

Supporting Statement for
FERC-606, Notification of Request for Federal Authorization and Requests for Further Information, and
FERC-607, Report on Decision or Action on Request for Federal Authorization

The Federal Energy Regulatory Commission (Commission or FERC) requests that the Office of Management and Budget (OMB) review and approve for a three-year period the FERC-606 (Notification of Request for Federal Authorization and Requests for Further Information) and FERC-607 (Report on Decision or Action on Request for Federal Authorization), both of which are included in OMB Control Number 1902-0241.

Both the FERC-606 and FERC-607 are existing Commission data collections as stated by 18 Code of Federal Regulations (CFR) Part 385. There have been no changes to the reporting requirements.

1. CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY

The Commission authorizes the construction and operation of proposed natural gas projects under NGA Sections 3 and 7.¹ However, the Commission does not have jurisdiction over every aspect of each natural gas project. In addition to receiving Commission approval, different agencies must typically reach favorable findings regarding other aspects of the project.

To coordinate the activities of the separate agencies with varying responsibilities over proposed natural gas projects, the Energy Policy Act of 2005 (EPAc 2005) modified FERC's role. Section 313 of EPAc 2005 directs FERC to:

- Establish a schedule for agencies² to review requests for federal authorizations required for a project, and
- Compile a record of each agency's decision, together with the record of the Commission's decision, to serve as a consolidated record for the purpose of appeal or review, including judicial review.

FERC assumes that upon initial receipt of a request for federal authorizations, agencies will make an initial assessment to verify whether the request is ready for processing. 18 CFR 385.2013 directs the agency or official to forward that initial assessment to the Commission. If in the course of processing a request, an agency or official finds additional information from the

¹ Under NGA Section 7, the Commission has jurisdiction over the transportation or sale of natural gas in interstate commerce and the construction, acquisition, operation, and abandonment of facilities to transport natural gas in interstate commerce. Pursuant to Department of Energy (DOE) Delegation Order No. 00-004.00 (67 FR 8946, February 27, 2002), the Secretary of Energy delegated to the Commission the authority under NGA Section 3 to approve or disapprove applications for the construction and operation of facilities to import or export natural gas, including liquefied natural gas.

² "Agency" means a Federal agency or officer, or State agency or officer acting pursuant to delegated Federal authority, responsible for a Federal authorization.

FERC-606 and FERC-607
OMB Control No. 1902-0241
(updated 5/24/2016)

applicant is needed, 18 CFR 385.2013 directs the agency or official to forward to the Commission a copy of any data request sent to the applicant. With respect to 18 CFR 385.2014, the Commission assumes that in considering a request for a federal authorization, agencies compile and title the documents and materials they rely upon in reaching a decision. The Commission does not require a specific format for the index that is to be submitted to FERC. An agency's in-house recordkeeping may be presented as an index, as long as it functions as a table of contents to the documents and materials.

2. HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED AND THE CONSEQUENCES OF NOT COLLECTING THE INFORMATION

FERC-606. FERC-606 requires agencies and officials responsible for issuing, conditioning, or denying requests for federal authorizations necessary for a proposed natural gas project to report to the Commission regarding the status of an authorization request. This reporting requirement is intended to allow agencies to assist the Commission to make better informed decisions in establishing due dates for agencies' decisions.

FERC-607. FERC-607 requires agencies or officials to submit to the Commission a copy of a decision or action on a request for federal authorization and an accompanying index to the documents and materials relied on in reaching a conclusion.

The information collections cannot be discontinued nor collected less frequently because of statutory requirements. The consequences of not collecting this information are that the Commission would be unable to fulfill its statutory mandate under the Energy Policy Act of 2005 to:

- Establish a schedule for agencies to review requests for federal authorizations required for a project, and
- Compile a record of each agency's decision, together with the record of the Commission's decision, to serve as a consolidated record for the purpose of appeal or review, including judicial review.

3. DESCRIBE ANY CONSIDERATION OF THE USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE THE BURDEN AND TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN

The FERC-606 and FER-607 filings can be submitted electronically, on CD or on paper. FERC's eFiling program is described at <http://www.ferc.gov/docs-filing/efiling.asp>.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION AND SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN INSTRUCTION NO. 2

FERC-606 and FERC-607
OMB Control No. 1902-0241
(updated 5/24/2016)

Filing requirements are periodically reviewed as OMB review dates arise or as the Commission deems necessary in performing its regulatory responsibilities in an effort to alleviate duplication. All Commission information collections are subject to analysis by Commission staff and are examined for redundancy. There is no other source of this information.

5. METHODS USED TO MINIMIZE THE BURDEN IN COLLECTION OF INFORMATION INVOLVING SMALL ENTITIES

The Commission does not implement measures to reduce the burden upon small entities for the FERC-606. However, FERC-607 allows agencies to submit the information in the format they readily have, rather than requiring a specific format that may not naturally be part of their business practices.

FERC-606 and FERC-607 are regulatory filing requirements implementing a statutory provision as stated above in Questions 1 and 2. The information requirement is imposed on federal agencies, or state agencies or officers acting pursuant to delegated federal authority, responsible for a federal authorization (e.g. issuing, conditioning, or denying requests) necessary for a proposed natural gas project. The information is already readily available to the federal and state respondents.

6. CONSEQUENCE TO FEDERAL PROGRAM IF COLLECTION WERE CONDUCTED LESS FREQUENTLY

The information collection cannot be discontinued or collected less frequently because of statutory requirements. The consequences of not collecting this information are that the Commission would be unable to fulfill its statutory mandate under the EPAAct 2005 to:

- Establish a schedule for agencies to review requests for federal authorizations required for a project, and
- Compile a record of each agency's decision, together with the record of the Commission's decision, to serve as a consolidated record for the purpose of appeal or review, including judicial review.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES RELATING TO THE INFORMATION COLLECTION

There are no special circumstances.

8. DESCRIBE EFFORTS TO CONSULT OUTSIDE THE AGENCY: SUMMARIZE PUBLIC COMMENTS AND THE AGENCY'S RESPONSE

In accordance with OMB requirements, the Commission published a 60-day notice³ in Docket IC16-3. The Commission received no comments from the 60-day notice. The 30-day notice is also being published in the FR for public comment.

³ 80 FR 74101, 11/27/2015. The 60-day notice is also posted at <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14051110>.

9. EXPLAIN ANY PAYMENT OR GIFTS TO RESPONDENTS

There are no payments or gifts to FERC-606 and FERC-607 respondents.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS

The Commission does not consider the information collected in FERC-606 or the FERC-607 filings to be confidential. However, the filer may request privileged treatment of a filing that may contain information harmful to the competitive posture of the applicant if released to the general public.⁴

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDES, RELIGIOUS BELIEFS, AND OTHER MATTERS THAT ARE COMMONLY CONSIDERED PRIVATE

The collections do not contain any questions of a sensitive nature.

12. ESTIMATED BURDEN OF COLLECTION OF INFORMATION

The Commission estimates the annual public reporting burden and cost⁵ (rounded).

FERC-606 (Notification of Request for Federal Authorization and Requests for Further Information), and FERC-607 (Report on Decision or Action on Request for Federal Authorization)						
	Number of Respondents (1)	Annual Number of Responses per Respondent (2)	Total Number of Responses (1)*(2)=(3)	Average Burden Hours & Cost Per Response (4)	Total Annual Burden Hours & Total Annual Cost (3)*(4)=(5)	Cost per Respondent (\$) (5)÷(1)
FERC-606	6	1	6	4 hrs; \$288	24 hrs; \$1,728	\$288
FERC-607	1	1	1	1 hr.; \$72	1 hr.; \$72	\$72
TOTAL	7				25 hrs; \$1,800	

13. ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS

⁴ 18 CFR 388.112

⁵ The cost is based on FERC's average cost (salary plus benefits) of \$72/hour for 2015. The Commission staff believes that the level, skill set (as a reporting agency official, e.g., Environmental Program Manager or Reviewer) and hourly cost are comparable to the FERC staff.

FERC-606 and FERC-607
 OMB Control No. 1902-0241
 (updated 5/24/2016)

Commission staff conducted analyses of past filings and has concluded that there are no capital costs associated with either the FERC-606 or the FERC-607. Additionally, there is no operation, maintenance, or purchase of services cost associated with either collection.

Total Capital and Start-up Cost	\$0
Total Operation, Maintenance, and Purchase of Services	\$0

14. ESTIMATED ANNUALIZED COST TO FEDERAL GOVERNMENT

	Number of FERC Work Hours	Estimated Annual Federal Cost
Analysis and Processing of FERC-606 and FERC-607 filings ⁶	28	\$2,016
PRA ⁷ Administrative Cost ⁸		\$5,193
FERC Total		\$7,209

The Commission bases its estimate of the “Analysis and Processing of filings” cost to the FERC on salaries and benefits for professional and clerical support. This estimated cost represents staff analysis, decision-making, and review of any actual filings submitted in response to the information collection. [Note that the time and associated burden and cost of preparing and submitting the filings to FERC (all done by respondents who are non-FERC agencies) are discussed in Questions 12 and 15.]

15. REASONS FOR CHANGES IN BURDEN INCLUDING THE NEED FOR ANY INCREASE

The change in burden is not due to any change in recordkeeping or reporting requirements. These changed estimates are due to better information on the federal agencies and state agencies with federal authorizations to whom these requirements apply. FERC staff continues to outreach to these specific agencies and alerts them of their requirements in project-specific interagency meetings and in the Notice of Schedule for Environmental Review issued for each project.

⁶ The federal cost of analysis and processing of filings is based upon FERC’s 2015 FTE (full time equivalent) average salary plus benefits of \$149,489 (or \$72 per hour).

⁷ Paperwork Reduction Act of 1995 (PRA)

⁸ The PRA Administrative Cost is a Federal Cost associated with preparing, issuing, and submitting materials necessary to comply with the Paperwork Reduction Act (PRA) for rulemakings, orders, or any other vehicle used to create, modify, extend, or discontinue an information collection. This average annual cost includes requests for extensions, all associated rulemakings, and other changes to the collection.

FERC-606 & FERC-607	Total Request	Previously Approved	Change due to Adjustment in Estimate	Change Due to Agency Discretion
Annual Number of Responses	7	2	+5 ⁹	0
Annual Time Burden (Hrs.)	25	10	+15	0
Annual Cost Burden (\$)	\$0	\$0	\$0	\$0

16. TIME SCHEDULE FOR PUBLICATION OF DATA

There are no publication plans. The Commission uses the data for regulatory purposes only.

17. DISPLAY OF EXPIRATION DATE

The clearance information and expiration dates are available at <http://www.ferc.gov/docs-filing/info-collections.asp>.

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT

There are no exceptions.

⁹ We estimate an additional 5 FERC-606 responses.