

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D. C. 20426

OFFICE OF THE GENERAL COUNSEL

January 28, 2020

Paul Ray
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-923 Information Collection

Dear Mr. Ray:

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 (until April 30, 2020) for FERC-923 (Communication of Operational Information between Natural Gas Pipelines and Electric Transmission Operators, OMB Control Number 1902-0265).

FERC-923 was established to satisfy an OMB requirement associated with FERC's Order No. 787. That order, which was issued in 2013, provides for the voluntary sharing of non-public, operational information between interstate natural gas pipelines and public utilities that own, operate, or control facilities used for the transmission of electric energy in interstate commerce. FERC regulates both categories of these entities.

This information collection does not involve submission of information to FERC. Rather, interstate natural gas pipeline companies and public utilities voluntarily share non-public, operational information with each other. FERC's role is the removal of actual or perceived prohibitions on such sharing in order to promote the reliability of natural gas pipeline and public utility transmission services.

The Commission has a pending Docket No. IC20-5-000 which solicits public comments on the three-year PRA renewal request for the FERC-923 information collection. The first PRA notice was published in the Federal Register on December 30, 2019 (84 FR 71912) with comments due February 28, 2020 (after the expiration date of January 31, 2020). FERC staff plans to review and respond to public comments, issue the subsequent PRA notice, and submit the three-year PRA approval request to OMB as soon as possible this year.

Pursuant to 5 CFR 1320.13(a)(2)(i), the Commission seeks to prevent the potential public harm that may result from the expiration of FERC-923 and the cessation of voluntary information-sharing between natural gas pipeline companies and public utilities that are regulated by FERC.

The enclosure provides additional background on the Commission's relevant authority generally, and on FERC-923 specifically.

Please have your staff contact Jean Sonneman (202-502-6362) or Ellen Brown (202-502-8663) if they need additional information.

Sincerely,



James P. Danly
General Counsel
Federal Energy Regulatory Commission

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

Enclosure

Background on the Commission's Authority and FERC-923

In Order No. 787,¹ FERC promulgated regulations at 18 CFR 38.2 and 284.12(b)(4) to enable interstate natural gas pipelines and public utilities to share non-public, operational information with each other. The purpose of such sharing is to promote the reliability and integrity of their systems. The communications and information sharing described in 18 CFR 38.2 and 284.12(b)(4) are voluntary, take place between industry entities, and do not involve submission of information to FERC.

FERC was prompted to issue Order No. 787 by the increased reliance on natural gas as a fuel for electric generation. The resulting interconnection between natural gas pipelines and electric transmission operators has increased the need for robust communication between these industry sectors to ensure that both systems operate safely and effectively for the benefit of their customers. Order No. 787 removed actual or perceived prohibitions on such communication.

FERC-923

FERC-923 is an existing data collection under OMB Control Number 1902-0265 (expiration date: January 31, 2020), which was established to satisfy an OMB requirement associated with regulations at 18 CFR 38.2 and 284.12(b)(4). These regulations provide explicit authority for pipelines and public utilities to communicate voluntarily to promote reliability of natural gas pipeline and public utility transmission services. This important function may be jeopardized by the expiration of the OMB control number without an emergency extension.

The Commission, under pending Docket No. IC20-5-000, has initiated a request to renew OMB Control Number 1902-0265 by publishing a Federal Register notice on December 30, 2019 (84 FR 71912). Public comments are due February 28, 2020 (after the expiration date of January 31, 2020). FERC staff plans to review and respond to public comments, issue the subsequent PRA notice, and submit the three-year request to OMB as soon as possible this year.

Pursuant to 5 CFR 1320.13(a)(2)(i), the Commission seeks to prevent the public harm that may result from the expiration of FERC-923, and the cessation of voluntary information-sharing between natural gas pipelines and electric transmission lines that are regulated by FERC. If the requested emergency extension until April 30, 2020 is granted, the information-sharing authorized by OMB Control Number 1902-0265 will be able to continue in the interest of promoting reliability of service during completion of the normal PRA renewal process.

¹ Communication of Operational Information Between Natural Gas Pipelines and Electric Transmission Operators, Final Rule, 78 FR 70164 (Nov. 22, 2013), 145 FERC ¶ 61,134, Docket No. RM13-17-000.