

## § 900.4

*Federal authorization* means any authorization required under Federal law to site a transmission facility, including permits, special use authorizations, certifications, opinions, or other approvals. This term includes authorizations issued by Federal and non-Federal entities that are responsible for issuing authorizations under Federal law for a transmission facility.

*FERC* means the Federal Energy Regulatory Commission.

*FPA* means the Federal Power Act (16 U.S.C. 791–828c).

*Indian tribe* has the same meaning as provided in 25 U.S.C. 450b(e).

*NEPA* means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*)

*Non-federal entity* means Indian tribes, multistate entities, and State agencies.

*Permitting entity* means any Federal or non-Federal entity that is responsible for issuing Federal authorizations.

*Request for coordination* means a request to DOE for coordination of Federal authorizations under this part.

*Requester* means an applicant that is seeking DOE coordination of Federal authorizations under this part.

*Single Environmental Review Document* means the total material that the permitting entities develop—with the lead agency for preparing the NEPA document being primarily responsible—and that DOE shall assemble, along with any other material considered necessary and made available by DOE, in order to fulfill Federal obligations for preparing NEPA compliance documents and all other analyses required to comply with all environmental, cultural and historic preservation statutes and regulations under Federal law. This information shall be available to the applicant, all permitting entities, DOE, and all Indian tribes, multistate entities, and State agencies that have their own separate non-Federal permitting and environmental reviews.

### § 900.4 Pre-Application mechanism.

(a) An applicant, or prospective applicant, for a Federal authorization seeking information from a permitting entity pursuant to 16 U.S.C.

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824p(h)(4)(C) must request information pursuant to the terms specified in this section with a permitting entity, and notify the Director of the request to the permitting entity.

(b) Any request for information filed under this section shall specify in sufficient detail the information sought from the permitting entity and shall contain sufficient information for the permitting entity to provide the requested information pursuant to 16 U.S.C. 824p(h)(4)(C).

(c) Within 60 days of receipt of such a request for information, a permitting entity shall provide, to the extent permissible under existing law, information concerning the request to the applicant, or prospective applicant, and the Director.

### § 900.5 Request for coordination.

(a) A requester shall file a request for coordination with the Director.

(b) The request shall contain:

(1) The exact legal name of the requester; its principal place of business; whether the requester is an individual, partnership, corporation, or other entity; the State laws under which the requester is organized or authorized; and the name, title, and mailing address of the person or persons to whom communications concerning the request for coordination are to be addressed;

(2) A concise general description of the proposed transmission facility sufficient to explain its scope and purpose, including:

(i) The voltage and type of current (alternating or direct);

(ii) The length of the transmission line;

(iii) The design and height of the support structures;

(iv) The proposed route (including the beginning and ending nodes of the transmission project, and a brief geographical description of the proposed route);

(v) A map of the proposed route (if available);

(vi) Any ancillary facilities associated with the proposed route;

(vii) The proposed dates for the beginning and completion of construction and the commencement of service;

(viii) Whether the applicant for a Federal authorization of the proposed

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transmission facility has submitted an interconnection request with a transmission organization or electric reliability organization approved by FERC; and

(ix) The anticipated length of time the proposed transmission facility will be in service;

(3) A list of all permitting entities from which Federal authorizations pertaining to the proposed transmission facility are needed, including the docket numbers of pending applications with permitting entities;

(4) A list of non-Federal entities that have their own separate non-Federal permitting and environmental reviews pertaining to the proposed transmission facility, including the docket numbers of relevant applications;

(5) A signed statement to the Director that the requester has served a copy of the request for coordination to all permitting entities, and all non-Federal entities that have their own separate non-Federal permitting and environmental reviews; and

(6) A statement by the requester certifying that it has informed the non-Federal entities that have their own separate non-Federal permitting and environmental reviews pertaining to the proposed transmission facility that they may coordinate their permitting and environmental reviews with DOE and the permitting entities pursuant to section 16 U.S.C. 824p(h)(4)(A). The statement should list the specific persons served and other pertinent contact information at all permitting entities and all non-Federal entities.

(c) The written request for coordination may be filed by mail or hand delivery with the Director at 1000 Independence Avenue, SW., Washington, DC 20585, or electronically in MS Word or PDF formats at *SEC216h@hq.doe.gov*. Electronic filing is DOE's preferred method. If filing by hand or mail, DOE requests that an electronic copy be filed as well.

(d) Upon receipt, DOE will post and make publicly available at *http://www.oe.energy.gov/fed\_transmission.htm* each request for coordination and any subsequent correspondence and material filed with DOE in connection with the request, except for information ex-

empt from disclosure under the Freedom of Information Act.

### § 900.6 Coordination of permitting and related environmental reviews.

(a)(1) Upon receipt of a request for coordination, DOE, as the coordinator of all applicable Federal authorizations and related environmental reviews, and the permitting entities shall jointly determine the appropriate level of coordination required, and, where applicable, the appropriate permitting entity to be the lead agency for preparing NEPA compliance documents, including all documents required to support a final agency decision, and all other analyses used as the basis for all decisions on a proposed transmission facility under Federal law. Designation of the lead agency for preparing NEPA documents shall be in compliance with regulations issued by the Council on Environmental Quality at 40 CFR 1500 *et seq.*

(2) Non-Federal entities that have their own separate non-Federal permitting and environmental reviews may elect to participate in the coordination process under paragraph (a)(2) of this section.

(b)(1) DOE as the agency coordinating federal authorizations shall establish, maintain, and utilize, to the extent practicable and in compliance with Federal law, a single location to store and display (electronically if practicable) all of the information assembled in order to fulfill Federal obligations for preparing NEPA compliance documents and all other analyses required to comply with all environmental and cultural statutes and regulations under Federal law. This information shall be available to the applicant, all permitting entities, DOE, and all Indian tribes, multistate entities, and State agencies that have their own separate non-Federal permitting and environmental reviews.

(2) DOE shall establish and maintain, to the extent practicable and in compliance with Federal law, a single location to store and display the information utilized by the permitting entities as the basis for their decisions on the proposed project under Federal law, including all environmental, cultural