

United States of America

Federal Energy Regulatory Commission

Actions Regarding the Commission's Policy on Price Index Formation and Transparency, and Indices Referenced in Natural Gas and Electric Tariffs

Docket No. PL20-3-000

(Issued April 21, 2022)

DANLY, Commissioner, *concurring*:

1. I concur with today's order¹ adopting the revisions that the Commission proposed in December 2020 to its *Policy Statement on Natural Gas and Electric Price Indices*.² As part of its charge to ensure just and reasonable rates,³ the Commission should take actions that enhance the liquidity and transparency of the price indices that are used in jurisdictional tariffs.

2. I write separately to suggest that the Commission might have acted otherwise on its parallel proposal to codify its *Safe Harbor Policy for Data Providers to Price Index Developers* in Docket No. RM20-7-000 (Proposed Rule).⁴ Doubtless, there are good reasons for the Commission to decline to act at this time.⁵ However, the Commission offers none.

3. Initially, the Commission had found that "[b]ased on industry comments during and after the technical conference, we believe that incorporation of the Safe Harbor Policy into the Commission's regulations will provide greater certainty to market participants and will lead to increased voluntary reporting to price index developers."⁶ All but one entity⁷ commenting on the Proposed Rule agreed.⁸ Though entitled to decline to take action, it would have been preferable for the Commission to have cited specific evidence and to have explained why it is now deterred from acting within our jurisdiction on a proposal that it had initially believed would improve the indices.

For these reasons, I respectfully concur.

James P. Danly,
Commissioner.

[FR Doc. 2022-08972 Filed 4-27-22; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD21-15-000]

Joint Federal-State Task Force on Electric Transmission; Notice of Meeting and Agenda

As first announced in the Commission's March 22, 2022 Notice in the above-captioned docket,¹ the third public meeting of the Joint Federal-State Task Force on Electric Transmission (Task Force) will be held virtually on Friday, May 6, 2022, from approximately 10:00 a.m. to 4:00 p.m. Eastern time. Commissioners may attend and participate in this meeting. Attached to this Notice is an agenda for the meeting.

Discussions at the meeting may involve issues raised in proceedings that are currently pending before the Commission. These proceedings include, but are not limited to:

PPL Electric Utilities Corporation	Docket No. ER22-1606-000.
Southwest Power Pool, Inc.; Midcontinent Independent System Operator, Inc.	Docket No. ER22-1533-000; ER22-1535-000.
El Paso Electric Company	Docket No. ER22-1495-000.
NSTAR Electric Company	Docket No. ER22-1247-000.
New York Independent System Operator, Inc.; Niagara Mohawk Power Corporation.	Docket Nos. ER22-1072-000; ER22-1073-000.
Midcontinent Independent System Operator, Inc	Docket No. ER22-995-000.
PJM Interconnection, LLC	Docket No. ER22-902-000.
PacifiCorp	Docket No. ER22-834-000.
Midcontinent Independent System Operator, Inc	Docket No. ER22-477-000; ER22-477-001.
Southwest Power Pool, Inc	Docket No. ER22-822-001.
Milligan 3 Wind, LLC	Docket No. ER22-667-001.
Broad River Energy, LLC	Docket No. ER22-312-000.
Salt Creek Solar LLC v. Southwest Power Pool, Inc	Docket No. EL22-11-000.
Salt Creek Solar, LLC	Docket No. ER21-2878-000.
Midcontinent Independent System Operator, Inc	Docket No. ER21-2793-000; ER21-2793-001.
PJM Interconnection, LLC	Docket No. ER21-2282-000.
New York Independent System Operator, Inc	Docket No. ER21-1647-002.
Kendall County Solar Project, LLC v. PJM Interconnection, LLC	Docket No. EL21-95-000.
ISO New England, Inc	Docket No. EL21-94-000.
SOO Green HVDC Link ProjectCo, LLC v. PJM Interconnection, LLC ...	Docket No. EL21-85-000; EL21-103-000.
Tenaska Clear Creek Wind v. Southwest Power Pool, Inc	Docket No. EL21-77-000; EL21-77-001.
Central Hudson Gas & Electric Corporation v. New York Independent System Operator, Inc.	Docket No. EL21-66-001.
Neptune Regional Transmission System, LLC and Long Island Power Authority v. PJM Interconnection, LLC.	Docket No. EL21-39-000.
NECEC Transmission LLC v. NextEra Energy Resources, LLC	Docket No. EL21-6-000.

¹ *Actions Regarding the Commission's Policy on Price Index Formation & Transparency, & Indices Referenced in Nat. Gas & Elec. Tariffs*, 179 FERC ¶ 61,036 (2022) (Order).

² *Actions Regarding the Commission's Policy on Price Index Formation & Transparency, & Indices Referenced in Nat. Gas and Elec. Tariffs*, 173 FERC ¶ 61,237 (2020).

³ See 15 U.S.C. 717c(a); *id.* § 717t-2; see also *NAACP v. FPC*, 425 U.S. 662, 669 (1976) ("[I]t is clear that the principal purpose of [the Natural Gas Act] was to encourage the orderly development of plentiful supplies of . . . natural gas at reasonable prices.") (citations omitted).

⁴ 173 FERC ¶ 61,238 (2020).

⁵ See Order, 179 FERC ¶ 61,036 at P 106.

⁶ *Safe Harbor Policy for Data Providers to Price Index Developers*, 173 FERC ¶ 61,238 at P 12 (citations omitted).

⁷ See Public Citizen, Inc., Comments, Docket No. RM20-7-000 (filed June 1, 2021).

⁸ See, e.g., Argus Media, Inc., Comments, Docket No. RM20-7-000, at 3 (filed June 1, 2021) ("Market participants consistently have voiced concerns to Argus that federal authorities including the Commission may pursue enforcement actions because of inadvertent errors in reporting transactions to price index developers despite the existence of the Safe Harbor Policy. Inadvertent errors could still lead to costly and disruptive enforcement investigations and audits. This is made even more risky for the data provider as there are not any 'damage caps' for investigative costs or

potential liability."); Energy Intelligence, Comments, Docket No. PL20-3-000, at 2 (filed Mar. 23, 2021) ("Energy Intelligence views the Commission's parallel proposal (in Docket No. RM20-7-000) to codify into its regulations the 'Safe Harbor Policy for Data Providers' . . . as an essential component of the effort to encourage more market participants to report their transactions to price index developers. On numerous occasions, potential data providers have expressed a reluctance to report transactions due to perceived risks associated with inadvertently reporting something in error.").

¹ *Joint Fed.-State Task Force on Elec. Transmission*, Notice, Docket No. AD21-15-000 (issued Mar. 22, 2022).

NextEra Energy Seabrook, LLC	Docket No. EL21-3-000.
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The meeting will be open to the public for listening and observing and on the record. There is no fee for attendance and registration is not required. This conference will be transcribed. Transcripts will be available for a fee from Ace Reporting, 202-347-3700.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to accessibility@ferc.gov or call toll free 1-866-208-3372 (voice) or 202-208-8659 (TTY), or send a fax to 202-208-2106 with the required accommodations.

More information about the Task Force, including frequently asked questions, is available here: <https://www.ferc.gov/TFSOET>. For more information about this meeting, please contact: Gretchen Kershaw, 202-502-8213, gretchen.kershaw@ferc.gov; or Jennifer Murphy, 202-898-1350, jmurphy@naruc.org. For information related to logistics, please contact Benjamin Williams, 202-502-8506, benjamin.williams@ferc.gov; or Rob Thormeyer, 202-502-8694, robert.thormeyer@ferc.gov.

For more information about this Notice, please contact: Gretchen Kershaw (Legal Information), Office of the General Counsel, (202) 502-8213, Gretchen.Kershaw@ferc.gov.

Dated: April 22, 2022.

Debbie-Anne A. Reese,
Deputy Secretary.

[FR Doc. 2022-09122 Filed 4-27-22; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP19-73-003]

El Paso Natural Gas Company, L.L.C.; Notice of Initiation of Section 5 Proceeding

On April 21, 2022, the Commission issued an order in Docket No. RP19-73-003, pursuant to section 5 of the Natural Gas Act, 15 U.S.C. 717d, instituting an investigation into whether the rates currently charged by El Paso Natural Gas Company, L.L.C. are just and reasonable and setting the matter for hearing. *El Paso Natural Gas Company, L.L.C.*, 179 FERC ¶ 61,051 (2022).

Any interested person desiring to be heard in Docket No. RP19-73-003 must

file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2021), within 30 days of the date of issuance of the order.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the "eFile" link at <http://www.ferc.gov>. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Dated: April 22, 2022.

Debbie-Anne A. Reese,
Deputy Secretary.

[FR Doc. 2022-09124 Filed 4-27-22; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP22-166-000]

Tennessee Gas Pipeline Company, L.L.C.; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on April 13, 2022, Tennessee Gas Pipeline Company, L.L.C. (Tennessee), 1001 Louisiana Street, Houston, Texas 77002, filed in the above referenced docket a prior notice pursuant to sections 157.205, 157.208, and 157.210 of the Commission's regulations under the Natural Gas Act (NGA) and its blanket certificate issued in Docket No. CP82-413-000 requesting authorization to install one new CAT 3616, gas driven, 5,000 horsepower reciprocating compressor package and associated piping, valves, and ancillary equipment at its existing Compressor Station 409 located in Hidalgo County, Texas (Compressor Station 409 Project). Tennessee states that the project will increase the north to south firm transportation capacity on Tennessee's system in Zone 0 by 69,500 dekatherms per day (Dth/d). Tennessee states that the change in capacity will enable Tennessee to extend the existing primary firm transportation path of Mex Gas Supply, S.L., a non-affiliated Tennessee shipper, to the Agua Dulce, Texas area. Also, the project will enable Tennessee to offer an additional 7,500 Dth/d of unsubscribed incremental firm capacity between the Agua Dulce, Texas area and the Mexico border. Tennessee estimates the cost of the Compressor Station 409 Project to be approximately \$23.2 million, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel