

file Form No. 6 (i.e., on or before March 31st of each year for the previous calendar year).

#### B. Annual Charges

Annual charges are assessed on all jurisdictional companies who file annual reports with the Commission to assist in defraying the cost of regulation of those companies. For public utilities and natural gas companies, those companies who fall below the reporting thresholds for those industries are not required to file annual reports, and therefore they do not pay annual charges to the Commission. Currently, all oil pipelines reporting jurisdictional operating revenues in Form No. 6 are subject to annual charges.<sup>12</sup> The Commission proposes to provide the same type of relief from annual charges as it provides with respect to other entities it regulates, by exempting from the requirement to pay annual charges those oil pipelines whose annual jurisdictional revenues are at or below the \$100,000 threshold.

Annual charges for oil pipelines are calculated on the basis of jurisdictional operating revenues. If an oil pipeline company has no jurisdictional operating revenues, it pays no annual charge. For the 1993 reporting year, 22 of the 146 oil pipeline companies filing Form No. 6 either had no jurisdictional operating revenues, or their jurisdictional operating revenues were under \$100,000. The remaining 124 oil pipelines with jurisdictional operating revenues over \$100,000 paid annual charges with the smallest annual charge amount being \$132. If the proposed change in filing requirements for Form No. 6 had been in effect for that reporting year, 22 companies would have been exempted from paying annual charges. The total annual charges involved based on 1993 jurisdictional operating revenues would amount to \$77 for those companies, a *de minimis* amount.

Based on the foregoing, the Commission proposes to require annual charges only of those oil pipelines that are required to file Form No. 6. This would be consistent with the treatment accorded public utilities and natural gas companies.

#### IV. Environmental Analysis

The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human

environment.<sup>13</sup> The Commission has categorically excluded certain actions from these requirements as not having a significant effect on the human environment.<sup>14</sup> The action proposed here is procedural in nature and therefore falls within the categorical exclusions provided in the Commission's regulations.<sup>15</sup> Therefore, neither an environmental impact statement nor an environmental assessment is necessary and will not be prepared in this rulemaking.

#### V. Regulatory Flexibility Act Certification

The Regulatory Flexibility Act<sup>16</sup> generally requires the Commission to describe the impact that a proposed rule would have on small entities or to certify that the rule will not have a significant economic impact on a substantial number of small entities. An analysis is not required if a proposed rule will not have such an impact.<sup>17</sup>

Pursuant to section 605(b), the Commission certifies that the proposed rules and amendments, if promulgated, will not have a significant adverse economic impact on a substantial number of small entities. Rather, the proposed rules will relieve small entities of the burden of preparing and filing annual reports and of paying annual charges to the Commission.

#### VI. Comment Procedures

Copies of this notice of proposed rulemaking can be obtained from the Office of Public Information, Room 3104, 941 North Capitol Street, N.E., Washington, D.C. 20426. Any person desiring to file comments should submit an original and fourteen (14) copies of such comments to the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, not later than 30 days after the date of publication in the **Federal Register**.

The full text of this notice of proposed rulemaking also is available through the Commission Issuance Posting System (CIPS), an electronic bulletin board service, which provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208-1397. To access CIPS, communications software

should be set to use 300, 1200, or 2400 bps, full duplex, no parity, 8 data bits, and 1 stop bit. CIPS can also be accessed at 9600 bps by dialing (202) 208-1781. The full text of this notice will be available on CIPS for 30 days from the date of issuance. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in Room 3104, 941 North Capitol Street, N.E., Washington, D.C. 20426.

#### VII. Information Collection Requirements

Office of Management and Budget (OMB) regulations require OMB to approve certain information collection requirements imposed by agency rules.<sup>18</sup> While these proposed rules and amendments contain no new information collection requirements, we expect the proposed rule will revise and reduce the reporting requirements under existing Form No. 6.

The Commission uses the data collected under Form No. 6 to monitor the financial and operating data of oil pipeline companies subject to its jurisdiction, and to assist in determining the reasonableness of rates.

Because of the proposed revisions and expected reduction in public reporting burden under Form No. 6, the Commission is submitting a copy of the proposed rule to OMB for its review and approval. Interested persons may obtain information on these reporting requirements by contacting the Federal Energy Regulatory Commission, 941 North Capitol Street NE, Washington, D.C. 20426 (Attention: Michael Miller), Information Policy and Standards Branch, (202) 208-1415, FAX (202) 208-2425; and to the Office of Information and Regulatory Affairs, Office of Management and Budget (Attention: Desk Officer for Federal Energy Regulatory Commission), Washington, D.C. 20503.

#### List of Subjects

##### 18 CFR Part 357

Pipelines, Reporting and recordkeeping requirements, Uniform System of Accounts.

##### 18 CFR Part 382

Annual Charges.

By direction of the Commission.

**Lois D. Cashell,**

Secretary.

In consideration of the foregoing, the Commission gives notice of its proposal to amend Parts 357 and 382, Chapter I,

<sup>12</sup> However, on a case by case basis, certain oil pipelines have been granted waiver of the Form 6 filing requirements.

<sup>13</sup> Order No. 486, Regulations Implementing the National Environmental Policy Act, 52 FR 47897 (Dec. 17, 1987), FERC Statutes and Regulations, Regulations Preambles 1986-1990 ¶ 30,783 (1987).

<sup>14</sup> 18 CFR 380.4.

<sup>15</sup> See 18 CFR 380.4(a)(2)(ii).

<sup>16</sup> 5 U.S.C. 601-612.

<sup>17</sup> 5 U.S.C. 605(b).

<sup>18</sup> 5 CFR 1320.13.