

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. RM98–1–000]

**Records Governing Off-The-Record Communications; Public Notice**

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for electronic review at the Commission in the Public Reference Room or may be viewed on the Commission's website 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 Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Docket Nos.	File date	Presenter or requester
<i>Prohibited:</i> 1. P– 12514– 000.	9/6/2022	FERC Staff <sup>1</sup> .
<i>Exempt:</i> NONE.		

<sup>1</sup> Emailed comments dated 8/29/2022 from Jason Johnson.

Dated: September 14, 2022.

**Debbie-Anne A. Reese,**

*Deputy Secretary.*

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**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket Nos. CP17–458–000, CP19–17–000]

**Midship Pipeline Company, LLC; Notice of Request for Extension of Time**

Take notice that on September 13, 2022, Midship Pipeline Company, LLC (Midship) requested that the Federal Energy Regulatory Commission (Commission) grant an extension of time, until December 31, 2024, to complete their Midcontinent Supply Header Interstate Pipeline Project, as authorized in the August 13, 2018 Order Issuing Certificate Under Section 7 of the Natural Gas Act (August 13 Order).<sup>1</sup> Midship states that the original purpose of the project was to provide a total of 1,440 million cubic feet per day (MMcf/d) of year-round firm transportation capacity from Oklahoma to existing natural gas pipelines near Bennington, Oklahoma for transport to growing Gulf Coast and Southeast markets. Ordering Paragraph (B)(1) of the August 13 Order, as amended, provided a deadline of August 13, 2020 to make their facilities available for service.

On August 10, 2020, as supplemented on August 12, 2020, Midship filed a request for an extension of time, until December 31, 2022, to complete construction of the project and place the

<sup>1</sup> See *Midship Pipeline Company, LLC*, 164 FERC ¶ 61,103 (2018) (August 13 Order), *order amending certificate*, *Midship Pipeline Company, LLC*, 166 FERC ¶ 62,039 (2019).

remaining facilities—three compression units—into service. The Commission granted that requested extension of time on December 17, 2020.<sup>2</sup> That Order recognized that Midship had placed all other facilities into service and its pipeline system was capable of providing up to 1,100 MMcf/d of firm transportation service.

Midship now states that, due to adverse economic and logistical conditions induced by the COVID–19 pandemic, commercial progress was slowed. Midship now states that these unforeseen circumstances precluded the project from reaching full commercialization, and that additional time is now required to complete the construction and place into service the certain remaining facilities, namely those three compression units.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on the applicant's request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file 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 Natural Gas Act (18 CFR 157.10).<sup>3</sup>

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for Natural Gas Act facilities when such requests are contested before order issuance. For those extension requests that are contested,<sup>4</sup> the Commission will aim to issue an order acting on the request within 45 days.<sup>5</sup> The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension.<sup>6</sup> The Commission will not consider arguments that re-litigate the issuance of the certificate order, including whether the Commission properly found the project to be in the public convenience and necessity and whether the Commission's environmental analysis for the

<sup>2</sup> *Midship Pipeline Company, LLC*, 173 FERC ¶ 61,255 (2020).

<sup>3</sup> Only motions to intervene from entities that were party to the underlying proceeding will be accepted. *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 39 (2020).

<sup>4</sup> Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 CFR 385.2201(c)(1) (2019).

<sup>5</sup> *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

<sup>6</sup> *Id.* at P 40.