

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Docket No. RM98–1–000]****Records Governing Off-the-Record Communications; Public Notice**

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the

official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. This filing may be viewed on the Commission's website at <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. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Docket Nos.	File date	Presenter or requester
<i>Prohibited:</i> 1. CP22–21–000	11–21–2023	FERC Staff. ¹
<i>Exempt:</i> None.		

¹ Emailed comments dated 11/18/2023 from Jarrod Baniqued.

Dated: November 22, 2023.

Debbie-Anne A. Reese,
Deputy Secretary.

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Docket No. CP23–536–000]****Eastern Shore Natural Gas Company; Notice of Public Scoping Session for the Proposed Worcester Resiliency Upgrade Project**

On October 11, 2023, the staff of the Federal Energy Regulatory Commission (FERC or Commission) issued a *Notice of Scoping Period Requesting Comments On Environmental Issues for the Worcester Resiliency Upgrade Project*. With that notice, the Commission requested public comments on the scope of issues to address in the environmental document that the FERC staff will prepare to discuss the environmental impacts of the Worcester Resiliency Upgrade (Project). The Project involves construction and operation of facilities by Eastern Shore Natural Gas Company (Eastern Shore) in Worcester, Wicomico, and Somerset

Counties, Maryland and Sussex County, Delaware (appendix 1). The Commission will use this environmental document in its decision-making process to determine whether the Project is in the public convenience and necessity.

The October 11, 2023 notice announced the opening of the scoping process the Commission will use to gather input from the public and interested agencies regarding the Project. This notice announces the scoping session dates, locations, and times (see *Public Participation* section of this notice). As part of the National Environmental Policy Act (NEPA) review process, the Commission considers concerns the public may have about proposals and the environmental impacts that could result from its action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. This gathering of public input is referred to as “scoping.” The main goal of the scoping process is to focus the analysis in the environmental document on the important environmental issues.

This notice was sent to the Commission's current environmental mailing list for this Project. State and local government representatives should notify their constituents of this planned

Project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable easement agreement. You are not required to enter into an agreement. However, if the Commission approves the Project, the Natural Gas Act conveys the right of eminent domain to the company. Therefore, if you and the company do not reach an easement agreement, the pipeline company could initiate condemnation proceedings in court. In such instances, compensation would be determined by a judge in accordance with state law. The Commission does not subsequently grant, exercise, or oversee the exercise of that eminent domain authority. The courts have exclusive authority to handle eminent domain cases; the Commission has no jurisdiction over these matters.

A fact sheet prepared by FERC entitled “An Interstate Natural Gas Facility On My Land? What Do I Need To Know?” addresses typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. This fact