

**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

Natural Gas Act Pipeline Maps

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Docket No. RM14-21-000

COMMENTS OF THE INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA

The Interstate Natural Gas Association of America (INGAA) submits these comments in response to the Federal Energy Regulatory Commission's (FERC or Commission) Notice of Proposed Rulemaking (NOPR) proposing to amend the filing requirements for natural gas pipeline system map(s).¹ The Commission proposes to eliminate the annual requirement for a pipeline to file its system map(s) electronically as part of its tariff. In its place, the Commission proposes to require a pipeline to maintain its system map(s) on its publicly available website. In addition, the Commission proposes to require a pipeline to revise its system map(s) more frequently, within the calendar quarter of any major system change, rather than by the current April 30 annual deadline.²

INGAA is a trade organization comprised of 25 members, representing the vast majority of the interstate natural gas transmission pipeline companies in the United States and comparable companies in Canada. INGAA's members, which operate approximately 200,000 miles of pipelines, are regulated by the FERC under the Natural Gas Act, 15 U.S.C. §§ 717 *et seq.*

INGAA supports the Commission's proposal that a pipeline maintain its system map(s) on its publicly available website. Further, although INGAA would support the Commission revising 18 C.F.R. § 154.106(c) to require a pipeline to update its system map(s) more frequently than annually, INGAA is concerned that the Commission's proposal to require a pipeline to revise its system map(s) within the calendar quarter could increase a pipeline's compliance risk

¹ *Natural Gas Act Pipeline Maps*, Notice of Proposed Rulemaking, 148 FERC ¶ 61,024 (July 17, 2014), Docket No. RM14-21-000.

² 18 C.F.R. §154.106(c)(2014).

associated with missing this new deadline. Accordingly, in lieu of the Commission's proposed "within the calendar quarter" map update requirement, INGAA proposes that the Commission revise 18 C.F.R. § 154.106(c) to provide that a pipeline revise its system map(s) to reflect any major change "no later than the end of the calendar quarter that immediately follows the calendar quarter in which the major change occurred." This alternative balances the Commission's goal of revising tariff system map(s) more frequently with a pipeline's need to have sufficient time to revise its system map(s) after any major change.

I. INGAA Cannot Support the Commission's Proposal to Revise System Maps within the Calendar Quarter.

Current section 154.106(c) of the Commission's regulations requires a pipeline to file a revised system map(s) to reflect any major change no later than April 30 of the calendar year after the major change. Pipelines have developed compliance programs to ensure that they meet this regulatory filing deadline. The proposal to require a pipeline to update its system map(s) "no later than the end of the calendar quarter of the major change" could create a compliance challenge if the major change occurs at, or near, the end of the calendar quarter. For example, should a pipeline project go into service on March 30, under the Commission's proposal, a pipeline company would need to revise its system map(s) and make it available on its internet website no later than March 31. In this case, a pipeline would need to revise its system map(s) to reflect the major change within the same time period it is working to satisfy the required certificate conditions in the Commission's certificate order and place the project in-service. Placing a major project in-service and ensuring the company is in compliance with the certificate conditions requires an "all hands on deck" approach, employing the coordination of multiple pipeline company departments and personnel in a compressed time period. Given this heightened level of activity, adding a quarterly requirement for a pipeline to revise its system

map(s) potentially only days after the project goes in-service date could stress company resources if a pipeline company must then reserve separate personnel to revise and post the system map(s). Creating the tariff system map(s) requires technical expertise and utilization of specialized software. In addition, personnel must ensure that the system map(s) is accurate and test that the website link to ensure the system map(s) functions correctly. This necessarily takes time.

Accordingly, INGAA is concerned that the Commission's proposal will move the current requirement from an annual deadline that imposes a limited, more manageable burden on a pipeline, to a more burdensome quarterly deadline that could put a pipeline easily in the precarious position of missing the posting deadline and hence putting the pipeline in violation of the regulation. INGAA notes that a pipeline cannot necessarily predict or control when its pipeline will go into service as to avoid the end of the calendar quarter. Pipeline projects go into service based on market demand and shippers' requirements, when FERC issues its certificate order, construction timing, and when FERC issues the order for a pipeline to begin service. Therefore, the proposed requirement that a pipeline revise its system map(s) within the calendar quarter of any major change is too truncated from the current annual requirement, and the timeframe should be extended.

The Commission justifies its proposed new quarterly posting requirement by identifying a number of certificate regulations that require a pipeline to file a map under section 7 of the Natural Gas Act (NGA).³ The Commission implies that a pipeline easily could meet the new expedited requirement to revise and post its system map(s) quarterly because it has already prepared these maps as part of its NGA section 7 application. Yet, the Commission fails to

³ NOPR at n. 12.

recognize that the map(s) a pipeline files as part of a certificate application is not the same map(s) that a pipeline could post as its tariff system map(s). The maps filed with a certificate application are topographical and geographical in nature, and illustrate the specific pipeline or storage facilities the pipeline company is proposing to add, rather than illustrating, in detail, the entire pipeline system (or rate zones) per the requirement of section 154.106(a). For example, certificate maps are designed to enable those who potentially could be impacted by the proposed project (e.g., landowners) to see where they are located in relation to the proposed facility, as well as assist the FERC environmental review process. In addition, the map filed with Exhibit F,⁴ as part of a pipeline certificate application, very often illustrate only discrete portions of a pipeline system at a detailed level in order to provide FERC certificate staff and interested stakeholders with the information necessary to determine the appropriateness of the pipeline's proposal.

By contrast to the maps developed and filed as part of an NGA section 7 process, a pipeline's tariff system map(s) is meant to provide system details that enable shippers to utilize the pipeline system for day-to-day business. It must show "the general geographic location of the company's principal pipeline facilities and of the points at which service is rendered under the tariff. The boundaries of any rate zones or rate areas must be shown and the areas or zones identified. The entire system should be displayed on a single map. In addition, a separate map should be provided for each zone."⁵ Simply put, certificate application maps, per the Commission's requirements, are intended for different circumstances and interests, and therefore require different elements than tariff system map(s). Accordingly, a pipeline must create and

⁴ 18 C.F.R. § 157.14(a)(6)(2014).

⁵ 18 C.F.R. § 154.106(a)(2014).

revise separate system map(s) for compliance with section 154.106 of the Commission's regulations and cannot simply use certificate maps.

a. INGAA proposes alternate regulatory text that meets the Commission's objectives.

In order to avoid the situation where a pipeline would need to post a revised system map(s) during the same time period it is placing a new pipeline into service, INGAA suggests the following revision to proposed 18 C.F.R. § 154.106(c):

The map must be revised to reflect any major change no later than the end of the calendar quarter ~~of the major change that immediately follows the calendar quarter in which the~~ major change occurred.

For example, a pipeline that placed a major project into service on March 30 would have until June 30 to revise its system map(s) accordingly. Similar to the Commission's proposal, this revision would require a pipeline to make up to four updates a year to account for any major changes on its system rather than the current annual filing requirement. INGAA's revision achieves the Commission's goal of increasing the frequency of revising the system map(s), while at the same time recognizing the need to provide a pipeline with sufficient time to develop the revised system map(s), ensure that it is accessible on the pipeline's public internet website after placing a project into service, and meet its compliance deadlines. Moreover, a pipeline would not be in the position of trying to revise and update its system map(s) only days after putting a major project into service. The proposed revision also retains the Commission's proposal that a pipeline revise its system map(s) according to fixed, quarterly compliance deadlines. Accordingly, the Commission should accept INGAA's revised regulatory text.

II. INGAA Requests Clarification that Providing an Internet Website Link to View and Download a Pipeline’s System Map(s) Complies with Proposed Section 154.106(a).

INGAA is unclear whether a pipeline shall be in compliance with proposed section 154.106(a) of the Commission’s regulation if it provides on its publicly available website a uniform resource locator (URL) link to its system map(s) *or* whether the pipeline must post the actual system maps on its publicly available website. Proposed section 154.106(a) states that: “The tariff must state a [URL] on the pipeline’s Internet website, at which the general public may display and download system map(s).”

The NOPR, however, states that natural gas pipelines must “post their system maps” on the Informational Postings portion of their respective websites in accordance with applicable NAESB standards.⁶ The NAESB WGQ Standard No. 4.3.23, which references pipeline tariff maps, requires that a pipeline’s public website must include the category “Tariff/Map,” under Informational Postings. The standard, however, does not specify the content required at this website location. Therefore, INGAA requests clarification that providing a “clickable” URL on a pipeline’s Informational Postings website, under “Tariff/Map,” through which the public can view and download the pipeline’s system map(s), complies with proposed section 154.106(a) of the Commission’s regulations.

CONCLUSION

WHEREFORE, for the above-listed reasons, INGAA respectfully requests that the Commission revise section 154.106(c) of the Commission’s regulations to provide that: “The map must be revised to reflect any major change no later than the end of the calendar quarter that immediately follows the calendar quarter in which the major change occurred.” In addition, INGAA requests clarification, as described above.

⁶ NOPR at P. 5, emphasis added.

Respectfully submitted,

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DATE: September 29, 2014