

Docket No. RM07-10-001

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

Form No. 552
OMB No. 1902-0242
Expires (mm/dd/yyyy)



FERC TRANSACTION REPORT

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

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

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

INSTRUCTIONS FOR FILING THE FERC FORM NO. 552

GENERAL INFORMATION

I Purpose

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

II. Who Must Submit

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

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

III. What and Where to Submit

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

IV. When to Submit:

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

V. Where to Send Comments on Public Reporting Burden.

The public reporting burden for the FERC Form No. 552 collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data-needed, and completing and reviewing the collection of information. This estimate was noted in the Notice of Purposed Rulemaking and in the Final Rule (RM07-10-000) and addressed by commenters.

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

GENERAL INSTRUCTIONS

- I. All respondents must identify themselves annually by completing the first part of Form No. 552.
- II. Aggregation across affiliates (or members of a public joint action agency) is permitted, though not required. If a respondent is aggregating volumes across affiliates, the respondent must complete the "Schedule of Reporting Companies" (page 3) which lists those affiliates and a separate "Price Index Reporting" schedule for each affiliate.
- III. Asset managers may not report aggregated information for their customers in Form No. 552. Customers of asset managers are individually responsible for determining whether they must file Form No. 552. An asset manager may itself be required to submit Form No. 552 to the extent that its activities are not undertaken on behalf of an asset management client.
- IV. Report all gas quantities in Trillion British Thermal Unit (Tbtu) unless the schedule specifically requires the reporting in another unit of measurement.
- V. For reported volumes, enter numbers to the tenth of a unit only, except where otherwise noted.
- VI. Report volumes of physical natural gas as explained in the definitions.
- VII. Complete each question fully and accurately, even if it has been answered in a previous report. Enter the word "None" where it truly and completely states the fact.
- VIII. Enter the month, day, and year for all dates. Use customary abbreviations. **The "Date of Report" included in the header of each page is to be completed only for resubmissions** (see IX. below).
- IX. For any resubmissions, submit the electronic filing using the form submission only. Please explain the reason for the resubmission in a footnote to the data field.
- X. Footnote and further explain as necessary.
- XI. Do not make references to reports of previous periods/years or to other reports in lieu of required entries, except as specifically authorized.

- XII. Regarding reportable transactions that involve deliveries that occur or may occur over multiple calendar years, only volumes for delivery that use, contribute to, or may contribute to the formation of a price index during the subject calendar year should be reported. For a multi-year contract that relies on a price index to establish a price, volumes should be reported in the year in which the index is referenced.

DEFINITIONS

- I. Affiliate— An affiliate means a person who controls, is controlled by or is under common control with another person. For purposes of the completion of Form No. 552, a joint public action agency may submit members' collective information as if those members were affiliates.
- II. Blanket Certificate – A blanket certificate means either (i) a blanket marketing certificate granted to a person that is not an interstate pipeline pursuant to 18 CFR § 284.402, or (ii) a blanket certificate for unbundled sales service granted to an interstate pipeline pursuant to 18 CFR § 284.284.
- III. Date of Report – The date the report is submitted to the Commission.
- IV. Fixed Price – A “Physical Natural Gas Transaction” price determined by agreement between buyer and seller and not benchmarked to any other source of information. For example, physical basis transactions that directly refer to futures prices, for the purpose of this form, are not “Fixed Price” transactions.
- V. Next-Day Delivery – Delivery of a transaction executed prior to NAESB nomination deadline (11:30am Central Prevailing Time) on one day for uniform physical delivery over the next pipeline day. Transactions done for Friday are usually for flow on Saturday, Sunday, and Monday inclusive. Trading patterns may vary in the case of holidays or the end of a month that occurs on a weekend.
- VI. Next-Month Delivery – Delivery of a transaction executed during the last five (5) business days of one month for uniform physical delivery over the next month.
- VII. Physical Natural Gas Transaction – A natural gas transaction that contains an obligation to deliver natural gas at a specified location and at a specified time, with the exception of physically-delivered futures contracts. It is not necessary that natural gas actually be delivered under the transactions, only that the delivery obligation existed in the agreement when executed. Certain Physical Natural Gas Transactions may not remain in existence through the time of delivery because they were traded away or “booked out.” For purposes of this form, these transactions should be included whether they went to delivery or not. Order No. 704 and 704-A discuss a variety of particular instances. Physical Natural Gas Transactions are only those transactions for Next-Day Delivery or Next-Month Delivery that refer, contribute, or could contribute to the formation of a price index during the calendar year. The following physical natural gas volumes should be *included* in volumetric data submitted in Form No. 552 if the relevant transactions refer to or could contribute to the formation of a price index:
- a. cash-out, imbalance makeup and operational volumes reported by pipelines; and
 - b. volumes attributable to royalty-in-kind transactions, gas provided for processing such as plant thermal reduction (not including unprocessed gas), and purchases and sales related to the production and gathering function.

Notwithstanding the above, the following volumes should, in all cases, be *excluded* in volumetric data submitted in Form No. 552:

- a. sales to and purchases by retail consumers of natural gas pursuant to a state commission-approved bundled tariff,
- b. sales or purchases of volumes that originate outside of the lower 48 states of the United States of America and are delivered outside of the lower 48 states,
- c. volumes associated with transactions among affiliates,
- d. volumes associated with any type of financially-settled transaction,
- e. unprocessed gas volumes,
- f. volumes traded in futures contracts, even those that go to physical delivery,
- g. volumes of imported LNG traded prior to regasification and exported LNG traded after liquefaction, and
- h. volumes that are *not* Next-Day Delivery or Next-Month Delivery.

- VIII. Price Index Publisher – Companies that report price indices for U.S. wholesale natural gas markets. The list of companies can change over time.
- IX. Prices that Refer to (Daily or Monthly) Price Indices – Prices for Physical Natural Gas Transactions that reference directly a daily or monthly index price published by a “Price Index Publisher” rather than a “Fixed Price” or a price that refers directly to some other benchmark.
- X. Quantity – Amount of purchases or sales expressed in units of energy “British Thermal Units” (Btu). One million BTUs (MMBtu) are, by definition, the same as one Dekatherm (Dth). A volume of one billion cubic feet (Bcf) of natural gas contains approximately one trillion Btus (TBtu or million MMBtu) of energy depending on the exact energy content of the natural gas. The quantities to be reported in the “Purchase and Sales Information” schedule should be measured in tenths of TBtus.
- XI. Reporting Company – The person, corporation, licensee, agency, authority, or other legal entity or instrumentality on whose behalf the report is being submitted by the “Respondent.”
- XII. Respondent – The person, corporation, licensee, agency, authority, or other legal entity or instrumentality that is submitting the report either on its own behalf, or on behalf of itself and/or its affiliates. A Respondent may choose to either report for all its affiliates collectively, or may choose to have each of its affiliates report separately as their own “Respondent.” If reporting collectively, the “Respondent” must report for each “Affiliate” in the “Schedule of Reporting Companies” and the “Price Index Reporting Schedule,” and collectively for all its affiliates in the “Purchase and Sales Information” schedule.
- XIII. Natural Gas Purchases – The volumetric “Quantity” of “Physical Natural Gas Transactions” purchased by the “Reporting Company” during the “Year of Report.”
- XIV. Natural Gas Sales – The volumetric “Quantity” of “Physical Natural Gas Transactions” sold by the “Reporting Company” during the “Year of Report.”

Docket No. RM07-10-001

XV. Year of Report – The calendar year for which the report is being submitted.

ANNUAL REPORT OF NATURAL GAS TRANSACTIONS

IDENTIFICATION OF RESPONDENT

01 Exact Legal Name of Respondent		02 Year of Report End of	
03 Previous Name and Date of Change (If name changed during year)			
04 Address of Principal Office at End of Year (Street, City, State, Zip Code)			
05 Name of Contact Person		06 Title of Contact Person	
07 Address of Contact Person (Street, City, State, Zip Code)			
08 Email Address of Contact Person			
09 Telephone of Contact Person, Including Area Code		10 This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	11 Date of Report (MM,DD,YYYY)

ANNUAL CORPORATE OFFICER CERTIFICATION

The undersigned officer certifies that:

I have examined this report and to the best of my knowledge, information, and belief all statements of fact contained in this report are accurate and complete statements of the business affairs of the respondent.

12 Name		13 Title	
14 Signature		15 Date Signed	

Title 18, U.S.C. 1001, makes it a crime for any person knowingly and willingly to make to any Agency or Department of the United States any false, fictitious or fraudulent statements as to any matter within its jurisdiction.

Docket No. RM07-10-001

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

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

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

Line No.	Title of Schedule (a)	Reference Page No. (b)	Date Revised (c)	Remarks (d)
1	Schedule of Reporting Companies	3		
2	Price Index Reporting	4		
3	Purchases and Sales Information	5		
4				
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Name of Respondent*	This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report* (Mo, Da, Yr) / /	Year/Period of Report* End of <u>Year/Qtr</u>
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Schedule of Reporting Companies

If the Respondent* is reporting collectively for multiple Affiliates*, list the exact legal name of those Affiliates* in this form. Respondent* should complete the next schedule, Price Index Reporting, for **each** of these companies separately. Respondent* should complete the "Purchase and Sales Information" schedule only once for these companies collectively.

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

Line No.	List the Exact Legal Names of all Affiliates* Reported by Respondent* below (a)
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Name of Respondent*	This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report* (Mo, Da, Yr) / /	Year/Period of Report* End of Year
Name of Reporting Company*	Reporting Company* is: (1) <input type="checkbox"/> Same as Respondent* (2) <input type="checkbox"/> An Affiliate* of Respondent* (other Affiliates* reported separately)		

Price Index Reporting
Even if the Respondent* is reporting collectively for multiple Affiliates*, the Respondent* still must complete this schedule for <u>each</u> of its Affiliates* separately.
When answering yes/ no questions, to select yes enter 1 in the yes column and 0 in the no column of the appropriate row. To select no enter 1 in the no column and 0 in the yes column of the appropriate row.
* An asterisk means that the previous term is explained in more detail in the definitions.

Line No.	Question	Yes	No
	(a)	(b)	(c)
1	At any time during the report year, did the Reporting Company* operate under a Blanket Certificate*?		
2	Did the Reporting Company* report any transaction information to Price Index Publishers* during the Report Year*?		
3	If no on either of lines 1 or 2, skip the question on line 4 and move to line 5.		
4	Did the Reporting Company's* reporting comply with the regulations governing reporting to Price Index Publishers* pursuant to 18 CFR § 284.403?		
5	Were the Reporting Company's* total Natural Gas Purchases* equal to or greater than 2.2 TBtu for the Report Year*?		
6	Were the Reporting Company's* total Natural Gas Sales* equal to or greater than 2.2 TBtu delivered in the Report Year*?		
7	If no on <u>both</u> lines 5 and 6, Reporting Company* is not required to complete the next schedule (<i>i.e.</i> , Purchases and Sales Information). If yes on <u>either</u> line 5 or 6, Reporting Company* is required to complete the next schedule, including volumes related both to Natural Gas Purchases* and Natural Gas Sales.*		

Name of Respondent*	This Report is: (1) <input type="checkbox"/> An Original (2) <input type="checkbox"/> A Resubmission	Date of Report* (Mo, Da, Yr) / /	Year/Period of Report* End of <u>Year</u>
Name of Reporting Company*	Reporting Company* is: (1) <input type="checkbox"/> Same as Respondent* (2) <input type="checkbox"/> An Affiliate* of Respondent* (other Affiliates* reported separately)		

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

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