

Take notice that the Commission received the following electric reliability filings:

Docket Numbers: RR21–1–000.

Applicants: North American Electric Reliability Corporation.

Description: Petition for Approval of the Amended And Restated Bylaws of The North American Electric Reliability Corporation.

Filed Date: 10/14/20.

Accession Number: 20201014–5149.

Comments Due: 5 p.m. ET 11/4/20.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: October 15, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–23283 Filed 10–20–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP19–1353–011.

Applicants: Northern Natural Gas Company.

Description: Compliance filing 20201014 Compliance Filing to be effective 1/1/2020.

Filed Date: 10/14/20.

Accession Number: 20201014–5105.

Comments Due: 5 p.m. ET 10/20/20.

Docket Numbers: RP21–55–000.

Applicants: Gulf South Pipeline Company, LLC.

Description: § 4(d) Rate Filing: Amendment to Neg Rate Agmt (Aethon United 52454) to be effective 10/14/2020.

Filed Date: 10/14/20.

Accession Number: 20201014–5017.

Comments Due: 5 p.m. ET 10/26/20.

Docket Numbers: RP21–56–000.

Applicants: Portland Natural Gas Transmission System.

Description: § 4(d) Rate Filing: Name Change for Eversource to be effective 11/14/2020.

Filed Date: 10/14/20.

Accession Number: 20201014–5050.

Comments Due: 5 p.m. ET 10/26/20.

Docket Numbers: RP21–57–000.

Applicants: Empire Pipeline, Inc.

Description: § 4(d) Rate Filing: Negotiated Rate FT Service Contract—Repsol to be effective 9/15/2020.

Filed Date: 10/14/20.

Accession Number: 20201014–5092.

Comments Due: 5 p.m. ET 10/26/20.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: October 15, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020–23284 Filed 10–20–20; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL21–6–000]

NECEC Transmission LLC, Avangrid, Inc. v. NextEra Energy Resources, LLC, NextEra Energy Seabrook, LLC, FPL Energy Wyman LLC, FPL Energy Wyman IV LLC; Notice of Complaint

Take notice that on October 13, 2020, pursuant to sections 206, 210, and 306 of the Federal Power Act, 16 U.S.C. 824e, 824i, 825e, and Rule 206 of the Federal Energy Regulatory Commission's (Commission) Rules of

Practice and Procedure, 18 CFR 385.206, NECEC Transmission LLC and Avangrid, Inc (Complainants) filed a formal complaint against NextEra Energy Resources, LLC, NextEra Energy Seabrook, LLC, FPL Energy Wyman LLC, and FPL Energy Wyman IV LLC (collectively NextEra or Respondents) requesting that the Commission take action to stop NextEra from unlawfully interfering with the interconnection of the New England Clean Energy Connect transmission project (NECEC Project), all as more fully explained in the complaint.

The Complainant certifies that copies of the complaint were served on the contacts listed for Respondent in the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondents' answer and all interventions, or protests must be filed on or before the comment date. The Respondents' answer, motions to intervene, and protests must be served on the Complainants.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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://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 Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For

assistance, contact the Federal Energy Regulatory Commission at FERCOnlineSupport@ferc.gov, or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

Comment Date: 5:00 p.m. Eastern Time on November 2, 2020.

Dated: October 15, 2020.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2020-23287 Filed 10-20-20; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PL21-1-000]

Oil Pipeline Affiliate Contracts

AGENCY: Federal Energy Regulatory Commission, Department of Energy.

ACTION: Proposed Policy Statement.

SUMMARY: In this proposed policy statement, the Federal Energy Regulatory Commission proposes guidance for oil pipeline carriers proposing rates and terms pursuant to affiliate contracts.

DATES: Initial Comments are due on or before December 14, 2020, and Reply Comments are due on or before January 28, 2020.

ADDRESSES: Comments, identified by docket number, may be filed electronically at <http://www.ferc.gov> in acceptable native applications and print-to-PDF, but not in scanned or picture format. For those unable to file electronically, comments may be filed by mail or hand-delivery to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426. The Comment Procedures section of this document contains more detailed filing procedures.

FOR FURTHER INFORMATION CONTACT: Glenna Riley (Legal Information), Office of the General Counsel, 888 First Street NE, Washington, DC 20426, (202) 502-8620, Glenna.Riley@ferc.gov

Adrianne Cook (Technical Information), Office of Energy Markets Regulation, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, (202) 502-8849, Adrianne.Cook@ferc.gov

1. We are proposing guidance for oil pipeline carriers proposing rates and terms pursuant to Affiliate Contracts ¹ in

tariff filings and petitions for declaratory order. We seek comment on the information outlined in this proposed policy statement that could be used to demonstrate that proposed terms pursuant to Affiliate Contracts are just, reasonable, and not unduly discriminatory under the Interstate Commerce Act (ICA).²

I. Introduction

2. The proposed guidance outlines information carriers may provide to demonstrate that proposed rates and terms of service pursuant to Affiliate Contracts comply with the ICA. The proposed guidance is based on the Commission's obligation under the ICA to ensure that oil pipeline rates and terms of service are just, reasonable, and not unduly discriminatory.³

3. The Commission has provided little guidance on what information is sufficient to support proposed rates and terms pursuant to Affiliate Contracts, and as a result, the information provided by carriers in their filings varies greatly. In response to this lack of uniformity, we are considering adopting a policy statement outlining information that can support a finding that proposed rates and terms pursuant to Affiliate Contracts are just, reasonable, and not

by the carrier's affiliate(s) and not by any nonaffiliated entity. For clarification, a contract that is executed by the carrier's affiliate along with one or more nonaffiliated entities is not an "Affiliate Contract." "Contract" as used in this proposed policy statement includes transportation service agreements (TSA), throughput and deficiency agreements (T&D Agreement), ship-or-pay agreements, and any contract offered by a carrier under which an entity must make a term commitment associated with interstate oil pipeline transportation service subject to the Commission's jurisdiction. *See, e.g., Saddlehorn Pipeline Co., LLC*, 169 FERC ¶ 61,118 (2019) (TSA); *BridgeTex Pipeline Co., LLC*, 156 FERC ¶ 61,121 (2016) (TSA); *EnLink Del. Crude Pipeline, LLC*, 166 FERC ¶ 61,226 (2019) (*EnLink Del*) (T&D Agreement); *NuStar Crude Oil Pipeline L.P.*, 146 FERC ¶ 61,146 (2014) (T&D Agreement); *Kinder Morgan Pony Express Pipeline LLC*, 141 FERC ¶ 61,180 (2012) (T&D Agreement). The commitment to the pipeline can take various forms such as a commitment to nominate or pay a deficiency for a certain volume or an acreage or plant dedication. *See, e.g., EnLink Del.*, 166 FERC ¶ 61,226 (monthly volume commitments); *Belle Fourche Pipeline Co.*, 162 FERC ¶ 61,091 (2018) (acreage dedication commitment); *Alpha Crude Connector, LLC*, 149 FERC ¶ 61,001 (2014) (acreage dedication and volume commitments); *Panola Pipeline Co.*, 151 FERC ¶ 61,140 (2015) (plant dedication).

² 49 U.S.C. app. 1 *et seq.*

³ 49 U.S.C. app. 1, 2, 3(1), 5, 7, 15(1); *see also ICC v. Baltimore & O. R. Co.*, 145 U.S. 263, 276 (1892) (The principle objects of the ICA include "to secure just and reasonable charges for transportation" and "to prohibit unjust discriminations in the rendition of like services under similar circumstances and conditions"); *Texas & P. Ry. Co. v. ICC*, 162 U.S. 197, 233 (1896) (The ICA "make[s] charges for transportation just and reasonable" and "forbid[s] undue and unreasonable preferences or discriminations.").

unduly discriminatory under the ICA. We believe that issuing guidance on this topic will help clarify our processes and enable the Commission to gather information relevant to fulfilling our obligations under the ICA. This additional clarity also will promote regulatory certainty through greater transparency with industry on what information is relevant to support proposals related to Affiliate Contracts.

4. We emphasize that the proposed guidance is not designed either to prohibit Affiliate Contracts or to address any specific incidents of undue discrimination by carriers towards nonaffiliated shippers but rather to aid carriers in determining what information to consider including in their filings before the Commission to support a finding. Under the proposed guidance, affiliates may continue to participate in oil pipeline open seasons and become committed shippers on their affiliated pipelines. A lack of nonaffiliated shipper agreements is not, in and of itself, evidence that a carrier afforded an undue preference to its affiliated shipper. While the proposed guidance suggests some means for carriers to support a finding that proposed rates and terms pursuant to an Affiliate Contract are just, reasonable, and not unduly discriminatory, carriers would not be precluded from making this showing in other ways. We will continue to evaluate contract proposals, including those involving Affiliate Contracts, on a case-by-case basis based on all the facts and circumstances presented.

II. Background

A. Oil Pipeline Contracting Arrangements

5. Under the ICA, an oil pipeline is a common carrier that must provide transportation to shippers upon reasonable request.⁴ A pipeline's rates and practices must be just, reasonable, and not unduly discriminatory.⁵ Historically, interstate oil pipelines offered transportation service on a walk-up or month-to-month basis. Beginning in the mid-1990s, the Commission has also approved oil pipeline transportation rates and terms of service pursuant to long-term contracts, which

⁴ 49 U.S.C. app. 1(4) ("It shall be the duty of every common carrier subject to this chapter to provide and furnish transportation upon reasonable request therefor."); *Magellan Midstream Partners, L.P.*, 161 FERC ¶ 61,219, at P 12 (2017) (*Magellan*) ("By definition, a pipeline is a common carrier, and is bound by the ICA to ship product as long as a reasonable request for service is made by a shipper.").

⁵ 49 U.S.C. app. 1, 2, 3(1), 5, 7, 15(1).

¹ "Affiliate Contract" as used in this proposed policy statement means a contract that is executed