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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC13-11-000]

Commission Information Collection Activities (Ferc-539); Comment Request

AGENCY: Federal Energy Regulatory Commission.

ACTION: Comment request.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 USC 3507(a)(1)(D), the Federal Energy Regulatory Commission (Commission or FERC) is submitting the information collection FERC-539, Gas Pipeline Certificates: Import & Export Related Applications, to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission issued a Notice in the Federal Register (78 FR 12747, 02/25/2013) requesting public comments. FERC received no comments on the FERC-539 and is making this notation in its submittal to OMB.¹

DATES: Comments on the collection of information are due by [Insert date that is 30 days after publication of this Notice in the Federal Register].

ADDRESSES: Comments filed with OMB, identified by the OMB Control No. 1902-0062, should be sent via email to the Office of Information and Regulatory Affairs:

¹ The Commission has issued two notices regarding this collection in this docket. Neither notice contained the correct burden estimates. This notice corrects the burden estimates and provides the public with an additional 30 days for public comment.

oir_submission@omb.gov. Attention: Federal Energy Regulatory Commission Desk Officer. The Desk Officer may also be reached via telephone at 202-395-4718.

A copy of the comments should also be sent to the Federal Energy Regulatory Commission, identified by the Docket No. IC13-11-000, by either of the following methods:

- eFiling at Commission's Web Site: <http://www.ferc.gov/docs-filing/efiling.asp>.
- Mail/Hand Delivery/Courier: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE, Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov/help/submission-guide.asp>. For user assistance contact FERC Online Support by e-mail at ferconlinesupport@ferc.gov, or by phone at: (866) 208-3676 (toll-free), or (202) 502-8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <http://www.ferc.gov/docs-filing/docs-filing.asp>.

FOR FURTHER INFORMATION: Ellen Brown may be reached by e-mail at DataClearance@FERC.gov, by telephone at (202) 502-8663, and by fax at (202) 273-0873.

SUPPLEMENTARY INFORMATION:

Title: Gas Pipeline Certificates: Import & Export Related Applications

OMB Control No.: 1902-0062

Type of Request: Three-year extension of the FERC-539 information collection requirements with no changes to the current reporting requirements.

Abstract: Section 3 of the Natural Gas Act (NGA)² provides, in part, that “...no person shall export any natural gas from the United States to a foreign country or import any natural gas from a foreign country without first having secured an order from the Commission authorizing it to do so.” The 1992 amendments to Section 3 of the NGA concern importation or exportation from/to a nation which has a free trade agreement with the United States and requires that such importation or exportation: (1) shall be deemed to be a “first sale” (i.e. not a sale for a resale) and (2) shall be deemed to be consistent with the public interest. Applications for such importation or exportation should be granted without modification or delay.

The regulatory functions of Section 3 are shared by the Commission and the Secretary of Energy, Department of Energy (DOE). The Commission has the authority to approve or disapprove the construction and operation of particular facilities, the site at which such facilities shall be located, and, with respect to natural gas that involves the construction of new domestic facilities, the place of entry for imports or exit for exports. The DOE approves the importation or exportation of the natural gas commodity.³

Additionally, pursuant to the DOE Delegation Order and Executive Order Nos. 10485 and 12038, the Commission has the authority to issue Presidential Permits for

² 15 U.S.C. 717-717w

³ Secretary of DOE’s current delegation of authority to the Commission relating to import and export facilities was renewed by the Secretary’s Delegation Order No. 00-004.00A, effective May 16, 2006.

natural gas facilities which cross an international border of the United States. Persons seeking Section 3 authorizations or Presidential Permits from the Commission file applications for such requests pursuant to Part 153 of the Commission's Regulations: Part 153, Subpart B and Subpart C.

Type of Respondents: The respondents include all jurisdictional natural gas companies seeking authorization from the Commission to import or export natural gas

Estimate of Annual Burden⁴: The Commission estimates the total Public Reporting Burden for this information collection as:

FERC-539: Gas Pipeline Certificates: Import/Export Related				
Number of Respondents (A)	Number of Responses Per Respondent (B)	Total Number of Responses (A)x(B)=(C)	Average Burden Hours per Response (D)	Estimated Total Annual Burden (C)x(D)
7	2	14	12	168

The total estimated annual cost burden to respondents is \$11,760[168 hours * \$70/hour⁵ = \$11,760]

Comments: Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and

⁴ The Commission defines burden as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

⁵ Average salary (per hour) plus benefits per full-time equivalent employee

clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: May 13, 2013.

Kimberly D. Bose,
Secretary.

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