

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### § 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

**Airbus Helicopters:** Docket No. FAA–2021–0105; Project Identifier MCAI–2020–01422–R.

#### (a) Comments Due Date

The FAA must receive comments by April 16, 2021.

#### (b) Affected Airworthiness Directives (ADs)

None.

#### (c) Applicability

This AD applies to all Airbus Helicopters Model SA330] helicopters, certificated in any category.

#### (d) Subject

Joint Aircraft System Component (JASC) Code 6320, Main Rotor Gearbox.

#### (e) Reason

This AD was prompted by a failure of a second stage planet gear installed in the main gearbox (MGB). The FAA is issuing this AD to address failure of an MGB second stage planet gear, which could result in failure of the MGB and subsequent loss of control of the helicopter.

#### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

#### (g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Aviation Safety Agency (now European Union Aviation Safety Agency) (EASA) AD 2018–0272, dated December 13, 2018 (EASA AD 2018–0272).

#### (h) Exceptions to EASA AD 2018–0272

(1) Where EASA AD 2018–0272 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2018–0272 refers to March 30, 2018 (the effective date of EASA AD 2018–0065, dated March 23, 2018), this AD requires using the effective date of this AD.

(3) The “Remarks” section of EASA AD 2018–0272 does not apply to this AD.

(4) Where EASA AD 2018–0272 refers to flight hours (FH), this AD requires using hours time-in-service.

(5) Where paragraph (1) of EASA AD 2018–0272 specifies to inspect the MGB particle detector “in accordance with the instructions of Section 3 of the ASB” for this AD use “in accordance with the instructions in step 3.B.2.a. of the ASB.”

(6) Where paragraph (2) of EASA AD 2018–0272 specifies to inspect the MGB bottom housing (oil sump) “in accordance with the instructions of Section 3 of the ASB” for this AD use “in accordance with the instructions in step 3.B.2.b. of the ASB.”

(7) Where the service information referenced in EASA AD 2018–0272 specifies to perform a metallurgical analysis and contact the manufacturer if unsure about the characterization of the particles collected, this AD does not require contacting the manufacturer to determine the characterization of the particles collected.

(8) Although the service information referenced in EASA AD 2018–0272 specifies that if any 16NCD13 particles are found to contact the manufacturer and send a 1-liter sample of oil to the manufacturer, this AD does not require that action.

(9) Although the service information referenced in EASA AD 2018–0272 specifies returning certain parts to the manufacturer, this AD does not require that action.

(10) Where EASA AD 2018–0272 specifies actions be done after the last flight of the day or “ALF,” this AD requires doing those actions before the first flight of the day.

(11) Although the service information referenced in EASA AD 2018–0272 specifies discarding certain parts, this AD requires removing the parts from service.

#### (i) Special Flight Permit

Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the helicopter to a location where the helicopter can be modified (if the operator elects to do so), provided that the helicopter is operated during the day, under visual flight rules, and with no passengers onboard.

#### (j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Strategic Policy Rotorcraft Section, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. Send your proposal to: Manager, Strategic Policy Rotorcraft Section, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; phone: 817–222–5110. Information may be emailed to: [9-ASW-FTW-AMOC-Requests@faa.gov](mailto:9-ASW-FTW-AMOC-Requests@faa.gov).

(2) Before using any approved AMOC, notify your appropriate principal inspector,

or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

#### (k) Related Information

(1) For EASA AD 2018–0272, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: [ADs@easa.europa.eu](mailto:ADs@easa.europa.eu); internet: [www.easa.europa.eu](http://www.easa.europa.eu). You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>. You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call 817–222–5110. This material may be found in the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0105.

(2) For more information about this AD, contact Mahmood G. Shah, Aviation Safety Engineer, Fort Worth ACO Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; phone: 817–222–5538; email: [mahmood.g.shah@faa.gov](mailto:mahmood.g.shah@faa.gov).

Issued on February 19, 2021.

**Lance T. Gant,**

*Director, Compliance & Airworthiness Division, Aircraft Certification Service.*

[FR Doc. 2021–03951 Filed 3–1–21; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2021–0054; Airspace Docket No. 20–AGL–34]

RIN 2120–AA66

#### Proposed Establishment of Area Navigation (RNAV) Routes T–322, T–392, T–403, and T–405; Central United States

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to establish area navigation (RNAV) routes T–322, T–392, T–403, and T–405 in the central United States. The proposed new RNAV routes would expand the availability of RNAV routing in support of transitioning the National Airspace System (NAS) from ground-based to satellite-based navigation. Additionally, a portion of the new RNAV routes would provide enroute structure where VHF Omnidirectional Range (VOR) Federal airway segments were removed due to the Sioux City, IA; Park Rapids, MN; and Huron, SD, VORs decommissioning in support of the

FAA's VOR Minimum Operational Network (MON) program.

**DATES:** Comments must be received on or before April 16, 2021.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590; telephone: (800) 647-5527, or (202) 366-9826. You must identify FAA Docket No. FAA-2021-0054; Airspace Docket No. 20-AGL-34 at the beginning of your comments. You may also submit comments through the internet at <https://www.regulations.gov>.

FAA Order 7400.11E, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/). For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11E at NARA, email: [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Jesse Acevedo, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Authority for This Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would expand the availability of RNAV in the central United States and improve the efficient flow of air traffic within the NAS by lessening the dependency on ground-based navigation.

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2021-0054; Airspace Docket No. 20-AGL-34) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the internet at <https://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2021-0054; Airspace Docket No. 20-AGL-34." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRMs**

An electronic copy of this document may be downloaded through the internet at <https://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at [https://www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](https://www.faa.gov/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Central

Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177.

**Availability and Summary of Documents for Incorporation by Reference**

This document proposes to amend FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020 and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**Background**

In 2003, Congress enacted the Vision 100—Century of Aviation Reauthorization Act (Pub. L. 108-176), which established a joint planning and development office in the FAA to manage the work related to the Next Generation Air Transportation System (NextGen). Today, NextGen is an ongoing FAA-led modernization of the nation's air transportation system to make flying safer, more efficient, and more predictable.

In support of NextGen efforts to improve the safety and efficiency of the NAS, as well as transition the NAS from a ground-based to a satellite-based Performance Based Navigation (PBN) system, the FAA is proposing to establish RNAV routes T-322, T-392, T-403, and T-405 to provide additional PBN enroute structure. This action would reduce air traffic control (ATC) sector workload and complexity, reduce pilot-to-controller communication, assist ATC when non-radar procedures are required, and increase NAS capacity in the areas of the new RNAV T-routes.

Additionally, the proposed T-routes would compensate for the previously removed airway segments of VOR Federal airways due to the Sioux City, IA; Park Rapids, MN; and Huron, SD, VORs being decommissioned effective February 25, 2021. The new T-routes would also provide Instrument Flight Rules (IFR) pilots that are equipped for RNAV PBN additional ATS route options for navigating around areas of heavy aviation activity and in areas of limited or no radar coverage. Visual Flight Rules (VFR) pilots, equipped with RNAV PBN, who elect to navigate via ATS routes, could also take advantage of the proposed RNAV T-routes.

The new routes will also assist in reducing workload and sector complexity for air traffic controllers, facilitate reduction of air to ground communications, and assist in

increasing the efficiency and capacity of the NAS.

**The Proposal**

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to establish RNAV routes T-322, T-392, T-403, and T-405. The proposed new T-routes are described below.

**T-322:** T-322 is a new RNAV route that extends between the Rapid City, SD, VOR/Tactical Air Navigation (VORTAC) and the Redwood Falls, MN, VOR/Distance Measuring Equipment (VOR/DME). This T-route provides enroute routing over VOR Federal airway V-26.

**T-392:** T-392 is a new RNAV route that would extend between the MZEEE, IA, waypoint (WP) located near the Sioux City, IA, VORTAC and the GRSIS, MN, WP located near the Fairmont, MN, DME.

**T-403:** T-403 is a new RNAV route that would extend between the GENE0, MN, WP located near the Darwin, MN, VORTAC and the BLUOX, MN, fix located 40 NM North of the Park Rapids, MN, DME. This T-route would provide enroute routing adjacent to VOR Federal airway V-171 between the Darwin, MN, VORTAC and the Alexandria, MN, VOR/DME; and overlapping VOR Federal airway V-175 between the Alexandria, MN, VOR/DME and the BLUOX, MN, fix.

**T-405:** T-405 is a new RNAV route that would extend between the FIITS, SD, WP located near the Yankton, SD, VOR/DME and the GICHI, ND, WP located near the Devils Lake, ND, VOR/DME. This T-route would provide enroute routing adjacent to VOR Federal

airway V-159 between the Yankton, SD, VOR/DME and the Huron, SD, DME; enroute routing adjacent to VOR Federal airway V-15 between the Huron, SD, DME and the Aberdeen, SD, VOR/DME; and enroute routing adjacent to VOR Federal airway V-170 between the Aberdeen, SD, VOR/DME and the Devils Lake, ND, VOR/DME.

United States RNAV T-routes are published in paragraph 6011 of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The RNAV routes listed in this document would be subsequently published in the Order.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**Regulatory Notices and Analyses**

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant

economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**Environmental Review**

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

- 1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

- 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

*Paragraph 6011 United States Area Navigation Routes.*

\* \* \* \* \*

**T-322 Rapid City, SD (RAP) to Redwood Falls, MN (RWD)**

Rapid City, SD (RAP)	VORTAC	(Lat. 43°58'33.74" N, long. 103°00'44.38" W)
Philip, SD (PHP)	VOR/DME	(Lat. 44°03'29.66" N, long. 101°39'51.10" W)
Pierre, SD (PIR)	VORTAC	(Lat. 44°23'40.40" N, long. 100°09'46.11" W)
DAKPE, SD	WP	(Lat. 44°25'58.37" N, long. 098°42'23.05" W)
Redwood Falls, MN (RWD)	VOR/DME	(Lat. 44°28'02.19" N, long. 095°07'41.63" W)

\* \* \* \* \*

**T392 MZEEE, IA to GRSIS, MN**

MZEEE, IA	WP	(Lat. 42°20'40.66" N, long. 096°19'24.54" W)
KAATO, IA	WP	(Lat. 42°35'06.89" N, long. 095°58'53.08" W)
BERRG, IA	WP	(Lat. 43°08'17.21" N, long. 095°10'46.46" W)
GRSIS, MN	WP	(Lat. 43°38'45.54" N, long. 094°25'21.17" W)

**T-403 GENE0, MN to BLUOX, MN**

GENE0, MN	WP	(Lat. 45°05'15.37" N, long. 094°27'14.30" W)
Alexandria, MN (AXN)	VOR/DME	(Lat. 45°57'30.20" N, long. 095°13'57.48" W)
Park Rapids, MN (PKD)	DME	(Lat. 46°53'53.34" N, long. 095°04'15.21" W)
BLUOX, MN	WP	(Lat. 47°34'33.13" N, long. 095°01'29.11" W)

**T-405 FIITS, SD TO GICHI, ND**

FIITS, SD	WP	(Lat. 42°55'06.67" N, long. 097°23'06.31" W)
Mitchell, SD (MHE)	VOR/DME	(Lat. 43°46'37.28" N, long. 098°02'15.28" W)
DIDDL, SD	WP	(Lat. 44°26'24.32" N, long. 098°18'39.06" W)
Aberdeen, SD (ABR)	VOR/DME	(Lat. 45°25'02.48" N, long. 098°22'07.39" W)
Jamestown, ND (JMS)	VOR/DME	(Lat. 46°55'58.34" N, long. 098°40'43.57" W)
FARRM, ND	FIX	(Lat. 47°29'14.17" N, long. 099°01'34.50" W)
GICHI, ND	WP	(Lat. 48°06'54.20" N, long. 098°54'45.14" W)

Issued in Washington, DC, on February 22, 2021.

**George Gonzalez,**  
Acting Manager, Rules and Regulations  
Group.

[FR Doc. 2021-03931 Filed 3-1-21; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Parts 35 and 284

[Docket No. RM20-7-000]

#### Safe Harbor Policy for Data Providers to Price Index Developers

**AGENCY:** Federal Energy Regulatory  
Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Commission proposes to amend its regulations to codify the Safe Harbor Policy established in the Commission's *Policy Statement on Natural Gas and Electric Price Indices*. Under the Safe Harbor Policy, data providers that report transactions to natural gas and electric price index developers consistent with the procedures set forth in the *Policy Statement* are afforded a rebuttable presumption that their transaction data is accurate, timely, and submitted in good faith. The proposed change does not modify the existing policy and is intended to promote voluntary reporting of wholesale natural gas and electricity transactions to price index developers by alleviating market participant concerns that the Safe Harbor Policy is not binding on the Commission.

**DATES:** Comments are due June 1, 2021.

**ADDRESSES:** Comments, identified by Docket No. RM20-7-000, may be filed electronically at <http://www.ferc.gov> in acceptable native applications and print-to-PDF, but not in scanned or picture format. For those unable to file electronically, comments may be filed by mail to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426. Hand-delivered comments must be delivered to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The Comment Procedures Section of this document contains more detailed filing procedures.

**FOR FURTHER INFORMATION CONTACT:** Maxwell K. Multer (technical issues), Office of Enforcement, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426 (202) 502-6756

Evan B. Oxhorn (legal issues), Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426 (202) 502-8183

#### SUPPLEMENTARY INFORMATION:

##### Table of Contents

##### Paragraph Numbers

- I. Background—3.
- II. Discussion—9.
- III. Environmental Analysis—13.
- IV. Regulatory Flexibility Act Certification—14.
- V. Comment Procedures—18.
- VI. Document Availability—22.

1. Under the Commission's regulations, a data provider (a market participant that reports transaction data to price index developers) must submit accurate and factual information to price index developers, and not knowingly submit false or misleading information or omit material information.<sup>1</sup> Pursuant to the Commission's Safe Harbor Policy, which is currently set forth in the Commission's *Policy Statement on Natural Gas and Electric Price Indices*,<sup>2</sup> if the data provider can demonstrate that it has adopted and followed the standards for reporting set forth in the Commission's *Policy Statement*, it will benefit from a rebuttable presumption that it has submitted its transactions accurately, timely, and in good faith. The Commission proposes to codify its Safe Harbor Policy in its regulations. The proposed change does not modify the existing policy and, together with the proposed *Revised Policy Statement* that the Commission is issuing concurrently, is intended to promote voluntary reporting of wholesale natural gas and electricity transactions to price index developers.<sup>3</sup>

2. To codify the Safe Harbor Policy, we specifically propose to amend 18 CFR 35.41(c), 284.288(a), and 284.403(a) of the Commission's regulations by adding language to indicate: (1) That there will be a rebuttable presumption of accuracy, timeliness, and good faith for data providers who submit transactions to price index developers in a manner consistent with the *Policy*

<sup>1</sup> This requirement is set forth in three regulations, 18 CFR 35.41(c), 284.288(a), and 284.403(a). Each sets forth the requirement in identical language.

<sup>2</sup> *Policy Statement on Natural Gas and Electric Price Indices*, 104 FERC ¶ 61,121, at P 37 (*Initial Policy Statement*), clarified, 105 FERC ¶ 61,282 (2003) (*2003 Clarification Order*), further clarified, 112 FERC ¶ 61,040 (2005) (*2005 Clarification Order*) (collectively, *Policy Statement*).

<sup>3</sup> See *Actions Regarding the Commission's Policy on Price Index Formation and Transparency, and Indices Referenced in Natural Gas and Electric Tariffs*, 173 FERC ¶ 61,237 (2020).

*Statement*; and (2) that inadvertent reporting errors by such data providers will not constitute violations of those regulations.

#### I. Background

3. Natural gas indices play a vital role in the energy industry, as they are used to price billions of dollars of natural gas and electricity transactions annually in both the physical and financial markets. A natural gas index is a weighted average price derived from a set of fixed-price<sup>4</sup> natural gas transactions within distinct geographical boundaries that market participants voluntarily report to a price index developer.<sup>5</sup>

4. Natural gas indices serve as a proxy for the locational cost of natural gas in the daily and monthly markets, as many market participants reference index prices in their physical and financial transactions. Interstate natural gas pipelines, Independent System Operators (ISOs), and Regional Transmission Organizations (RTOs) reference natural gas indices in their FERC-jurisdictional tariffs for various terms and conditions of service. State commissions also use natural gas indices as benchmarks when reviewing the prudence of natural gas or electricity purchases. Finally, many natural gas financial derivative contracts used in hedging and speculation settle against the natural gas price indices.

5. Given that natural gas price index developers use physical fixed-price natural gas transactions to calculate the price of published natural gas indices, it is important that the market for these transactions be robust, liquid, and transparent. The Commission's investigation into the 2000-2001 Western Energy Crisis revealed problems in how published natural gas price indices were generated that "facilitate[d], rather than discourage[d], manipulation and collusion."<sup>6</sup> Recognizing the need to restore confidence in natural gas price

<sup>4</sup> The term fixed-price refers to a negotiated natural gas contract for next-day or next-month delivery, and physical basis transactions for next-month delivery. These transaction types are defined in the FERC Form No. 552: Annual Report of Natural Gas Transactions (FERC Form No. 552). The FERC Form No. 552 requires market participants that annually buy or sell more than 2.2 trillion British Thermal Units (Btu) of physical natural gas to provide aggregated data related to their fixed-price, physical basis, Nymex plus and index-based transactions made in the next-day and next-month (bidweek) markets.

<sup>5</sup> S&P Global Platts (Platts), Natural Gas Intelligence (NGI), Argus, and Natural Gas Week are examples of price index developers.

<sup>6</sup> *Initial Report on Company-Specific Separate Proceedings and Generic Revaluations; Published Natural Gas Price Data; and Enron Trading Strategies*, Docket No. PA02-2-000, at 38 (Aug. 13, 2002).