

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

[Docket No. IC22-4-000]

COMMISSION INFORMATION COLLECTION ACTIVITIES
(FERC Form Nos. 6, 6T, 6-Q, and 6-QT);
COMMENT REQUEST; EXTENSION

(November 18, 2021)

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collections and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995 (PRA), the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collections, FERC Form Nos. 6 and 6T (Annual Report of Oil Pipeline Companies) and 6-Q and 6-QT (Quarterly Report of Oil Pipeline Companies).

DATES: Comments on the collections of information are due [**Insert Date 60 days after date of publication in the Federal Register**].

ADDRESSES: You may submit comments (identified by Docket No. IC22-4-000 and the form) by either of the following methods:

- **Electronic Filing:** Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.
- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery:

- o Mail via U.S. Postal Service Only, Addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, N.E., Washington, DC 20426.
- o Hand (including courier) delivery to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov>. For user assistance, contact FERC Online Support by e-mail at ferconlinesupport@ferc.gov, or by phone at (866) 208-3676 (toll-free).

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>.

FOR FURTHER INFORMATION: Ellen Brown may be reached by e-mail at DataClearance@FERC.gov, and telephone at (202) 502-8663.

SUPPLEMENTARY INFORMATION:¹

Titles: FERC Form Nos. 6 and 6T (Annual Report of Oil Pipeline Companies), 6-Q and 6-QT (Quarterly Report of Oil Pipeline Companies).

¹ Due to expiration dates in 2019 for many of the Commission's financial forms, the renewal work for several of the forms was in process or pending at OMB during the 2019 Forms Refresh rulemaking effort in Docket No. RM19-12-000. The simultaneous OMB processes required the assignment of alternate temporary information collection numbers ("T") at the NOPR and/or final rule stages. Accordingly, FERC Form Nos. 6T and 6-QT represent the additional burden associated with final rule in RM19-12-000. *Revisions to the Filing Process for Comm'n Forms*, Order No. 859, 167 FERC ¶ 61,241 (2019).

OMB Control Nos.: 1902-0022 (FERC Form No. 6), 1902-0206 (FERC Form No. 6-Q), 1902-0314 (FERC Form No. 6T), and 1902-0310 (FERC Form No. 6-QT).

Type of Respondent: Oil pipelines.

Type of Request: Three-year extensions of FERC Form Nos. 6, 6T, 6-Q, and 6-QT information collections with no changes to the current reporting and recordkeeping requirements.²

Abstract: Under the Interstate Commerce Act (ICA),³ the Commission is authorized and empowered to make investigations and to collect and record data to the extent the Commission may consider to be necessary or useful for the purpose of carrying out the provisions of the ICA. The Commission must ensure just and reasonable rates for transportation of crude oil and petroleum products by pipelines in interstate commerce.

FERC Form No. 6, Annual Report of Oil Pipeline Companies

In 1977, the Department of Energy Organization Act transferred to the Commission from the Interstate Commerce Commission (ICC) the responsibility to regulate oil pipeline companies. In accordance with the transfer of authority, the Commission was delegated the responsibility to require oil pipelines to file annual reports

² For purposes of this notice, unless otherwise stated, FERC Form Nos. 6 and 6T are collectively referred to as “FERC Form No. 6” and FERC Form Nos. 6Q and 6-QT are collectively referred to as “FERC Form No. 6Q.” Because this renewal will incorporate the requirements and burden represented by the 6T and 6-QT into FERC Form Nos. 6 and 6Q, respectively, it is anticipated that the Commission will eventually seek to retire the 6T and 6-QT as duplicative.

³ 49 USC Part 1, Section 20, 54 Stat. 916

of information necessary for the Commission to exercise its statutory responsibilities.⁴

The transfer included the ICC Form P, the predecessor to FERC Form No. 6.⁵

To reduce burden on industry, FERC Form No. 6 has three tiers of reporting requirements:

1. Each oil pipeline carrier whose annual jurisdictional operating revenues has been \$500,000 or more for each of the three previous calendar years must file FERC Form No. 6 (18 CFR 357.2 (a)). Oil pipeline companies subject to the provisions of section 20 of the ICA must submit FERC Form No. 6-Q. (18 CFR 357.4(b)). Newly established entities must use projected data to determine whether FERC Form No. 6 must be filed.
2. Oil pipeline carriers exempt from filing FERC Form No. 6 whose annual jurisdictional operating revenues have been more than \$350,000 but less than \$500,000 for each of the three previous calendar years must prepare and file page 301, "Operating Revenue Accounts (Account 600)," and page 700, "Annual cost of Service Based Analysis Schedule," of FERC Form No. 6. When submitting

⁴ Section 402(b) of the Department of Energy Organization Act (DOE Act), 42 U.S.C. 7172 provides that; "[t]here are hereby transferred to, and vested in, the Commission all functions and authority of the Interstate Commerce Commission or any officer or component of such Commission where the regulatory function establishes rates or charges for the transportation of oil by pipeline or established the valuation of any such pipeline."

⁵ The ICC developed the Form P to collect information on an annual basis to enable it to carry out its regulation of oil pipeline companies under the Interstate Commerce Act. A comprehensive review of the reporting requirements for oil pipeline companies was performed on September 21, 1982, when the Commission issued Order 260 revising the former ICC Form P, "Annual Report of Carriers by Pipeline" and redesignating it as FERC Form No. 6, "Annual Report of Oil Pipeline Companies".

pages 301 and 700, each exempt oil pipeline carrier must include page 1 of FERC Form No. 6, the Identification and Attestation schedule (18 CFR 357.2 (a)(2)).

3. Oil pipeline carriers exempt from filing FERC Form No. 6 and pages 301 and whose annual jurisdictional operating revenues were \$350,000 or less for each of the three previous calendar years must prepare and file page 700, “Annual Cost of Service Based Analysis Schedule,” of FERC Form No. 6. When submitting page 700, each exempt oil pipeline carrier must include page 1 of FERC Form No. 6, the Identification and Attestation schedule (18 CFR 357.2 (a)(3)).

The Commission uses the data in FERC Form Nos. 6 and 6-Q to perform audits and reviews on the financial condition of oil pipelines; assess energy markets; conduct oil pipeline rate proceedings and economic analysis; conduct research for use in administrative litigation; and administer the requirements of the ICA. Data from FERC Form No. 6 facilitates the calculation of the actual rate of return on equity for oil pipelines. The actual rate of return on equity is particularly useful information when evaluating a pipeline’s rates.

The Commission also uses data on Page 301 of FERC Form No. 6 to compute annual charges which are then assessed against oil pipeline companies to recover the Commission's annual costs as mandated by Order No. 472. The annual charges are required by Section 3401 of the Omnibus Budget Reconciliation Act of 1986.

Furthermore, the majority of state regulatory commissions use FERC Form Nos. 6 and 6-Q and the Commission’s Uniform System of Accounts (USofA) to satisfy their reporting requirements for those companies under their jurisdiction. In addition, the

public uses the data in FERC Form Nos. 6 and 6-Q to assist in monitoring rates, the financial condition of the oil pipeline industry, and in assessing energy markets.

FERC Form No. 6-Q, Quarterly Financial Report of Oil Pipeline Companies

The Commission uses the information collected in FERC Form No. 6-Q to carry out its responsibilities in implementing the statutory provisions of the ICA to include the authority to prescribe rules and regulations concerning accounts, records, and memoranda, as necessary or appropriate. Financial accounting and reporting provides necessary information concerning a company's past performance and its future prospects. Without reliable financial statements prepared in accordance with the Commission's USofA and related regulations, it would be difficult for the Commission to accurately determine the costs that relate to a particular time period, service, or line of business.

The Commission uses data from FERC Form No. 6-Q to assist in: (1) implementation of its financial audits and programs; (2) continuous review of the financial condition of regulated companies; (3) assessment of energy markets; and (4) rate proceedings and economic analyses.

Financial information reported on the quarterly FERC Form No. 6-Q provides the Commission, as well as customers, investors and others, an important tool to help identify emerging trends and issues affecting jurisdictional entities within the energy industry. It also provides timely disclosures of the impacts that new accounting standards, or changes in existing standards, have on jurisdictional entities, as well as the economic effects of significant transactions, events, and circumstances. The reporting of this information by

jurisdictional entities assists the Commission in its analysis of profitability, efficiency, risk, and in its overall monitoring.

XBRL, Order No. 859 and FERC Form Nos. 6 and 6-Q

Previously, FERC Form Nos. 6 and 6-Q filers would transmit the information in the forms to the Commission using a software application called Visual FoxPro (VFP). This application is no longer supported by its developer, Microsoft Corporation. As a result, in April 2015, the Commission issued an order announcing its intention to replace the VFP filing format for certain Commission forms (including FERC Form Nos. 6 and 6-Q) with an eXtensible Markup Language (XML)-based filing format. On June 20, 2019, the Commission issued Order No. 859, which adopted XBRL as the standard for filing FERC Form Nos. 6 and 6-Q and certain other Commission forms.⁶

FERC Form Nos. 6 and 6-Q

Estimates of Annual Burden⁷ and Cost⁸:

⁶ Revisions to the Filing Process for Comm'n Forms, Order No. 859, 167 FERC ¶ 61,241 (2019).

⁷ "Burden" is the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to Title 5 Code of Federal Regulations 1320.3. The burden hours and costs are rounded for ease of presentation.

⁸ The cost is based on FERC's 2021 Commission-wide average salary cost (salary plus benefits) of \$87.00/hour. The Commission staff believes the FERC FTE (full-time equivalent) average cost for wages plus benefits is representative of the corresponding cost for the industry respondents.

Form 6 (1902-0022) and Form 6-T (1902-0314)						
Requirements	Number of Respondents	Average Annual Number of Responses per Respondent	Total Number of Responses	Average Annual Burden Hrs. & Cost Per Response	Total Average Annual Burden Hours & Total Annual Cost	Cost per Respondent (\$)
	1	2	(1)*(2)=(3)	4	(3)*(4)=(5)	(5)÷(1)
Form 6	262	1	262	161 \$14,007	42,182 \$3,669,834	\$14,007
Form 6-T	262	1	262	14 \$1,218	3,668 \$319,116	\$1,218
Total			262		45,850 \$3,988,950 \$15,225	Hours Total Burden Respondent Burden

Form 6Q (1902-0206) and Form 6-QT (1902-0310)						
Requirements	Number of Respondents	Average Annual Number of Responses per Respondent	Total Number of Responses	Average Annual Burden Hrs. & Cost Per Response	Total Average Annual Burden Hours & Total Annual Cost	Cost per Respondent (\$)
	1	2	(1)*(2)=(3)	4	(3)*(4)=(5)	(5)÷(1)
Form 6-Q	262	3	786	150 \$13,050	117,900 \$10,257,300	\$39,150
Form 6-QT	0	0	0	0 \$0	0 \$0	\$0
Total			786		117,900 \$10,257,300 \$39,150	Hours Total Burden Respondent Burden

The quarterly filings are generally a subset of the annual filings. For this reason, the XBRL burden (“6-QT”) hours are “0” because the burden associated with the 6-QT is already incorporated into other burden numbers for FERC Form No. 6.

Comments: Comments are invited on: (1) whether the collections of information are 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 estimates of the burden and cost of the collections of information, including the validity

of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information collections; and (4) ways to minimize the burden of the collections 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.