

Applicants: Natural Gas Pipeline Company of America.
Description: § 4(d) Rate Filing: Tenaska Marketing Negotiated Rate to be effective 11/1/2016.
Filed Date: 10/25/16.
Accession Number: 20161025–5109.
Comments Due: 5 p.m. ET 11/7/16.
Docket Numbers: RP17–62–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 10/25/16 Negotiated Rates—Mercuria Energy America, Inc. (HUB) 7450–89 to be effective 11/1/2016.

Filed Date: 10/25/16.
Accession Number: 20161025–5110.
Comments Due: 5 p.m. ET 11/7/16.

The filings are accessible in the Commission’s eLibrary system by clicking on the links or 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 26, 2016.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2016–26443 Filed 11–1–16; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Order on Intent To Revoke Market-Based Rate Authority

Before Commissioners: Norman C. Bay, Chairman; Cheryl A. LaFleur, and Colette D. Honorable.

	Docket Nos.
Electric Quarterly Reports	ER02–2001–020
AP&G Holdings LLC	ER12–2430–000
Bargain Energy, LLC	ER14–1343–001
CES Placerita, Incorporated.	ER14–57–000
Crawfordsville Energy, LLC	ER15–631–001
DES Wholesale, LLC	ER12–1770–001
Dillon Power, LLC	ER15–1810–000

	Docket Nos.
DownEast Power Company, LLC.	ER10–1304–002
Escanaba Green Energy, LLC.	ER12–2307–001
GearyEnergy, LLC	ER10–2817–000
LVI Power, LLC	ER12–2484–000
Madstone Energy Corp	ER11–4482–000
NiGen, LLC	ER15–567–001
R&R Energy, Inc	ER11–4711–002
Societe Generale Energy LLC.	ER11–2775–000
Tall Bear Group, LLC	ER12–2374–000
Western Reserve Energy Services, LLC.	ER13–1706–000

1. Section 205 of the Federal Power Act (FPA), 16 U.S.C. 824d (2012), and 18 CFR part 35 (2016), require, among other things, that all rates, terms, and conditions of jurisdictional services be filed with the Commission. In Order No. 2001, the Commission revised its public utility filing requirements and established a requirement for public utilities, including power marketers, to file Electric Quarterly Reports summarizing the contractual terms and conditions in their agreements for all jurisdictional services (including market-based power sales, cost-based power sales, and transmission service) and providing transaction information (including rates) for short-term and long-term power sales during the most recent calendar quarter.¹

2. The Commission requires sellers with market-based rate authorization to file Electric Quarterly Reports.²

¹ Revised Public Utility Filing Requirements, Order No. 2001, FERC Stats. & Regs. ¶ 31,127, *reh’g denied*, Order No. 2001–A, 100 FERC ¶ 61,074, *reh’g denied*, Order No. 2001–B, 100 FERC ¶ 61,342, *order directing filing*, Order No. 2001–C, 101 FERC ¶ 61,314 (2002), *order directing filing*, Order No. 2001–D, 102 FERC ¶ 61,334, *order refining filing requirements*, Order No. 2001–E, 105 FERC ¶ 61,352 (2003), *order on clarification*, Order No. 2001–F, 106 FERC ¶ 61,060 (2004), *order revising filing requirements*, Order No. 2001–G, 120 FERC ¶ 61,270, *order on reh’g and clarification*, Order No. 2001–H, 121 FERC ¶ 61,289 (2007), *order revising filing requirements*, Order No. 2001–I, FERC Stats. & Regs. ¶ 31,282 (2008). See also *Filing Requirements for Electric Utility Service Agreements*, 155 FERC ¶ 61,280 (2016) (order clarifying reporting requirements and updating data dictionary).

² See *Refinements to Policies and Procedures for Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 816, FERC Stats. & Regs. ¶ 31,374 (2015), *order on reh’g*, Order No. 816–A, 155 FERC ¶ 61,188 (2016); *Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 697, FERC Stats. & Regs. ¶ 31,252 at P 3, *clarified*, 121 FERC ¶ 61,260 (2007), *order on reh’g*, Order No. 697–A, FERC Stats. & Regs. ¶ 31,268, *clarified*, 124 FERC ¶ 61,055, *order on reh’g*, Order No. 697–B, FERC Stats. & Regs. ¶ 31,285 (2008), *order on reh’g*, Order No. 697–C, FERC Stats. & Regs. ¶ 31,291 (2009), *order on reh’g*, Order No. 697–D, FERC Stats. & Regs. ¶ 31,305 (2010), *aff’d sub nom. Mont. Consumer Counsel v. FERC*, 659 F.3d 910 (9th Cir. 2011), *cert. denied*, 133 S. Ct. 26 (2012).

Commission staff’s review of the Electric Quarterly Reports indicates that the following 16 public utilities with market-based rate authorization have failed to file their Electric Quarterly Reports: AP&G Holdings LLC, Bargain Energy, LLC, CES Placerita, Incorporated, Crawfordsville Energy, LLC, DES Wholesale, LLC, Dillon Power, LLC, DownEast Power Company, LLC, Escanaba Green Energy, LLC, GearyEnergy, LLC, LVI Power, LLC, Madstone Energy Corp, NiGen, LLC, R&R Energy, Inc., Societe Generale Energy LLC, Tall Bear Group, LLC, and Western Reserve Energy Services, LLC. This order notifies these public utilities that their market-based rate authorizations will be revoked unless they comply with the Commission’s requirements within 15 days of the date of issuance of this order.

3. In Order No. 2001, the Commission stated that,

[i]f a public utility fails to file a[n] Electric Quarterly Report (without an appropriate request for extension), or fails to report an agreement in a report, that public utility may forfeit its market-based rate authority and may be required to file a new application for market-based rate authority if it wishes to resume making sales at market-based rates.³

4. The Commission further stated that,

[o]nce this rule becomes effective, the requirement to comply with this rule will supersede the conditions in public utilities’ market-based rate authorizations, and failure to comply with the requirements of this rule will subject public utilities to the same consequences they would face for not satisfying the conditions in their rate authorizations, including possible revocation of their authority to make wholesale power sales at market-based rates.⁴

5. Pursuant to these requirements, the Commission has revoked the market-based rate tariffs of market-based rate sellers that failed to submit their Electric Quarterly Reports.⁵

6. Sellers must file Electric Quarterly Reports consistent with the procedures set forth in Order Nos. 2001, 768⁶ and 770.⁷ The exact filing dates for Electric Quarterly Reports are prescribed in 18 CFR 35.10b (2016). As noted above, Commission staff’s review of the Electric Quarterly Reports for the period

³ Order No. 2001, FERC Stats. & Regs. ¶ 31,127 at P 222.

⁴ *Id.* P 223.

⁵ See, e.g., *Electric Quarterly Reports*, 80 FR 58,243 (Sep. 28, 2015); *Electric Quarterly Reports*, 79 FR 65,651 (Nov. 5, 2014).

⁶ *Electricity Market Transparency Provisions of Section 220 of the Federal Power Act*, Order No. 768, FERC Stats. & Regs. ¶ 31,336 (2012), *order on reh’g*, Order No. 768–A, 143 FERC ¶ 61,054 (2013).

⁷ *Revisions to Electric Quarterly Report Filing Process*, Order No. 770, FERC Stats. & Regs. ¶ 31,338 (2012).

up to the first quarter of 2016 identified 16 public utilities with market-based rate authorization that failed to file Electric Quarterly Reports. Commission staff contacted or attempted to contact these entities to remind them of their regulatory obligations. Despite these reminders, the public utilities listed in the caption of this order have not met these obligations. Accordingly, this order notifies these public utilities that their market-based rate authorizations will be revoked unless they comply with the Commission's requirements within 15 days of the issuance of this order.

7. In the event that any of the above-captioned market-based rate sellers has already filed its Electric Quarterly Reports in compliance with the Commission's requirements, its inclusion herein is inadvertent. Such market-based rate seller is directed, within 15 days of the date of issuance of this order, to make a filing with the Commission identifying itself and providing details about its prior filings that establish that it complied with the Commission's Electric Quarterly Report filing requirements.

8. If any of the above-captioned market-based rate sellers does not wish to continue having market-based rate authority, it may file a notice of cancellation with the Commission pursuant to section 205 of the FPA to cancel its market-based rate tariff.

The Commission orders:

(A) Within 15 days of the date of issuance of this order, each public utility listed in the caption of this order shall file with the Commission all delinquent Electric Quarterly Reports. If a public utility subject to this order fails to make the filings required in this order, the Commission will revoke that public utility's market-based rate authorization and will terminate its electric market-based rate tariff. The Secretary is hereby directed, upon expiration of the filing deadline in this order, to promptly issue a notice, effective on the date of issuance, listing the public utilities whose tariffs have been revoked for failure to comply with the requirements of this order and the Commission's Electric Quarterly Report filing requirements.

(B) The Secretary is hereby directed to publish this order in the **Federal Register**.

By the Commission.

Issued: October 27, 2016.

Kimberly D. Bose,
Secretary.

[FR Doc. 2016-26422 Filed 11-1-16; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP17-2-000]

National Fuel Gas Supply Corporation; Notice of Application

Take notice that on October 14, 2016, National Fuel Gas Supply Corporation (National Fuel), 6363 Main Street, Williamsville, New York 14221, filed in Docket No. CP17-2-000, an application pursuant to section 7(b) of the Natural Gas Act and part 157 of the Commission's regulations requesting authorization to abandon its Heath Compressor Station and associated appurtenances located in Heath Township, Jefferson County, Pennsylvania, and to refunctionalize Line FM-92 from a transmission to gathering function, all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing may be viewed on the web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC at FERCOnlineSupport@ferc.gov or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

Any questions regarding this Application should be directed to Laura P. Berloth, Attorney for National Fuel, 6363 Main Street, Williamsville, New York 14221, or call at 716-857-7001.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to

obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 7 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commentary will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

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