed distribution system project? If you have filed an application for such a certificate, with whom was it filed and what action has been taken on it?
9. When do you propose to start construction and when do you estimate it will be completed? When do you propose to start selling gas?
10. How much are the facilities expected to cost? Show separately the estimated cost of the distribution system, the connecting supply lines, legal fees, financing fees and engineering fees, and briefly state how the estimates were derived.
11. Have you used the services of an engineering consultant? If so, the consultant should state his experience in the design of distribution systems, cost data of systems now in service compared with his initial estimates, and the actual rate at which new customers were attached in the new distribution systems.
12. How do you propose to finance the proposed facilities? Submit evidence that the

money will be available. (This evidence need not be submitted if you have a state certificate for your project.)

13. For each of the first three years of operation of the proposed facilities, show (a) the estimated gross annual revenues for the natural gas estimated to be sold to residential, commercial and industrial customers as shown in item 6(c) and the rates you propose to charge, and (b) the cost of gas purchased by you (state the rate to be paid to the pipeline supplier and the pipeline's rate schedule under which you will purchase said gas), other operating and maintenance expenses and operating revenue deductions, and (c) the net operating revenues. If you have received a certificate of public convenience and necessity issued by a local regulatory commission, it may be submitted in lieu of this requirement.

14. Municipalities should submit a bond amortization and interest schedule for the life of the bond issue related to the project and computation of the average debt service coverage ratio over the life of the issue. State briefly how all estimates were derived. Exhibits to be furnished:

*Exhibit A.* A geographical map showing clearly all of the transmission facilities proposed to be installed and operated by you between your distribution system and the transmission pipeline system of the proposed supplier, including:

- (a) Location, length and size of your transmission lines;
- (b) Location and size (related horsepower) of your transmission compressor stations (if any);
- (c) Location and designation of each point of connection of your proposed transmission facilities with proposed pipeline supplier;
- (d) And if known, location, length and size of facilities to be installed by the proposed supplier.

*Exhibit B.* A flow diagram showing the maximum daily capacity of the proposed connecting pipeline to carry gas from the supplier to the community to be served. The diagram should show expected operating pressures on the connecting pipeline at the point of connection with the supplier and at the other terminal of the connecting pipeline flow of gas through the connecting pipeline in Mcf per day; length of the connecting pipeline and its inside and outside diameter.

[Order 280, 29 FR 4879, Apr. 7, 1964]

## § 250.7—250.15 [Reserved]

**§ 250.16 Format of compliance plan for transportation services and affiliate transactions.**

- (a) *Who must comply.* An interstate natural gas pipeline that transports

natural gas for others pursuant to Subparts B or G of Part 284 of this chapter and is affiliated, as that term is defined in §358.3 of this chapter, in any way with a natural gas marketing or brokering entity and conducts transportation transactions with its marketing or brokering affiliate must comply with the requirements of this section. The requirements of this section also apply to pipeline sales operating units to the extent provided in §284.286 of this chapter.

(b) *Tariff requirements.* An interstate pipeline must maintain tariff provisions containing the following:

(1) The procedures used to address and resolve complaints by shippers and potential shippers including a provision that the pipeline will respond within 48 hours and in writing within 30 days to such complaints.

(2) [Reserved]

(c) *Log of data used to allocate capacity.* (1) An interstate pipeline that relies upon contract information or other data to allocate capacity must maintain a log showing, for each transportation contract (both for marketing affiliates and non-affiliates) on its system: the shipper's name (including a designation whether the shipper is a local distribution company, an interstate pipeline, an intrastate pipeline, an end-user, a producer, a marketer, or a pipeline sales operating unit); the shipper's affiliation with the pipeline; the contract number; and the applicable dates or other information used to allocate capacity under its tariff. The log data relating to each contract must be maintained as long as the contract is used to allocate capacity and for three years after the contract data is no longer used for capacity allocation.

(2) The current log of allocation data for marketing affiliates must be posted on the pipeline's Internet Web site, operated pursuant to §284.12 of this chapter. The posting must conform with the requirements of §284.12 of this chapter and the pipeline's tariff requirements relating to Internet Web sites. Access to the information must be provided using the same protocols and procedures used for the pipeline's Internet Web site.

(3) The log of affiliate and non-affiliate information must be provided to

the Commission upon request and must be made available to the public under Subpart D of Part 385 of this chapter. When requested by the Commission, the information must be provided, within a reasonable time, according to the specifications and format contained in Form No. 592, which can be obtained at the Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, Washington, DC 20426.

(d) *Transportation Discount Information.* (1) A pipeline that provides transportation service at a discounted rate must maintain, for each billing period, the following information: the name of the shipper being provided the discount; the affiliate's role in the transportation transaction (i.e., shipper, marketer, supplier, seller); the duration of the discount; the maximum rate or fee; the rate or fee actually charged during the billing period; and the quantity of gas scheduled at the discounted rate during the billing period for each delivery point. The discount information with respect to each transaction must be maintained for three years from the date the transaction commences.

(2) The discount information must be made available to the Commission upon request and to the public under Subpart D of Part 385 of this chapter. When requested by the Commission, the information must be provided, within a reasonable time, according to the specifications and format contained in Form No. 592, which can be obtained at the Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, Washington, DC 20426.

(e) *Penalty for failure to comply.* (1) Any person who transports gas for others pursuant to Subparts B or G of Part 284 of this chapter and who knowingly violates the requirements of §§358.4 and 358.5, §250.16, or §284.13 of this chapter will be subject, pursuant to sections 311(c), 501, and 504(b)(6) of the Natural Gas Policy Act of 1978, to a civil penalty, which the Commission may assess, of not more than \$5,000 for any one violation.

(2) For purposes of this paragraph, in the case of a continuing violation, each

day of the violation will constitute a separate violation.

[Order 566, 59 FR 32898, June 27, 1994, as amended by Order 566-A, 59 FR 52904, Oct. 20, 1994; Order 581, 60 FR 53071, Oct. 11, 1996; 61 FR 39068, July 26, 1996; Order 637, 65 FR 10220, Feb. 25, 2000; Order 2004, 68 FR 69157, Dec. 11, 2003]

### PART 260—STATEMENTS AND REPORTS (SCHEDULES)

Sec.

- 260.1 FERC Form No. 2, Annual report for Major natural gas companies.
- 260.2 FERC Form No. 2-A, Annual report for Nonmajor natural gas companies.
- 260.3 FERC Form No. 11, Natural gas pipeline company quarterly statement of monthly data.
- 260.4-260.7 [Reserved]
- 260.8 System flow diagrams: Format No. FERC 567.
- 260.9 Report by natural gas pipeline companies on service interruptions occurring on the pipeline system.
- 260.11-260.15 [Reserved]
- 260.200 Original cost statement of utility property.
- 260.300 FERC Form No. 3-Q, Quarterly financial report of electric utilities, licensees, and natural gas companies.
- 260.400 Cash management programs.

AUTHORITY: 15 U.S.C. 717-717w, 3301-3432; 42 U.S.C. 7101-7352.

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting forms listed in part 260, please consult the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

#### § 260.1 FERC Form No. 2, Annual report for Major natural gas companies.

(a) *Prescription.* The form of Annual Report of Natural Gas Companies (Class A and Class B), designated herein as FERC Form No. 2, is prescribed.

(b) *Filing requirements.* Each natural gas company, as defined by the Natural Gas Act (15 U.S.C. 717, *et seq.*) which is a major company (a natural gas company whose combined gas transported or stored for a fee exceed 50 million Dth in each of the three previous calendar years) must prepare and file with the Commission, as follows:

(1) The annual report for the year ending December 2004 must be filed on April 25, 2005.

(2) The annual report for each year thereafter must be filed on April 18 of the subsequent year.

(3) Newly established entities must use projected data to determine whether FERC Form No. 2 must be filed.

(4) The form must be filed in electronic format only, as indicated in the general instructions set out in that form. The format for the electronic filing can be obtained at the Federal Energy Regulatory Commission, Division of Information Services, Public Reference and Files Maintenance Branch, Washington, DC 20426. One copy of the report must be retained by the respondent in its files.

[Order 121, 46 FR 6887, Jan. 22, 1981, as amended by Order 390, 49 FR 32527, Aug. 14, 1984; Order 493, 53 FR 15030, Apr. 27, 1988; Order 581, 60 FR 53071, Oct. 11, 1995; Order 628, 68 FR 269, Jan. 3, 2003; 69 FR 9044, Feb. 26, 2004]

#### § 260.2 FERC Form No. 2-A, Annual report for Nonmajor natural gas companies.

(a) *Prescription.* The form of Annual Report for Nonmajor Natural Gas Companies, designated herein as FERC Form No. 2-A, is prescribed.

(b) *Filing requirements.* Each natural gas company, as defined by the Natural Gas Act, not meeting the filing threshold for FERC Form No. 2, but having total gas sales or volume transactions exceeding 200,000 Dth in each of the three previous calendar years, must prepare and file with the Commission, as follows:

(1) The annual report for the year ending December 2004 must be filed on April 25, 2005.

(2) The annual report for each year thereafter must be filed on April 18 of the subsequent year.

(3) Newly established entities must use projected data to determine whether FERC Form No. 2-A must be filed.

(4) The form must be filed in electronic format only, as indicated in the General Instructions set out in that form. The format for the electronic filing can be obtained at the Federal Energy Regulatory Commission, Division of Information Services, Public Reference and Files Maintenance Branch, Washington, DC 20426. One copy of the