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upon which it billed the prices it
charged for natural gas it sold pursu-
ant to its market based sales certifi-
cate or the prices it reported for use in
price indices.

(Order 644, 68 FR 66336, Nov. 26, 2003, as
amended by Order 673, 71 FR 9716, Feb. 27,
2006; Order 677, 71 FR 30287, May 26, 2006; 73
FR 1092, Jan. 4, 2008)

Subpart K—Transportation of Nat-
ural Gas on the Outer Conti-

nental Shelf by Interstate Nat-

ural Gas Pipelines on Behalf
Of Others

SOURCE: Order 509, 53 FR 50938, Dec. 19,
1988, unless otherwise noted.

§ 284.301 Applicability.

This subpart implements section 5 of
the Outer Continental Shelf Land Act
(OCSLA) and applies to any jurisdic-
tional interstate natural gas pipeline
that holds a certificate under section 7
of the Natural Gas Act (NGA) author-
izing the construction and operation of
facilities on the Outer Continental
Shelf (OCS).

§ 284.302 Definitions.

For the purposes of this subpart, the
term:
(a) Outer Continental Shelf (OCS) has
the same meaning as found in section
2(a) of the OCSLA (43 U.S.C. 1331(a)); and
(b) OCS pipeline means an interstate
natural gas pipeline that holds a cer-
tificate under section 7 of the NGA au-
thorizing the construction and oper-
ation of facilities on the OCS, and in-
cludes all of the OCS pipeline’s facili-
ties that fall within the scope of the
Commission’s jurisdiction under sec-
tion 7 of the NGA to the full extent
that such facilities are used or nec-
essary to transport natural gas on or
across the OCS between:
(1) Any locations on the OCS (if the
pipeline does not have an interconnection
off the OCS), or
(2) The OCS and the first point of
interconnection on the shoreward side
of the OCS where the pipeline delivers
or receives natural gas to or from ei-
ther:
(i) A natural gas conditioning or
processing facility, or
(ii) Another pipeline, or
(iii) A distributor or end user of nat-
ural gas.

(Order 509, 53 FR 50938, Dec. 19, 1988, as
amended by Order 509-A, 54 FR 8313, Feb. 28,
1989)

§ 284.303 OCS blanket certificates.

Every OCS pipeline [as that term is
defined in §284.302(b)] is required to
provide open-access, nondiscriminatory
transportation service pursuant to a
blanket transportation certificate
issued under subpart G of this part.

(Order 559, 58 FR 52663, Oct. 12, 1993)

Subpart L—Certain Sales for
Resale by Non-interstate Pipelines

§ 284.401 Definitions.

Affiliated marketer. For purposes of
this subpart, an “affiliated marketer”
is a person engaged in the “marketing”
of natural gas that is an “affiliate” of
an interstate pipeline as those terms
are defined in §161.2 of this chapter.

(Order 547, 57 FR 57959, Dec. 8, 1992)

§ 284.402 Blanket marketing certifi-
cates.

(a) Authorization. Any person who is
not an interstate pipeline is granted a
blanket certificate of public conven-
nience and necessity pursuant to section
7 of the Natural Gas Act authorizing
the certificate holder to make sales for
resale at negotiated rates in interstate
commerce of any category of gas that
is subject to the Commission’s Natural
Gas Act jurisdiction. A blanket certifi-
cate issued under Subpart L is a cer-
tificate of limited jurisdiction which
will not subject the certificate holder to
any other regulation under the Nat-
ural Gas Act jurisdiction of the Com-
mission, other than that set forth in
this Subpart L, by virtue of the trans-
actions under this certificate.

(b) The authorization granted in
paragraph (a) of this section will be-
come effective on January 7, 1993 ex-
cept as otherwise provided in para-
graph (c) of this section.
§ 284.403 Code of conduct for persons holding blanket marketing certificates.

(a) To the extent Seller engages in reporting of transactions to publishers of electricity or natural gas indices, Seller must provide accurate and factual information, and not knowingly submit false or misleading information or omit material information to any such publisher, by reporting its transactions in a manner consistent with the procedures set forth in the Policy Statement on Natural Gas and Electric Price Indices, issued by the Commission in Docket No. PL03–3–000 and any clarifications thereto. Seller must notify the Commission as part of its FERC Form No. 552 annual reporting requirement in § 260.401 of this chapter whether it reports its transactions to publishers of electricity and natural gas indices. In addition, Seller shall adhere to any other standards and requirements for price reporting as the Commission may order.

(b) A blanket marketing certificate holder shall retain, for a period of five years, all data and information upon which it billed the prices it charged for the natural gas sold pursuant to its market based sales certificate or the prices it reported for use in price indices.

Subpart M—Applications for Market-Based Rates for Storage

SOURCE: Order 678, 71 FR 36636, July 27, 2006, unless otherwise noted.

§ 284.501 Applicability.

Any pipeline or storage service provider that provides or will provide service under subparts B, C, or G of this part, and that wishes to provide storage and storage-related services at market-based rates must conform to the requirements in subpart M.

§ 284.502 Procedures for applying for market-based rates.

(a) Applications for market-based rates may be filed with certificate applications. Service, notice, intervention, and protest procedures for such filings will conform with those applicable to the certificate application.

(b) With respect to applications not filed as part of certificate applications,

(1) Applicants providing service under subpart B or subpart G of this part must file a request for declaratory order and comply with the service and filing requirements of part 154 of this chapter. Interventions and protests to applications for market-based rates must be filed within 30 days of the application unless the notice issued by the Commission provides otherwise. An applicant providing service under subpart B or subpart G of this part cannot charge market-based rates under this part until its application has been accepted by the Commission. Once accepted, the applicant can make the appropriate filing necessary