

impact statement nor an environmental assessment is required.

V. Regulatory Flexibility Act

16. In *Mid-Tex Elect. Coop. v. FERC*, 773 F.2d 327 (DC. Cir. 1985), the court found that Congress, in passing the Regulatory Flexibility Act (RFA),¹¹ intended agencies to limit their consideration under the RFA “to small entities that would be directly regulated” by proposed rules. *Id.* at 342. The court further concluded that “the relevant ‘economic impact’ was the impact of compliance with the proposed rule on regulated small entities.” *Id.*

17. This Final Rule will reduce the reporting burden for all reporting companies, including small reporting companies. The Commission also finds that most of the filing companies regulated by the Commission do not fall within the RFA’s definition of a small entity.¹² The Commission therefore certifies that this Final Rule will not have a significant economic impact on a substantial number of small entities.

VI. Information Collection Statement

18. The Office of Management and Budget (OMB) regulations require that OMB approve certain reporting and record keeping (collections of information) imposed by an agency. The information collection requirements in this Final Rule are contained in Form 2, “Annual Report for Major Natural Gas Companies” (OMB Control No. 1902–0028), FERC Form 2–A “Annual Report for Nonmajor Natural Gas Companies” (OMB Control No. 1902–0030), and Form 6 “Annual Report of Oil Pipeline Companies” (OMB Control No. 1902–0022). Form 2 most recently received OMB approval on March 29, 2002, for the period through March 31, 2005. Form 2–A received OMB approval on April 2, 2002, for the period through April 30, 2005. Form 6 received OMB approval on March 29, 2001, for the period through March 31, 2004.

19. The elimination of the paper submissions is part of the Commission’s ongoing program to reduce reporting burdens. As explained below, the shift to a paperless filing of the Forms 2, 2–A and 6 will reduce the burden on regulated companies for reporting and maintaining information under the Commission’s Forms 2, 2–A and 6 regulations.

20. The regulated entity shall not be penalized for failure to respond to this collection of information unless the collection of information displays a valid OMB control number.

Title: FERC Form No. 2, “Annual Report for Major Natural Gas Companies”; FERC Form No. 2–A, “Annual Report for Nonmajor Natural Gas Companies”; FERC Form No. 6, “Annual Report of Oil Pipeline Companies”.

Action: Revision of Currently Approved Collections of Information. *OMB Control Nos.:* 1902–0022, 1902–0028 and 1902–0030.

Respondents: Jurisdictional Natural Gas and Oil Pipeline Companies.

Frequency of Responses: Annually.

Reporting Burden: Form 2: With the elimination of the paper submission, the Commission estimates a savings of \$560 per respondent due to reduced printing and handling costs. For the Federal government, the cost savings for the Form 2 will be \$10,000 due to a reduction in processing and maintenance costs.

Form 2–A: With the elimination of the paper submission, the Commission estimates a savings of \$354 per respondent due to reduced printing and handling costs. For the Federal government, the cost savings for the Form 2–A will be \$6,000 due to a reduction in processing and maintenance costs.

Form 6: With the elimination of the paper submission, the Commission estimates a savings of \$369 per respondent due to reduced printing and handling costs. For the Federal government, the cost savings for the Form 6 will be \$3,748 due to a reduction in processing and maintenance costs.

21. The proposed paperless filing requirements conform to the Commission’s plan for efficient information collection, communication and management within the natural gas and oil pipeline industries. These changes will continue to contribute to well-informed decision-making and streamlined workload processing.

22. Interested persons may obtain information on the reporting requirements by contacting the following: Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, Attention: Michael Miller, Office of the Chief Information Officer, Phone: (202) 502–8415; Fax: (202) 273–0873, e-mail: michael.miller@ferc.gov.

23. For the submission of comments concerning the collection of information and the associated burden estimates, please send your comments to the

contact listed above or to the Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC 20503 (Attention: Desk Officer for the Federal Energy Regulatory Commission, phone (202) 395–7856; Fax: (202) 395–7285).

VII. Document Availability

24. 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://www.ferc.gov>) and in FERC’s Public Reference Room during normal business hours (8:30 a.m. to 5 p.m. Eastern time) at 888 First Street, NE., Room 2A, Washington, DC 20426.

25. From the Commission’s Home Page on the Internet, this information is available in FERRIS. The full text of this document is available on FERRIS in PDF and WordPerfect format for viewing, printing, and/or downloading. To access this document in FERRIS, type the docket number (excluding the last three digits of this document) in the document number field.

26. User assistance is available for FERRIS and the Commission’s Web site during regular business hours from our Help line at (202) 502–8222 or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Please e-mail the Public Reference Room at public.referenceroom@ferc.gov.

VIII. Effective Date and Congressional Notification

27. This Final Rule will take effect February 3, 2003. The Commission has determined, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, that this rule is not a “major rule” within the meaning of Section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996.¹³ The Commission will submit the Final Rule to both houses of Congress and the General Accounting Office.¹⁴

List of Subjects

18 CFR Part 260

Natural gas, Reporting and recordkeeping requirements.

18 CFR Part 357

Pipelines, Reporting and recordkeeping requirements, Uniform System of Accounts.

¹³ 5 U.S.C. 804(2).

¹⁴ 5 U.S.C. 801(a)(1)(A).

¹¹ 5 U.S.C. 601–612.

¹² 5 U.S.C. 601(3), citing to section 3 of the Small Business Act, 15 U.S.C. 632. Section 3 of the Small Business Act defines a “small-business concern” as a business which is independently owned and operated and which is not dominant in its field of operation.