

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D. C. 20426

OFFICE OF THE GENERAL COUNSEL

December 12, 2019

Dominic Mancini  
Acting Administrator  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
725 17th Street NW  
Washington, D.C. 20503

Re: Emergency Extension of the FERC-574 Information Collection

Dear Mr. Mancini,

Under the Paperwork Reduction Act (PRA) and OMB's implementing regulations at 5 CFR 1320.13, the Federal Energy Regulatory Commission (Commission or FERC) is requesting a three-month extension for FERC-574 (Gas Pipeline Certificates: Hinshaw Exemption, OMB Control No. 1902- 0116). The OMB expiration date is December 31, 2019; we are requesting an extension to March 31, 2020. FERC is requesting that OMB issue its decision on this extension request by December 20, 2019.

FERC-574 includes the filing requirements under 18 CFR Part 152 and Sections 1(c), 4, and 7 of the Natural Gas Act (NGA). The NGA authorizes the Commission to accept applications for exemption from natural gas pipeline companies. Natural gas pipeline companies file applications with the Commission furnishing information in order to facilitate a determination of an applicant's qualification for an exemption under the provisions of NGA Section 1(c). If the Commission grants an exemption, the natural gas pipeline company is not required to file certificate applications, rate schedules, or any other applications or forms prescribed by the Commission. The exemption applies to companies engaged in the transportation, sale, or resale of natural gas in interstate commerce if: (a) they receive gas at or within the boundaries of the state from another person at or within the boundaries of that state; (b) such gas is ultimately consumed in such state; (c) the rates, service and facilities of such company are subject to regulation by a State Commission; and (d) such State Commission is exercising that jurisdiction. 18 CFR Part 152 specifies the data required to be filed by pipeline companies for an exemption.

Continuation of the FERC-574 is essential to the mission of the Commission. Without this information, public harm is reasonably likely to result to applicants. The public harm would be the unnecessary burden hours and cost imposed on applicants who would have been exempted if they were able to file FERC-574. We are requesting this emergency extension to ensure the critical information collection requirements in FERC-574 remain valid during completion of the normal PRA renewal process that cannot be completed before the current OMB expiration date of December 31, 2019.

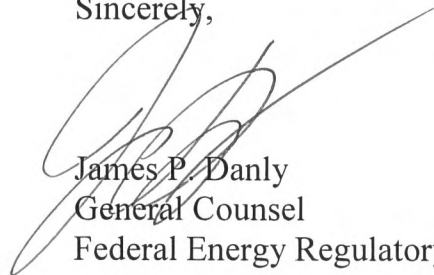
The Commission has taken steps to consult with agencies and members of the public by publishing a 60-day PRA Notice in Docket No. IC20-3-000 (84 FR 65148, November 26, 2019). This notice solicits public comments on the FERC-574 which are due January 27, 2020.

Sections 1(c), 4, and 7 of the Natural Gas Act (NGA) mandate the Commission issue exemption for natural gas facilities. The Commission requires the FERC-574 information for statutory purposes.

The enclosure provides additional background on the Commission's responsibilities and the FERC-574.

Please have your staff contact Ellen Brown (202-502-8663) or Jolinda Murray (202-502-8342) if they need additional information.

Sincerely,



James P. Danly  
General Counsel  
Federal Energy Regulatory Commission

cc: Elke Hodson Marten, OMB  
Sofie Miller, OMB  
Christina Handley, FERC CIO

Enclosure

## **Background on the Commission's Responsibilities and FERC-574**

18 CFR Part 152 and Sections 1(c), 4, and 7 of the Natural Gas Act (NGA) authorize the Commission to accept and review applications for exemptions. Natural gas pipeline companies file applications with the Commission furnishing information in order to facilitate a determination of an applicant's qualification for an exemption under the provisions of NGA Section 1(c).

### **FERC-574**

The Commission uses the information collected under FERC-574 to implement the statutory provisions of Sections 1(c), 4, and 7 of the Natural Gas Act (NGA). Natural gas pipeline companies file applications with the Commission furnishing information in order to facilitate a determination of an applicant's qualification for an exemption under the provisions of NGA Section 1(c). If the Commission grants an exemption, the natural gas pipeline company is not required to file certificate applications, rate schedules, or any other applications or forms prescribed by the Commission.

The exemption applies to companies engaged in the transportation, sale, or resale of natural gas in interstate commerce if: (a) they receive gas at or within the boundaries of the state from another person at or within the boundaries of that state; (b) such gas is ultimately consumed in such state; (c) the rates, service and facilities of such company are subject to regulation by a State Commission; and (d) such State Commission is exercising that jurisdiction. 18 CFR Part 152 specifies the data required to be filed (FERC-574) by pipeline companies for an exemption.

Continuation of the FERC-574 reporting requirements is critical to the mission of the Commission. Without the FERC-574 application and requested exemption, the filers would be harmed and subject to the unnecessary burden hours and cost related to filing certificate applications, rate schedules, and other applications or forms. We are requesting this emergency extension (to March 31, 2020) to avoid public harm and to ensure the critical reporting requirements in FERC-574 remain valid until completion of the normal PRA renewal process.