

are also used to compute annual charges which are assessed against each jurisdictional natural gas company and which are necessary to recover the Commission's annual costs.

4. Form 2 is filed by respondents determined to be "Major Companies." A respondent is defined as a "Major Company" if it meets the following requirement: having combined gas transported or stored for a fee that exceeds 50 million Dth in each of the three previous calendar years. For the Form 2-A, a respondent is defined as a "Non Major Company" if it meets the following requirement: has total annual gas sales or volume transactions exceeding 200,000 Dth in each of the three previous calendar years, and it is not classified as "Major."

5. The Forms 2 and 2-A are annual submissions from approximately 62 and 48, jurisdictional natural gas companies, respectively. Earlier this year, the Office of Management and Budget (OMB) approved 3-year extensions for both Forms.

Form 6

6. In 1977, the responsibility to regulate oil pipeline companies was transferred to the Commission from the Interstate Commerce Commission (ICC).³ In accordance with the transfer of authority, the Commission was delegated the responsibility under section 1 of the Interstate Commerce Act (ICA) ⁴ to regulate the rates and charges for transportation of oil by pipeline and establish the valuation of those pipelines, and under section 20 of the ICA to require pipelines to file annual and other reports of information necessary to exercise its statutory responsibilities.⁵

7. Section 357.2 of the Commission's regulations requires every pipeline carrier subject to the provisions of section 20 of the ICA to file, on or before March 31 of each year, copies of Form 6 "Annual Report of Oil Pipeline Companies."⁶ The amount of information a Form 6 respondent submits is based on its jurisdictional operating revenues for each of the three preceding calendar years:

(a) Those carriers having annual jurisdictional operating revenues of

\$500,000 or more for each of the three previous calendar years must prepare and file with the Commission a complete Form 6.

(b) Those carriers having annual jurisdictional operating revenues greater than \$350,000 but less than \$500,000 for each of the three previous calendar years must prepare and file page 1 of Form 6, "Identification and Attestation Schedule," page 301, "Operating Revenue Accounts (Account 600)," and page 700, "Annual Cost of Service Based Analysis Schedule."

(c) Those carriers having annual jurisdictional operating revenues of \$350,000 or less for each of the three previous calendar years must prepare and file page 1 of Form 6, "Identification and Attestation Schedule" and page 700, "Annual Cost of Service Based Analysis Schedule."

8. The Form 6 collects general corporate information that includes: summary financial information, balance sheets and income statements and supporting information, operating expenses and plant statistical data. The information is used in the continuous review of the financial condition of jurisdictional companies, in various rate proceedings and in the Commission's audit program. Form 6 data is also used to compute annual charges which are assessed against each jurisdictional oil pipeline and which are necessary to recover the Commission's annual costs.

9. The Form 6 is an annual submission from approximately 171 jurisdictional oil pipeline companies. In 2001, the Office of Management and Budget (OMB) approved a 3-year extension for the Form.

III. Discussion

10. In this Final Rule, the Commission is eliminating the requirement to file paper copies of Forms 2, 2-A and 6, and now will require only electronic copies.

11. Current filing regulations for the Forms 2, 2-A and 6 require the respondents to use Commission-distributed submission software⁷ to produce both electronic and paper submissions of the forms. The submission software provides a user interface for data entry, printing, and uploading of the electronic filing to the Commission. The electronic submission—which is in a database format that is compatible with many off-the-shelf commercial software programs—is processed and made available to staff and the public within

24 hours after filing. The electronic filing is then used to create an electronic version (PDF) of the paper forms that can be accessed through the Commission's document retrieval system (the Federal Energy Regulatory Records Information System (FERRIS)). Alternatively, interested persons can view and print paper copies of the electronically filed data by using the Commission's Form 2/2-A or Form 6 viewer software which is also available for download on the FERC's Web site.

12. With the availability of the Form 2/2-A and Form 6 submission software, the Form 2/2-A and Form 6 viewer software and FERRIS, there is no need for paper submissions of Forms 2, 2-A and 6. The Commission will continue to provide staff and the public access and the ability to print copies of these Forms, however. The Commission's elimination of the paper submissions of the Forms 2, 2-A and 6 thus should not have an adverse impact on users of the Forms.

13. This Final Rule is part of the Commission's ongoing efforts to revise and streamline its existing reporting requirements, reduce the filing burden on reporting companies, and meet the Paperwork Reduction Act of 1995.

14. Notice and comment procedures are not necessary in this rulemaking docket because the Commission is not changing the contents of the Forms 2, 2-A and 6, but merely eliminating the paper filing requirements.

IV. Environmental Statement

15. Commission regulations require that an environmental assessment or an environmental impact statement be prepared for any Commission action that may have a significant adverse effect on the human environment.⁸ No environmental consideration is necessary for the promulgation of a rule that is clarifying, corrective, or procedural, or that does not substantially change the effect of legislation or regulations being amended,⁹ and also for information gathering, analysis, and dissemination.¹⁰ This Final Rule does not substantially change the effect of the regulations being amended. In addition, this Final Rule involves information gathering, analysis and dissemination. Therefore, this Final Rule falls within the categorical exemption provided in the Commission's regulations. Consequently, neither an environmental

³ Section 402(b) of the Department of Energy Reorganization Act (DOE Act) 42 U.S.C. 7172(b), provides that: "there are hereby transferred to, and vested in, the Commission all functions and authority of the Interstate Commerce Commission or any officer or component of such Commission where the regulatory function establishes rates or charges for the transportation of oil by pipeline or establishes the valuation of any such pipeline."

⁴ 49 App. U.S.C. 1 (1998).

⁵ 49 App. U.S.C. 20 (1988).

⁶ 18 CFR 357.2

⁷ Forms 2/2A and 6 submission software are Windows 95/98/2000/ME/NT/XP compatible and can be downloaded from the FERC's Web site at: <http://www.rimsweb2.ferc.fed.us/form2> and <http://www.rimsweb2.ferc.fed.us/form6>.

⁸ Regulations Implementing National Environmental Policy Act, 52 FR 47897 (Dec. 17, 1987), FERC Stats. & Regs. ¶ 30,783 (1987).

⁹ 18 CFR 380.4(a)(2)(ii).

¹⁰ 18 CFR 380.4(a)(5).