

to limit the potential allowable uses that can occur on these lands as abutting properties become developed in the future, simplifies the requirements and process for authorization of uses, and modifies the fee structure for permit application review to correct imbalances.

m. *Locations of the Application:* This filing 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. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email FERCOnlineSupport@ferc.gov, for TTY, call (202) 502-8659.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

p. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

q. For public inquiries and assistance with making filings such as interventions, comments, or requests for

rehearing, contact the Office of Public Participation at (202) 502-6595 or OPP@ferc.gov.

(Authority: 18 CFR 2.1.)

Dated: March 26, 2026.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2026-06201 Filed 3-30-26; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. UL26-5-000]

Delvin Warner; Notice of Pending Jurisdictional Inquiry, and Soliciting Comments, Protests and Motions To Intervene

On February 4, 2026, the Federal Energy Regulatory Commission (Commission) received a request from the Vermont Department of Environmental Conservation (Vermont DEC) for a jurisdictional determination for the unlicensed East Branch Hydroelectric Project. The project is located on the East Branch of the Missisquoi River in Orleans County, Vermont.

Pursuant to section 23(b)(1) of the Federal Power Act (FPA),¹ a non-federal hydroelectric project must be licensed if it: (a) is located on a navigable water of the United States; (b) occupies lands or reservations of the United States; (c) utilizes surplus water or waterpower from a government dam;² or (d) is located on a stream over which Congress has Commerce Clause jurisdiction, is constructed or modified on or after August 26, 1935, and affects the interests of interstate or foreign commerce.

Regarding condition (d) above, for purposes of FPA section 23(b)(1), headwaters and tributaries of navigable waters are Commerce Clause streams;³ "post-1935" construction or modification at an existing project includes enlarging a project, such as increasing size of the reservoir, height of the dam, or generating capacity;⁴ and projects that generate energy for

¹ 16 U.S.C. 817(1).

² A project that meets condition (a), (b), or (c) is not required to be licensed if it holds a still valid pre-1920 federal permit.

³ *FPC v. Union Electric Co.*, 381 U.S. 90, 94-96 (1965).

⁴ See, e.g., *L.S. Starrett Co. v. FERC*, 650 F.3d 19, 26-27 (1st Cir. 2011); *Cent. Vt. Pub. Serv. Corp.*, 54 FERC ¶ 61,132, at 61,434 (1991) (citing *Puget Sound Power & Light Co. v. FPC*, 557 F.2d 1311 (9th Cir. 1977); *Aquenergy Systems, Inc.*, 29 FERC ¶ 61,026 (1984)).

transmission on the interstate grid affect interstate commerce.⁵

Vermont DEC requests that the Commission examine its jurisdiction for the East Branch Project on the grounds that the project is located on a stream over which Congress has Commerce Clause jurisdiction, was constructed after August 26, 1935, and is connected to the transmission grid.⁶

In response to Vermont DEC's requests, Commission staff is investigating the jurisdictional status of the East Branch Hydroelectric Project (UL26-5-000). A copy of Vermont DEC's request may be viewed on the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number, UL26-5-000. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email FERCOnlineSupport@ferc.gov, for TTY, call (202) 502-8659.

The Commission is soliciting comments, motions to intervene, and protests in these proceedings. Comments, motions to intervene, and protests must be filed by 45 days from notice or May 11, 2026, by 5:00 p.m. Eastern Time. Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules and Practice and Procedure, 18 CFR 385.210, 211, and 214. In determining the appropriate action to take, the Commission will consider all protests or comments filed, but only those who file a motion to intervene in accordance with the Commission's Rule may become a party to the proceedings. Any comments, protests, or motions to intervene must be received on or before the specified comment date.

The Commission strongly encourages electronic filing. Please file comments, protests, and motions to intervene using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/>

⁵ See *FPC v. Union Elec. Co.*, 381 U.S. at 94-95. Moreover, it is well settled that small hydroelectric projects that are connected to the interstate grid, even if they have no interstate sales, affect interstate commerce by displacing power from the grid, and the cumulative effect of the national class of these small projects is significant for purposes of FPA section 23(b)(1). See *Habersham Mills v. FERC*, 976 F.2d 1381, 1384-85 (11th Cir. 1992).

⁶ Vermont DEC February 4, 2026 Request for Determination of Commission Jurisdiction for the East Branch Hydroelectric Project at 2 and 7.

ecomment.asp. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include Docket Number UL26-5-000.

For further information, please contact Rebecca Martin at (202) 502-6012 or rebecca.martin@ferc.gov.

(Authority: 18 CFR 2.1)

Dated: March 26, 2026.

Debbie-Anne A. Reese,
Secretary.

[FR Doc. 2026-06199 Filed 3-30-26; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC26-5-000]

Commission Information Collection Activities (FERC-552, FERC-549E); Consolidated Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collections, FERC-552, Annual Report of Natural Gas Transactions, and FERC-549E, Price Index Data Providers and Developers. There is no change to the information collection requirements for FERC-552 or FERC-549E. The Commission received one comment on the 60-day notice.

DATES: Comments on the collection of information are due April 30, 2026.

ADDRESSES: Send written comments on FERC-552 or FERC-549E to OMB through https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202601-1902-004 (FERC-552) or

https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202601-1902-005 (FERC-549E).

You can also visit <https://www.reginfo.gov/public/do/PRAMain> and use the drop-down under “Currently under Review” to select the “Federal Energy Regulatory Commission” where you can see the open opportunities to provide comments. Comments should be sent within 30 days of publication of this notice.

Please submit a copy of your comments to the Commission via email to DataClearance@FERC.gov. You must specify the Docket No. (IC26-5-000) and the FERC Information Collection number (FERC-552 or FERC-549E) in your email. If you are unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery:

- *Mail via U.S. Postal Service Only:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

- *All other delivery methods:* Federal Energy Regulatory Commission, Secretary of the Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Docket: To view comments and issuances in this docket, please visit <https://elibrary.ferc.gov/eLibrary/search>.

FOR FURTHER INFORMATION CONTACT:

Kayla Williams, (202) 502-6468.

DataClearance@FERC.gov.

SUPPLEMENTARY INFORMATION:

Title: FERC-552, Annual Report of Natural Gas Transactions; FERC-549E, Price Index Data Providers and Developers.

OMB Control No.: 1902-0242, 1902-0328.

Type of Request: Three-year extension of the FERC-549E and FERC-552 information collection requirements with no changes to the current reporting requirements.

Abstract:

FERC-552: The Commission uses the information collected in FERC Form No. 552¹ to provide greater transparency into the size of the physical natural gas market and the use of physical fixed-price and index-based natural gas transactions. This information assists the Commission and the public in assessing whether index prices are the result of a robust market of fixed-price transactions.

FERC Form No. 552 had its genesis in the Energy Policy Act of 2005,² which added section 23 of the Natural Gas Act

(NGA). Section 23 of the NGA, among other things, directs the Commission “to facilitate price transparency in markets for the sale or transportation of physical natural gas in interstate commerce, having due regard for the public interest, the integrity of those markets, and the protection of consumers.”³

FERC-549E: Price indices are commonly used in natural gas and electricity wholesale markets. These indices are used by market participants to price their commodities. The Commission set forth standards for price index developers to demonstrate that their internal processes were sufficient to qualify as a Commission-approved price index developer and, thus, have their price indices referenced in Commission-jurisdictional tariffs in its Initial Policy Statement.⁴ Price index developers seeking approval voluntarily provide written statements to the Commission to explain how they met these standards. Approval of a price index developer is a factor in whether the Commission approves the use of their indices in Commission-jurisdictional tariffs. After the Initial Policy Statement was issued, thirteen price index developers sought and received approval. The Commission issued a Revised Policy Statement on April 21, 2022, effective on December 31, 2022.⁵ Under the Revised Policy Statement, interstate natural gas pipelines and public utilities proposing to use price indices in jurisdictional tariffs are no longer entitled to the rebuttable presumption that a price index developer’s price indices produce just and reasonable rates unless the price index developer has obtained approval or re-approval from the Commission within the last seven years. The FERC-549E information collection represents the burden for price index developers to comply with Commission requirements pertaining to information collection and data publication and to seek approval of their index with the Commission and for data providers that submit information to price index developers. Data providers that submit information to price index developers must meet minimum reporting standards, set forth in the Commission’s

³ 15 U.S.C. 7171-2(a)(1)(2006).

⁴ 104 FERC ¶ 61,121 (Initial Policy Statement), clarified, *Order on Clarification of Policy Statement on Natural Gas and Electric Price Indices*, 105 FERC ¶ 61,282 (2003) (2003 Clarification Order), clarified, *Order Further Clarifying Policy Statement on Natural Gas and Electric Price Indices*, 112 FERC ¶ 61,040 (2005) (2005 Clarification Order).

⁵ *Actions Regarding the Commission’s Policy on Price Index Formation and Transparency, and Indices Referenced in Natural Gas and Electric Tariffs* (PL20-3-000) (Revised Policy Statement), April 21, 2022.

¹ FERC Form No. 552 is prescribed in 18 CFR 260.401.

² Energy Policy Act of 2005, Public Law 109-58, sections 1261 *et seq.*, 119 Stat. 594 (2005).