



# Federal Register

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**Monday,  
December 13, 2004**

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**Part LIII**

**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 23 rulemakings listed, 16 are current or projected rulemakings, and 7 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
4018	Electronic Service .....	1902-AC53

Federal Energy Regulatory Commission—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
4019	Standards of Conduct for Transmission Providers .....	1902-AC07
4020	Standardizing Generator Interconnection Agreements and Procedures .....	1902-AC15
4021	Electricity Market Design and Structure (Remedying Undue Discrimination Through Open Access Transmission Service and Standard Electricity Market Design) .....	1902-AC18
4022	Electronic Tariff Filings .....	1902-AC19
4023	Standardization of Small Generator Interconnection Agreements and Procedures .....	1902-AC26
4024	Natural Gas Pipelines Negotiated Rate Policies and Practices .....	1902-AC28
4025	Standard of Review for Proposed Changes to Market-Based Rate Contracts for Wholesale Sales of Electric Energy by Public Utilities .....	1902-AC29
4026	Emergency Reconstruction of Interstate Natural Gas Facilities Under the Natural Gas Act .....	1902-AC36
4027	Proposed Pricing Policy for Efficient Operation and Expansion of Transmission Grid .....	1902-AC39
4028	Creditworthiness Standards for Interstate Natural Gas Pipelines .....	1902-AC47
4029	Critical Energy Infrastructure Information .....	1902-AC50
4030	Market-Based Rates for Public Utilities .....	1902-AC51
4031	Electronic Notification of Commission Issuances .....	1902-AC57
4032	Policy Statement on Matters Related to Bulk System Reliability .....	1902-AC59

Federal Energy Regulatory Commission—Completed Actions

Sequence Number	Title	Regulation Identifier Number
4033	Hydroelectric Licensing Regulations Under the Federal Power Act .....	1902-AC30
4034	Electronic Registration .....	1902-AC31
4035	Quarterly Financial Reporting and Revisions to the Annual Reports .....	1902-AC43
4036	Amendments to Blanket Sales Certificates .....	1902-AC45
4037	Revised Fees for Record Requests .....	1902-AC54
4038	Notice Format and Technical Corrections .....	1902-AC55
4039	Annual Update of Filing Fees .....	1902-AC56
4040	Revision to Oil Pipeline Regulations Pursuant to the Energy Policy Act of 1992 .....	1902-AC58

## Federal Energy Regulatory Commission (FERC)

Final Rule Stage

**4018. • ELECTRONIC SERVICE****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 18 CFR 385**Legal Deadline:** None**Abstract:** The Commission issued a Notice of Inquiry on alternatives for electronic service of documents. The alternatives will be addressed in a final

rule on Electronic Notification of Commission Issuances. (Docket No. RM01-11-000.)

**Timetable:**

Action	Date	FR Cite
Notice of Inquiry	10/04/01	66 FR 50591
Final Rule	02/00/05	

**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-AC53

## Federal Energy Regulatory Commission (FERC)

Long-Term Actions

**4019. STANDARDS OF CONDUCT FOR TRANSMISSION PROVIDERS****Priority:** Other Significant**Legal Authority:** 15 USC 717 to 717w; 15 USC 3301 to 3423; 16 USC 791 to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 37; 18 CFR 161; 18 CFR 250; 18 CFR 358; 18 CFR 284**Legal Deadline:** None**Abstract:** The Commission adopted standards of conduct that apply uniformly to interstate natural gas pipelines and public utilities (jointly referred to as transmission providers). The standards of conduct will govern the relationships between regulated 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	04/29/04	69 FR 23562
Order on Rehearing Effective	06/01/04	
Order on Rehearing	08/10/04	69 FR 48371
Order on Rehearing Effective	09/09/04	69 FR 48371
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 20426Phone: 202 502-8178  
Fax: 202 208-0057William Murrell, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426  
Phone: 202 502-8703**RIN:** 1902-AC07**4020. STANDARDIZING GENERATOR INTERCONNECTION AGREEMENTS AND PROCEDURES****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 791a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 35**Legal Deadline:** None**Abstract:** The Commission amended its regulations to require public utilities that own, control, or operate facilities used for transmitting electric energy in interstate commerce to have on file standard procedures and a standard agreement for interconnection of generators larger than 20 megawatts. (Docket No. RM02-1-000.)**Timetable:**

Action	Date	FR Cite
ANPRM	11/01/01	66 FR 55140
ANPRM Comment Period End	02/01/02	67 FR 3632
NPRM	05/02/02	67 FR 22249
NPRM Comment Period End	06/17/02	
Final Rule	08/18/03	68 FR 49846
Final Rule Effective	01/20/04	
Order on Rehearing	03/26/04	69 FR 15932
Order on Rehearing Effective	04/26/04	69 FR 15932
Order on Rehearing	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Patrick G. Rooney, Federal Energy Regulatory Commission, Office of Markets, Tariffs and Rates, 888 First Street NE, Washington, DC 20426  
Phone: 202 502-6205**RIN:** 1902-AC15**4021. ELECTRICITY MARKET DESIGN AND STRUCTURE (REMEDYING UNDUE DISCRIMINATION THROUGH OPEN ACCESS TRANSMISSION SERVICE AND STANDARD ELECTRICITY MARKET DESIGN)****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 791a to 825r; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 35**Legal Deadline:** None**Abstract:** The Commission is proposing to amend its regulations under the Federal Power Act, to modify the pro forma open access transmission tariff established under the Commission's order No. 888, to provide for non-discriminatory standardized transmission service and wholesale electric markets, and so to remedy remaining undue discrimination in the provision of interstate transmission services and in other industry practices, and to assure just and reasonable rates within and among regional power markets. The Commission has not scheduled a date for finalizing this rule. It issued a White Paper in response to comments on the rule and is holding regional conferences to further discuss

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issues raised by states and industry participants. It issued a Staff Paper on Regional Choices for Implementing the Elements of the White Paper and is coordinating market designs through individual filings so as to accommodate regional variation. (Docket No. RM01-12-000.)

**Timetable:**

Action	Date	FR Cite
NPRM	08/29/02	67 FR 55452
NPRM Comment Period End	11/15/02	
White Paper	04/28/03	
Staff Paper on Regional Choices for Implementing the Elements of the White Paper	07/07/03	
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Rossell Glasgow, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426  
Phone: 202 502-8593

**RIN:** 1902-AC18

**4022. ELECTRONIC TARIFF FILINGS**

**Priority:** Other Significant

**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 330; 18 CFR 341; 18 CFR 342; 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 require that all tariffs and tariff revisions and rate change applications for the public utility, natural gas pipeline, and oil pipeline industries, be filed electronically via software provided by the Commission. (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	
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

**4023. 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 proposes the addition of standard small generator interconnection procedures and a standard small generator interconnection agreement to the open access transmission tariffs of public utilities that own, operate, or control facilities for transmitting electric energy in interstate commerce. (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	10/01/04	69 FR 51024
Final Rule	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  
Phone: 202 502-8532

**RIN:** 1902-AC26

**4024. 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

**4025. STANDARD OF REVIEW FOR PROPOSED CHANGES TO MARKET-BASED RATE CONTRACTS FOR WHOLESALE SALES OF ELECTRIC ENERGY BY PUBLIC UTILITIES**

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

**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

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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

#### 4026. EMERGENCY RECONSTRUCTION OF INTERSTATE NATURAL GAS FACILITIES UNDER THE NATURAL GAS ACT

**Priority:** Substantive, Nonsignificant

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

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

**Legal Deadline:** None

**Abstract:** The Commission amended its regulations to enable natural gas interstate pipeline companies to replace mainline facilities using a route other than the existing right-of-way, and to commence construction without prior notice and without project cost constraints, when immediate action is required to restore service in an emergency due to a sudden unanticipated loss of natural gas or capacity for protection of life or health or for maintenance of physical property. (Docket Nos. RM03-4-000 and AD02-14.)

**Timetable:**

Action	Date	FR Cite
NPRM	01/28/03	68 FR 4120
NPRM Comment Period End	02/27/03	
Final Rule	05/28/03	68 FR 31596
Final Rule Effective	07/14/03	
Order on Rehearing	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jacqueline Holmes, Acting, Associate General Counsel for

Energy Projects, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426  
Phone: 202 502-8198

**RIN:** 1902-AC36

#### 4027. PROPOSED PRICING POLICY FOR EFFICIENT OPERATION AND EXPANSION OF TRANSMISSION GRID

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

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

**CFR Citation:** 18 CFR 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

#### 4028. CREDITWORTHINESS STANDARDS FOR INTERSTATE NATURAL GAS PIPELINES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 15 USC 717 to 717w; 15 USC 3301 to 3432; 42 USC 1701 to 7352; 43 USC 1331 to 1356

**CFR Citation:** 18 CFR 284

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend its regulations to require interstate natural gas pipelines to follow standardized procedures for determining the creditworthiness of their shippers. The proposed regulations are intended to promote consistent practices among interstate pipelines and provide shippers with an objective and transparent creditworthiness evaluation. (Docket No. RM04-4-000.)

**Timetable:**

Action	Date	FR Cite
NPRM	02/25/04	69 FR 8587
NPRM Comment Period End	03/26/04	
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** David Faerberg, Attorney Advisor, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426  
Phone: 202 502-8275  
Email: david.fajerberg@ferc.gov

**RIN:** 1902-AC47

#### 4029. CRITICAL ENERGY INFRASTRUCTURE INFORMATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301 to 305; 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 388

**Legal Deadline:** None

**Abstract:** The Commission issued Order No. 649 amending its critical energy infrastructure (CEII) regulation and addressing comments received in response to a notice seeking public comment on the CEII process. The regulatory change affects the process

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used by agents of owners or operators of critical energy infrastructure seeking to obtain CEII regarding the owner/operator's own facilities. The Order also facilitates easier Federal agency access to CEII. (Docket Nos. RM02-4-002, PL02-1-002.)

**Timetable:**

Action	Date	FR Cite
Notice Soliciting Public Comment	02/25/04	69 FR 8638
Comment Period End	03/15/04	
Final Rule	08/10/04	69 FR 48386
Final Rule Effective	09/09/04	
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Carol C. Johnson, Staff Attorney, Federal Energy Regulatory Commission, Office of the General Counsel, Office of the General Counsel, 888 First Street NE, Washington, DC 20426  
Phone: 202 502-8521  
Email: carol.johnson@ferc.gov

**RIN:** 1902-AC50

**4030. 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
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**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

**4031. • ELECTRONIC NOTIFICATION OF COMMISSION ISSUANCES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 551 to 557; 15 USC 717 to 717z; 15 USC 3301 to 3432; 16 USC 791a to 825r; 16 USC 2601 to 2645; 28 USC 2461; 31 USC 3701; 31 USC 9701; 42 USC 7101 to 7352; 49 USC 60502; 49 USC App. 1 to 85 (1988)

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

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend its regulations governing notice of Commission issuances. This change would affect both service list and mailing list recipients. The revisions allow the Commission, in most instances, to send notice of issuances via e-mail. The revisions also are intended to increase the speed with which recipients receive issuances and reduce Commission costs, and provide more accurate and up-to-date service lists for parties to Commission proceedings. (Docket No. RM04-9-000.)

**Timetable:**

Action	Date	FR Cite
NPRM	07/02/04	69 FR 40332
NPRM Comment Period End	08/02/04	
Final Rule	To Be Determined	

**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-AC57

**4032. • POLICY STATEMENT ON MATTERS RELATED TO BULK SYSTEM RELIABILITY**

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

**Legal Authority:** 16 USC 824(e)

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** With this Policy Statement, the Commission responds to recommendations in the US-Canada Power System Outage Task Force's Interim and Final Reports on initiatives the Commission should undertake. The Commission also responds to comments it received after the reliability conference held on December 1, 2003 in Docket No. RM04-2-000. The Commission notified public that the term "good utility practice" as used in electric utilities' open access transmission tariffs under Order No. 888 includes compliance with the reliability standards of the North American Electric Reliability Council. (Docket No. PL04-5-000.)

**Timetable:**

Action	Date	FR Cite
Policy Statement	04/26/04	69 FR 22502
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** 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-AC59

## Federal Energy Regulatory Commission (FERC)

## Completed Actions

**4033. HYDROELECTRIC LICENSING REGULATIONS UNDER THE FEDERAL POWER ACT****Priority:** Other Significant**CFR Citation:** 18 CFR 4; 18 CFR 5; 18 CFR 9; 18 CFR 16; 18 CFR 375; 18 CFR 385**Completed:**

Reason	Date	FR Cite
Order on Rehearing	02/04/04	69 FR 5268

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State, Tribal**Agency Contact:** John Clements  
Phone: 202 502-8070**RIN:** 1902-AC30**4034. ELECTRONIC REGISTRATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 375; 18 CFR 390**Completed:**

Reason	Date	FR Cite
Final Rule Suspension	02/14/03	68 FR 7416

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Wilbur Miller  
Phone: 202 502-8953  
Email: wilbur.miller@ferc.gov**RIN:** 1902-AC31**4035. QUARTERLY FINANCIAL REPORTING AND REVISIONS TO THE ANNUAL REPORTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 141; 18 CFR 260; 18 CFR 357; 18 CFR 375**Completed:**

Reason	Date	FR Cite
Order on Rehearing	06/10/04	69 FR 32440
Order on Rehearing Effective	07/12/04	
Final Rule: Correction Notice	06/22/04	69 FR 34568

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Julia A. Lake  
Phone: 202 502-8370  
Email: julia.lake@ferc.gov**RIN:** 1902-AC43**4036. AMENDMENTS TO BLANKET SALES CERTIFICATES****Priority:** Substantive, Nonsignificant**CFR Citation:** 18 CFR 284**Completed:**

Reason	Date	FR Cite
Order Denying Rehearing	05/19/04	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert D. McLean  
Phone: 202 502-8156**RIN:** 1902-AC45**4037. • REVISED FEES FOR RECORD REQUESTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301 to 305; 5 USC 551 to 557; 42 USC 7101 to 7352**CFR Citation:** 18 CFR 388**Legal Deadline:** None**Abstract:** The Commission amended its regulations to provide for the posting of all fees for specialized handling in finding, duplicating, downloading and printing records generally available to the public at no cost through the Internet. This revision will eliminate the requirements for certain sections of the regulations, which identify fees for the reproduction, printing and delivery of specific types of documents, information, media and related services. (Docket No. RM04-11-000.)**Timetable:**

Action	Date	FR Cite
Final Rule Effective	06/28/04	
Final Rule	07/08/04	69 FR 41190

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Katherina Quijada-Cusack, Federal Energy Regulatory Commission, Office of the Chief of Information Officer, 888 First Street NE, Washington, DC 20426  
Phone: 202 502-8748**RIN:** 1902-AC54**4038. • NOTICE FORMAT AND TECHNICAL CORRECTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 551 to 557; 15 USC 717 to 717z; 15 USC 3301 to 3432; 16 USC 791a to 825r; 16 USC 2601 to 2645; 28 USC 2461; 31 USC 3701; 31 USC 9701; 42 USC 7101 to 7352; 49 USC 60502; 49 USC App 1 to 85 (1988)**CFR Citation:** 18 CFR 1b; 18 CFR 4; 18 CFR 11; 18 CFR 12; 18 CFR 33 to 36; 18 CFR 154; 18 CFR 157; 18 CFR 292; 18 CFR 300; 18 CFR 365; 18 CFR 375; 18 CFR 385; 18 CFR 388**Legal Deadline:** None**Abstract:** The Commission revised its regulations to simplify the formats it requires for various types of notices. This change will make it easier for the Commission to take advantage of technological upgrades without the necessity of revising its regulations repeatedly. In addition, a number of outdated informational references in the Commission's regulations are also revised. (Docket No. RM04-10-000.)**Timetable:**

Action	Date	FR Cite
Final Rule	06/10/04	69 FR 32436
Final Rule Effective	07/12/04	

**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-AC55**4039. • ANNUAL UPDATE OF FILING FEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 717 to 717w; 16 USC 791 to 828c; 16 USC 2601 to 2645; 31 USC 9701; 42 USC 7101 to 7352; 49 USC 60502; 49 USC App. 1 to 85**CFR Citation:** 18 CFR 381**Legal Deadline:** None**Abstract:** The Commission issued an update of its filing fees. The notice provides the yearly update using data in the Commission's Management

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Administrative, and Payroll System to calculate the new fees. The purpose of updating is to adjust the fees on the basis of the Commission's costs for Fiscal Year 2003 (Docket No. RM04-8-000.)

**Timetable:**

Action	Date	FR Cite
Final Rule	05/17/04	69 FR 27833
Final Rule Effective	06/16/04	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Troy Cole, Federal Energy Regulatory Commission, Office of the Executive Director, 888 First Street, N.E., Washington, DC 20426  
Phone: 202 219-2970

**RIN:** 1902-AC56

**4040. • REVISION TO OIL PIPELINE REGULATIONS PURSUANT TO THE ENERGY POLICY ACT OF 1992**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 7172 note (West Supp. 1993)

**CFR Citation:** 18 CFR 342

**Legal Deadline:** None

**Abstract:** The Commission issued Order No. 561 on October 22, 1993, in response to the Energy Policy Act of 1992, Title X VIII. Among other things, Order No. 561 established a price cap for oil pipeline rates to be adjusted annually based on changes to the Producer Price Index for Finished Goods that it would review every 5 years. On July 27, 2000, the Commission issued an NOI in RM00-11-000 on the 5-year review of the oil pricing index. After receiving and reviewing comments, the Commission concluded the PPI-1 closely approximated the actual cost changes reported in FERC Form 6 and concluded the index satisfied the Energy Policy Act requirements. American Association of Oil Pipelines sought review of this order and on March 1, 2002, the Court remanded the proceeding for further review and explanation. On February 24, 2003, the Commission issued its Order on Remand, determining use of the Producer Price Index was appropriate. Shippers sought Court review and on April 9, 2004, the Court affirmed the Commission. (Docket No. RM93-11-000.)

**Timetable:**

Action	Date	FR Cite
Final Rule	09/03/04	69 FR 53800
Final Rule Effective	09/03/04	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 1902-AC58

[FR Doc. 04-22105 Filed 12-10-04; 8:45 am]

**BILLING CODE** 6717-01-S