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## Title 18 - Conservation of Power and Water Resources

### Chapter I - Federal Energy Regulatory Commission, Department of Energy

#### Subchapter G - Approved Forms, Natural Gas Act

#### Part 250 - Forms

#### § 250.16 Format of compliance plan for transportation services and affiliate transactions.

- (a) **Who must comply.** An interstate natural gas pipeline that transports natural gas for others pursuant to Subparts B or G of Part 284 of this chapter and is affiliated, as that term is defined in § 358.3 of this chapter, in any way with a natural gas marketing or brokering entity and conducts transportation transactions with its marketing or brokering affiliate must comply with the requirements of this section. The requirements of this section also apply to pipeline sales operating units to the extent provided in § 284.286 of this chapter.
- (b) **Tariff requirements.** An interstate pipeline must maintain tariff provisions containing the following:
- (1) The procedures used to address and resolve complaints by shippers and potential shippers including a provision that the pipeline will respond within 48 hours and in writing within 30 days to such complaints.
  - (2) [Reserved]
- (c) **Log of data used to allocate capacity.**
- (1) An interstate pipeline that relies upon contract information or other data to allocate capacity must maintain a log showing, for each transportation contract (both for marketing affiliates and non-affiliates) on its system: the shipper's name (including a designation whether the shipper is a local distribution company, an interstate pipeline, an intrastate pipeline, an end-user, a producer, a marketer, or a pipeline sales operating unit); the shipper's affiliation with the pipeline; the contract number; and the applicable dates or other information used to allocate capacity under its tariff. The log data relating to each contract must be maintained as long as the contract is used to allocate capacity and for three years after the contract data is no longer used for capacity allocation.
  - (2) The current log of allocation data for marketing affiliates must be posted on the pipeline's Internet Web site, operated pursuant to § 284.12 of this chapter. The posting must conform with the requirements of § 284.12 of this chapter and the pipeline's tariff requirements relating to Internet Web sites. Access to the information must be provided using the same protocols and procedures used for the pipeline's Internet Web site.
  - (3) The log of affiliate and non-affiliate information must be provided to the Commission upon request and must be made available to the public under Subpart D of Part 385 of this chapter. When requested by the Commission, the information must be provided, within a reasonable time, according to the specifications and format contained in Form No. 592, which can be obtained at the Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, Washington, DC 20426.
- (d) **Transportation Discount Information.**
- (1) A pipeline that provides transportation service at a discounted rate must maintain, for each billing period, the following information: the name of the shipper being provided the discount; the affiliate's role in the transportation transaction (i.e., shipper, marketer, supplier, seller); the duration of the discount; the maximum rate or fee; the rate or fee actually charged during the billing period; and the quantity of gas scheduled at the discounted rate during the billing period for each delivery point. The discount information with respect to each transaction must be maintained for three years from the date the transaction commences.
  - (2) The discount information must be made available to the Commission upon request and to the public under Subpart D of Part 385 of this chapter. When requested by the Commission, the information must be provided, within a reasonable time, according to the specifications and format contained in Form No. 592, which can be obtained at the Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, Washington, DC 20426.
- (e) **Penalty for failure to comply.**
- (1) Any person who transports gas for others pursuant to subpart B or G of part 284 of this chapter and who knowingly violates the requirements of §§ 358.4 and 358.5 of this chapter, this section, or § 284.13 of this chapter will be subject, pursuant to sections 311(c), 501, and 504(b)(6) of the Natural Gas Policy Act of 1978, to a civil penalty, which the Commission may assess, of not more than \$1,388,496 for any one violation.
  - (2) For purposes of this paragraph, in the case of a continuing violation, each day of the violation will constitute a separate violation.

[Order 566, 59 FR 32898, June 27, 1994, as amended by Order 566-A, 59 FR 52904, Oct. 20, 1994; Order 581, 60 FR 53071, Oct. 11, 1996; 61 FR 39068, July 26, 1996; Order 637, 65 FR 10220, Feb. 25, 2000; Order 2004, 68 FR 69157, Dec. 11, 2003; Order 826, 81 FR 43940, July 6, 2016; Order 834, 82 FR 8139, Jan. 24, 2017; Order 839, 83 FR 1552, Jan. 12, 2018; Order 853, 84 FR 968, Feb. 1, 2019; Order 865, 85 FR 2018, Jan. 14, 2020; Order 875, 86 FR 8133, Feb. 4, 2021; Order 882, 87 FR 2037, Jan. 13, 2022]