

Commission and shall adhere to any previous determinations by the Commission or the CEII Coordinator involving the same or like information.

(3) The procedures contained in §§ 388.112 and 388.113 of this chapter regarding designation of, and access to, CEII, shall apply in the event of a challenge to a CEII designation or a request for access to CEII. If it is determined that information is not CEII or that a requester should be granted access to CEII, the applicant will be directed to make the information available to the requester.

■ 3. Section 4.34 is amended by adding paragraph (i)(10) as follows:

**§ 4.34 Hearings on applications; consultation on terms and conditions; motions to intervene; alternative procedures.**

\* \* \* \* \*

(i) *Alternative procedures.* \* \* \*

(10) If this section requires an applicant to reveal Critical Energy Infrastructure Information (CEII), as defined by § 388.113(c) of this chapter, to the public, the applicant shall follow the procedures set out in § 4.32(k).

■ 4. Section 4.38 is amended by adding paragraph (i) as follows:

**§ 4.38 Consultation requirements.**

\* \* \* \* \*

(i) *Critical Energy Infrastructure Information.* If this section requires an applicant to reveal Critical Energy Infrastructure Information (CEII), as defined by § 388.113(c) of this chapter, to any person, the applicant shall follow the procedures set out in § 4.32(k) of this subpart.

**PART 16—PROCEDURES RELATING TO TAKEOVER AND RELICENSING OF LICENSED PROJECTS**

■ 5. The authority citation for part 16 continues to read as follows:

**Authority:** 16 U.S.C. 791a–825r; 42 U.S.C. 7101–7352.

■ 6. Section 16.7 is amended by adding paragraph (d)(7) as follows:

**§ 16.7 Information to be made available to the public at the time of notification of intent under section 15(b) of the Federal Power Act.**

\* \* \* \* \*

(d) *Information to be made available.*

\* \* \*

(7) If paragraph (d) of this section requires an applicant to reveal Critical Energy Infrastructure Information (CEII), as defined in § 388.113(c) of this chapter, to the public, the applicant shall omit the CEII from the information made available and insert the following in its place:

(i) A statement that CEII is being withheld;

(ii) A brief description of the omitted information that does not reveal any CEII; and

(iii) This statement: “Procedures for obtaining access to Critical Energy Infrastructure Information (CEII) may be found at 18 CFR § 388.113. Requests for access to CEII should be made to the Commission’s CEII Coordinator.”

(A) The applicant, in determining whether information constitutes CEII, shall treat the information in a manner consistent with any filings that applicant has made with the Commission and shall adhere to any previous determinations by the Commission or the CEII Coordinator involving the same or like information.

(B) The procedures contained in §§ 388.112 and 388.113 of this chapter regarding designation of, and access to, CEII, shall apply in the event of a challenge to a CEII designation or a request for access to CEII. If it is determined that information is not CEII or that a requester should be granted access to CEII, the applicant will be directed to make the information available to the requester.

\* \* \* \* \*

■ 7–8. Section 16.8 is amended by adding paragraph (k) as follows:

**§ 16.8 Consultation requirements.**

\* \* \* \* \*

(k) *Critical Energy Infrastructure Information.* If this section requires an applicant to reveal Critical Energy Infrastructure Information (CEII), as defined by § 388.113(c) of this chapter, to any person, the applicant shall follow the procedures set out in § 16.7(d)(7) of this subpart.

**PART 141—STATEMENTS AND REPORTS (SCHEDULES)**

■ 9. The authority citation for part 141 continues to read as follows:

**Authority:** 15 U.S.C. 79; 16 U.S.C. 791a–828c, 2601–2645; 31 U.S.C. 9701; 42 U.S.C. 7101–7352.

■ 10. Section 141.300 is amended by adding paragraph (d) as follows:

**§ 141.300 FERC Form No. 715, Annual Transmission Planning and Evaluation Report.**

\* \* \* \* \*

(d) *Critical Energy Infrastructure Information.*

(1) If the instructions in Form No. 715 require a utility to reveal Critical Energy Infrastructure Information (CEII), as defined in § 388.113(c) of this chapter, to the public, the utility shall omit the CEII from the information made

available and insert the following in its place:

(i) A statement that CEII is being withheld;

(ii) A brief description of the omitted information that does not reveal any CEII; and

(iii) This statement: “Procedures for obtaining access to Critical Energy Infrastructure Information (CEII) may be found at 18 CFR § 388.113. Requests for access to CEII should be made to the Commission’s CEII Coordinator.”

(2) The utility completing Form No. 715, in determining whether information constitutes CEII, shall treat the information in a manner consistent with any filings that utility has made with the Commission and shall adhere to any previous determinations by the Commission or the CEII Coordinator involving the same or like information.

(3) The procedures contained in §§ 388.112 and 388.113 of this chapter regarding designation of, and access to, CEII, shall apply in the event of a challenge to a CEII designation or a request for access to CEII. If it is determined that information is not CEII or that a requester should be granted access to CEII, the utility will be directed to make the information available to the requester.

**PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND FOR ORDERS PERMITTING AND APPROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS ACT**

■ 11. The authority citation for part 157 continues to read as follows:

**Authority:** 15 U.S.C. 717–717w, 3301–3432; 42 U.S.C. 7101–7352.

■ 12. Section 157.6 is amended by adding paragraph (d)(6) as follows:

**§ 157.6 Applications; general requirements.**

\* \* \* \* \*

(d) *Landowner notification.* \* \* \*

(6) If paragraph (d)(3) of this section requires an applicant to reveal Critical Energy Infrastructure Information (CEII), as defined by § 388.113(c) of this chapter, to a landowner, the applicant shall follow the procedures set out in § 157.10(d).

■ 13. Section 157.10 is amended by adding paragraph (d) as follows:

**§ 157.10 Interventions and protests.**

\* \* \* \* \*

(d) *Critical Energy Infrastructure Information.*

(1) If this section requires an applicant to reveal Critical Energy Infrastructure Information (CEII), as