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To: DataClearance
Subject: [External] Docket No. (IC26-7-000) and the FERC Information Collection number (FERC-577)

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Docket No.: IC26-7-000 | FERC-577

Re: Comments on FERC-577 Renewal

These comments are submitted under the Paperwork Reduction Act of 1995, 44 U.S.C. sections 3501-3521. The Commission's notice does not satisfy the standard for renewal approval under 5 CFR 1320.8(b).

I. LANDOWNER NOTIFICATIONS HAVE NOT BEEN SHOWN TO CONSTITUTE AN INFORMATION COLLECTION WITH PRACTICAL UTILITY

FERC-577 includes landowner notification requirements generating 23616 responses annually at approximately \$4.9 million, the largest response-volume component of the collection. The absence of any description of the information collected at this scale is a material omission.

The notice does not provide the showing required to identify: (1) what information, if any, is obtained through the landowner notification process; (2) how it is used in Commission decision-making; or (3) where it appears in the administrative record. Under 44 U.S.C. section 3502(3), an information collection requires the obtaining of information by or for a federal agency. Under 5 CFR 1320.3(l), practical utility requires that the agency actually use what it collects. A notice requirement that does not generate information returned to the agency would not satisfy either standard. The Commission characterizes these requirements only by regulatory citation, 18 CFR 157(d), 157(f), 2.55(a), and 2.55(b), without identifying what is obtained, in what form, or to what decision-relevant end. If the requirements operate as compliance attestations, the Commission must explain how such attestations constitute information with practical utility. If substantive information is obtained by the Commission through this process, the notice must identify it. It does neither. Absent that showing, OMB cannot make the finding required under 44 U.S.C. section 3508 for this component.

II. THE COMMISSION HAS NOT MAPPED INFORMATION CATEGORIES TO DECISION OUTPUTS AS REQUIRED TO DEMONSTRATE NECESSITY

Under 5 CFR 1320.8(b)(1), necessity requires showing how discrete information categories support identifiable decisions. A generalized statutory assertion that information supports NEPA or public interest review is not sufficient. The notice states only that without FERC-577, the Commission could not fulfill responsibilities under the NGA, NEPA, and EPAct 2005. Those statutes establish what the Commission must do; they do not establish that each element of the current collection is necessary to

do it.

FERC-577 bundles three distinct streams: (1) environmental materials under 18 CFR Part 380; (2) landowner notifications under 18 CFR 157(d) and 157(f); and (3) LNG certificate filings. Each is associated with different Commission functions. The notice justifies all three at a single level of abstraction without mapping any category to specific decisions, identifying duplication across NEPA stages, or demonstrating that the collection is calibrated to the decisions it purports to support. The Commission has not shown that each component is necessary, as opposed to merely included. Absent that showing, OMB cannot determine whether the scope of the collection is justified under 5 CFR 1320.8(b)(1).

III. THE BURDEN ESTIMATE IS NOT SUPPORTED BY A DEFENSIBLE METHODOLOGY

Under 5 CFR 1320.8(b)(3), burden estimates must be accurate and based on valid methodology. The notice reports 193.52 hours per response for Gas Pipeline Certificate filings as a single average with no disclosure of sampling method, no variance across project types, and no indication of whether the estimate reflects materially different proceedings, such as categorical exclusions, environmental assessments, and environmental impact statements, or how such variation is incorporated. An estimate without disclosed methodology or distributional assumptions does not provide a basis for verification and does not satisfy 5 CFR 1320.8(b)(3).

The Commission applies a uniform \$103 per hour rate, its internal federal employee average, to all respondents, asserting industry is similarly situated. No basis is provided. Respondents frequently rely on outside counsel and specialized consultants whose cost structures may differ materially. A uniform internal rate applied without demonstrated basis does not support the conclusion that estimated costs reflect actual compliance costs. The notice also provides no disclosure of whether the burden estimate reflects the lifecycle structure of proceedings, including pre-filing, application, supplemental, and post-certification stages, or whether it averages initial and derivative submissions without adjustment. This omission prevents verification of whether the estimate reflects the actual structure of respondent burden. An unchanged estimate, without explanation of underlying assumptions or updated data, does not constitute a demonstrated methodology. Absent that showing, OMB cannot make the accuracy finding required under 44 U.S.C. section 3508.

IV. THE RENEWAL SUBMISSION DOES NOT REFLECT REQUIRED REASSESSMENT

A PRA renewal requires current demonstrations of necessity, practical utility, and burden. The notice does not provide the showing required to demonstrate such reexamination occurred. Burden estimates are unexplained as updated, changes in filing practices or systems are unaddressed, and no modifications reflecting accumulated experience are identified. The notice provides no basis to conclude these issues have been previously examined or resolved. As set out above: (1) the record does not demonstrate the landowner notification component constitutes an information collection with practical utility; (2) it does not demonstrate the environmental review components are necessary at the category level; and (3) it does not demonstrate the burden estimate is accurate or based on valid methodology. On this record, OMB cannot make the required approval findings under 44 U.S.C. section 3508.