

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

[Docket No. IC18-13-000]

COMMISSION INFORMATION COLLECTION ACTIVITIES (FERC-537);  
COMMENT REQUEST

(August 14, 2018)

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Comment request.

**SUMMARY:** In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is submitting its information collection FERC-537 (Gas Pipeline Certificates: Construction, Acquisition, and Abandonment) to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission previously issued a Notice in the *Federal Register* on May 21, 2018, requesting public comments. The Commission received two comments on the FERC-537 and is making this notation in its submittal to OMB.

**DATES:** Comments on the collection of information are due by **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Comments filed with OMB, identified by the OMB Control No. 1902-0060, should be sent via email to the Office of Information and Regulatory Affairs:

[oir\\_submission@omb.gov](mailto:oir_submission@omb.gov). Attention: Federal Energy Regulatory Commission Desk Officer. The Desk Officer may also be reached via telephone at 202-395-8528.

A copy of the comments should also be sent to the Commission, in Docket No. IC18-13-000, by either of the following methods:

- eFiling at Commission's Web Site: <http://www.ferc.gov/docs-filing/efiling.asp>.
- Mail/Hand Delivery/Courier: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE, Washington, DC 20426.

*Instructions:* All submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov/help/submission-guide.asp>. For user assistance contact FERC Online Support by e-mail at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or by phone at: (866) 208-3676 (toll-free), or (202) 502-8659 for TTY.

*Docket:* Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at

<http://www.ferc.gov/docs-filing/docs-filing.asp>.

**FOR FURTHER INFORMATION:** Ellen Brown may be reached by e-mail at [DataClearance@FERC.gov](mailto:DataClearance@FERC.gov), by telephone at (202) 502-8663, and by fax at (202) 273-0873.

**SUPPLEMENTARY INFORMATION:**

*Title:* FERC-537 (Gas Pipeline Certificates: Construction, Acquisition, and Abandonment)

*OMB Control No.:* 1902-0060

*Type of Request:* Three-year extension of the FERC-537 information collection requirements with no changes to the reporting requirements.

*Abstract:* The FERC-537 information collection requires natural gas companies to file the necessary information with FERC in order for the Commission to determine if the requested certificate should be authorized. Certain self-implementing construction and abandonment programs do not require the filing of applications. However, those types of programs do require the filing of annual reports, so many less significant actions can be reported in a single filing/response and less detail would be required.

The data required to be submitted in a normal certificate filing consists of identification of the company and responsible officials, factors considered in the location of the facilities and the impact on the area for environmental considerations. Also to be submitted are the following, as applicable to the specific request:

- Flow diagrams showing the design capacity for engineering design verification and safety determination;
- Cost of proposed facilities, plans for financing, and estimated revenues and expenses related to the proposed facility for accounting and financial evaluation.
- Existing and proposed storage capacity and pressures and reservoir engineering studies for requests to increase storage capacity;
- An affidavit showing the consent of existing customers for abandonment of service requests.

Additionally, requests for an increase of pipeline capacity must include a statement that demonstrates compliance with the Commission's Certificate Policy

Statement by making a showing that the cost of the expansion will not be subsidized by existing customers and that there will not be adverse economic impacts to existing customers, competing pipelines or their customers, nor to landowners and to surrounding communities.

*Type of Respondents:* Natural gas companies.

*Responses to public comments:*

To the comment received from Ms. Joanne Collins on 5/30/2018, FERC responds:

“Commenter points out that the collection of data and information from applicants requesting authorization to construct and operate natural gas pipelines can create a secondary burden on the general citizenry to learn about the Commission’s rules and process; and further to perhaps take costly and time consuming efforts to participate in the Commission’s proceedings. The Paperwork Reduction Act of 1995 was not intended to measure this type of secondary burden; only the primary burden on those applicant entities to collect and compile the information necessary for the Government to make an informed decision and take appropriate action. The Commission has multiple ways, times, and methods for the general citizenry to appropriately input their views on the Commission’s rules and process, or its individual proceedings.”

To the comment received from Ms. Laurie Lubsen on 6/4/2018, FERC responds:

“Commenter concurs in the collection of information necessary for the Commission to make an informed decision and take appropriate action is

appropriate, but does not want less information that is needed to not be collected solely because it is a burden on those seeking authorizations. We confirm that all the information required by FERC-537 continues to be necessary and that no data collections have been revised in this current review on FERC-537. Commenter notes that automated ways to collect information, such as eFiling are good, as long as they are not ultimately required of all filers.”

*Estimate of Annual Burden<sup>1</sup>*: The Commission estimates the annual public reporting burden for the information collection as:

<b>FERC-537 (Gas Pipeline Certificates: Construction, Acquisition, and Abandonment)</b>						
	<b>Number of Respondents (1)</b>	<b>Annual Number of Responses per Respondent (2)</b>	<b>Total Number of Responses (1)*(2)=(3)</b>	<b>Average Burden &amp; Cost Per Response<sup>2</sup> (4)</b>	<b>Total Annual Burden Hours &amp; Total Annual Cost (3)*(4)=(5)</b>	<b>Cost per Respondent (\$) (5)÷(1)<sup>3</sup></b>
18 CFR 157.5-.11 (Interstate Certificate and Abandonment Applications)	52	1.19	62	500 hrs.; \$39,500	31,000 \$2,449,000	\$47,096
18 CFR 157.53 (Pipeline Purging/Testing Exemptions)	1	1	1	50 hrs.; \$3,950	50 hrs.; \$3,950	\$3,950

<sup>1</sup> Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. Refer to 5 CFR 1320.3 for additional information.

<sup>2</sup> The estimates for cost per response are derived using the following formula: Average Burden Hours per Response \* \$79.00/hour = Average cost/response. The figure is the 2018 FERC average hourly cost (for wages and benefits) of \$79.00 (and an average annual salary of \$164,820/year). Commission staff is using the FERC average salary because we consider any reporting requirements completed in response to the FERC-537 to be compensated at rates similar to the work of FERC employees.

<sup>3</sup> Each of the figures in this column are rounded to the nearest dollar.

18 CFR 157.201-.209; 157.211; 157.214-.218 (Blanket Certificates Prior to Notice Filings)	21	1.86	39	200 hrs; \$15,800	7,800 hrs.; \$616,200	\$29,343
18 CFR 157.201-.209; 157.211; 157.214-.218 (Blanket Certificates – Annual Reports)	129	1.05 <sup>4</sup>	135	50 hrs.; \$3,950	6,750 hrs.; \$533,250	\$4,134
18 CFR 284.11 (NGPA Section 311 Construction – Annual Reports)	83	1.01 <sup>5</sup>	84	50 hrs.; \$3,950	4,200 hrs.; \$331,800	\$3,998
18 CFR 284.8	178	0	0	N/A	N/A	N/A
18 CFR 284.13(e) and 284.126(a) (Interstate and Intrastate Bypass Notice)	2	1	2	30 hrs.; \$2,370	60 hrs.; \$4,740	\$2,370
18 CFR 284.221 (Blanket Certificates) <sup>6</sup>	5	1.4 <sup>7</sup>	7	100 hrs.; \$7,900	700 hrs.; \$55,300	\$11,060
18 CFR 224 (Hinshaw Blanket Certificates)	2	1	2	75 hrs.; \$5,925	150 hrs.; \$11,850	\$5,925
18 CFR 157.5-.11; 157.13-.20 (Non- facility Certificate or Abandonment Applications)	3	1	3	75 hrs.; \$5,925	225 hrs.; \$17,775	\$5,925
<b>TOTAL</b>			<b>335<sup>8</sup></b>		<b>50,935 hrs.; \$4,023,865</b>	

<sup>4</sup> This figure was derived from 135 responses ÷ 129 respondents = 1.046 or ~1.05 responses/respondent.

<sup>5</sup> This figure was derived from 84 responses ÷ 83 respondents = 1.012 or ~1.01 responses/respondent.

<sup>6</sup> One-time filings, new tariff and rate design proposal, or request for exemptions.

<sup>7</sup> This figure was derived from 7 responses ÷ 5 respondents = 1.4 responses/respondent.

<sup>8</sup> The 335 responses are derived from 214 individual respondents.

*Comments:* Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Kimberly D. Bose,  
Secretary.