

Dated: July 14, 2021.

**Juliana Pearson,**

*PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer, Office of Planning, Evaluation and Policy Development.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. CP21-469-000]

**CenterPoint Energy Resources Corp.; Summit Utilities Arkansas, Inc.; Notice of Application and Establishing Intervention Deadline**

Take notice that on June 28, 2021, CenterPoint Energy Resources Corporation (CERC), 1005 Congress Avenue, Suite 650, Austin, Texas 78701, and Summit Utilities Arkansas, Inc. (Summit Arkansas), 10825 E. Geddes Ave., Suite 410, Centennial, Colorado 80112, filed in Docket No. CP21-469-000 an abbreviated application under section 7(f) of the Natural Gas Act (NGA), and Part 157 of the Commission's regulations, requesting that the Commission: (i) Amend the service area determination granted in docket number CP19-111-000<sup>1</sup> on July 10, 2019 to remove certain service areas, as CERC will no longer have cross-border service areas in these locations; and (ii) transfer one service area currently authorized in the order referenced above to Summit Arkansas so that Summit Arkansas will succeed to a service area within which Summit Arkansas may, without further Commission authorization own and operate certain facilities that provide natural gas distribution service across state lines. Summit Arkansas requests the service area determination with respect to a limited geographic area at the border between Arkansas and Texas in which Summit Arkansas will provide natural gas distribution service across state lines. Summit Arkansas also requests a finding that Summit Arkansas qualifies for treatment as a local distribution company for purposes of transportation under section 311 of the Natural Gas Policy Act of 1978 (NGPA), and a waiver of the Commission's accounting, reporting, and other regulatory requirements ordinarily applicable to natural gas companies under the NGA and the NGPA, all as

more fully set forth in the application which is on file with the Commission and open to public inspection.

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://ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

Any questions regarding this filing may be directed to Hallie Flint Gilman, Chief Legal Officer Summit Utilities, 10825 E Geddes Ave., Suite 410, Centennial, CO 80112, by phone at (207) 781-1200 ext. 1428, or by email at [hgilman@summitutilities.com](mailto:hgilman@summitutilities.com).

Pursuant to Section 157.9 of the Commission's Rules of Practice and Procedure,<sup>2</sup> within 90 days of this Notice the Commission staff will either: Complete its environmental review 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 environmental assessment (EA) for this proposal. The filing of an 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.

**Public Participation**

There are two ways to become involved in the Commission's review of this project: You can file comments on the project, and you can file a motion to intervene in the proceeding. There is no fee or cost for filing comments or

intervening. The deadline for filing a motion to intervene is 5:00 p.m. Eastern Time on August 2, 2021.

**Comments**

Any person wishing to comment on the project may do so. Comments may include statements of support or objections to the project as a whole or specific aspects of the project. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please submit your comments on or before August 2, 2021.

There are three methods you can use to submit your comments to the Commission. In all instances, please reference the Project docket number CP21-469-000 in your submission.

(1) You may file your comments electronically by using the eComment feature, which is located on the Commission's website at [www.ferc.gov](http://www.ferc.gov) under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project;

(2) You may file your comments electronically by using the eFiling feature, which is located on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Comment on a Filing"; or

(3) You can file a paper copy of your comments by mailing them to the following address below.<sup>3</sup> Your written comments must reference the Project docket number (CP21-469-000).

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

The Commission encourages electronic filing of comments (options 1 and 2 above) and has eFiling staff available to assist you at (202) 502-8258 or [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov). Persons who comment on the environmental review of this project will be placed on the Commission's environmental mailing list, and will receive notification when the environmental documents (EA or EIS) are issued for this project and will be notified of meetings associated with the

<sup>1</sup> CenterPoint Energy Res. Corp., 168 FERC ¶ 62,011 (2019).

<sup>2</sup> 18 CFR (Code of Federal Regulations) 157.9.

<sup>3</sup> Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Commission's environmental review process.

The Commission considers all comments received about the project in determining the appropriate action to be taken. However, the filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding. For instructions on how to intervene, see below.

#### Interventions

Any person, which includes individuals, organizations, businesses, municipalities, and other entities,<sup>4</sup> has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure<sup>5</sup> and the regulations under the NGA<sup>6</sup> by the intervention deadline for the project, which is August 2, 2021. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as the your interest in the proceeding. [For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene.] For more information about motions to intervene, refer to the FERC website at <https://www.ferc.gov/resources/guides/how-to-intervene.asp>.

There are two ways to submit your motion to intervene. In both instances, please reference the Project docket number CP21-469-000 in your submission.

(1) You may file your motion to intervene by using the Commission's eFiling feature, which is located on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to Documents and Filings. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; first select "General" and then select "Intervention." The eFiling feature includes a document-less intervention option; for more information, visit <https://www.ferc.gov/docs-filing/efiling/document-less-intervention.pdf>; or

(2) You can file a paper copy of your motion to intervene, along with three copies, by mailing the documents to the address below.<sup>7</sup> Your motion to intervene must reference the Project docket number CP21-469-000.

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426

The Commission encourages electronic filing of motions to intervene (option 1 above) and has eFiling staff available to assist you at (202) 502-8258 or [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov).

Motions to intervene must be served on the applicant either by mail or email at: Gulf States Transmission LLC, 1300 Main Street, Houston, Texas 77002; or at [blair.lichtenwalter@energytransfer.com](mailto:blair.lichtenwalter@energytransfer.com). Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online. Service can be via email with a link to the document.

All timely, unopposed<sup>8</sup> motions to intervene are automatically granted by operation of Rule 214(c)(1).<sup>9</sup> Motions to intervene that are filed after the intervention deadline are untimely, and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations.<sup>10</sup> A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

#### Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC website at [www.ferc.gov](http://www.ferc.gov) using the "eLibrary" link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

<sup>7</sup> Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

<sup>8</sup> The applicant has 15 days from the submittal of a motion to intervene to file a written objection to the intervention.

<sup>9</sup> 18 CFR 385.214(c)(1).

<sup>10</sup> 18 CFR 385.214(b)(3) and (d).

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to [www.ferc.gov/docs-filing/esubscription.asp](http://www.ferc.gov/docs-filing/esubscription.asp).

**Intervention Deadline:** 5:00 p.m. Eastern Time on Monday, August 2, 2021.

Dated: July 12, 2021.

**Kimberly D. Bose,**  
Secretary.

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## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2021-0404; FRL-8740-01-OGC]

### Proposed Consent Decree, Clean Air Act Citizen Suit

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with the Clean Air Act, as amended ("CAA" or the "Act"), the United States Environmental Protection Agency ("EPA") gives notice of a proposed consent decree in *Environmental Integrity Project v. Regan*, No. 1:21-cv-00009 (D.D.C.). In this litigation, Environmental Integrity Project ("EIP") alleged that the Administrator of EPA failed to perform certain non-discretionary duties to timely respond to petitions asking EPA to object to eight operating permits issued by the Texas Commission on Environmental Quality ("TCEQ"). The proposed consent decree would establish deadlines for EPA to take action in response to these petitions. The proposed consent decree does not require EPA to take any specific, particular action in response to the petitions.

**DATES:** Written comments on the proposed consent decree must be received by *August 18, 2021*.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2021-0404, online at <https://www.regulations.gov> (EPA's preferred method). Follow the online instructions for submitting comments.

**Instructions:** All submissions received must include the Docket ID number for

<sup>4</sup> 18 CFR 385.102(d).

<sup>5</sup> 18 CFR 385.214.

<sup>6</sup> 18 CFR 157.10.