

CLIENT ALERT

FERC's COVID-19 Pandemic Response Efforts Eases Burdens on Regulated Entities

Mar.20.2020

The Federal Energy Regulatory Commission (FERC) announced various measures to ease burdens of regulated entities so that the energy industry can focus on continuity, safety, and stability during the COVID-19 pandemic.

- The Chairman named Caroline Wozniak as FERC's point of contact for all industry inquiries related to impacts of their COVID-19 preparations and responses on their FERC-jurisdictional activities. Industry can email PandemicLiaison@ferc.gov to receive responses to their questions.
- Deadlines are extended until May 1, 2020 for the following filings (all with due dates occurring before May 1, 2020) for entities that are unable to meet deadlines due to steps they have taken to respond to the emergency conditions:
 - All forms, except FERC Form No. 6 (Annual Report of Oil Pipeline Companies), which is still due by April 20, 2020.
 - Other non-statutory filings, such as compliance filings, responses to deficiency letters, rulemaking comments.
 - Filings required pursuant to tariffs or rate schedules.
- Entities may seek extensions of other deadlines (such as those regarding interventions, protests, and answers), waivers of orders, regulations, tariffs, or rate schedules as needed to address actions taken in response to the coronavirus outbreak, and waivers of the form of filings, such as the requirement to include sworn declarations. FERC commits to acting expeditiously on these other requests.
 - For example, NV Energy's open access transmission tariff requires in-person meetings between the transmission provider and interconnection customer, and FERC has granted a waiver of those tariff requirements so that such meetings can occur via teleconference for the remainder of 2020.
- FERC's Office of Enforcement (OE) is postponing all previously scheduled audit site visits and investigative testimony.
- Technical conferences scheduled through May 2020 will be conducted via conference call or WebEx or postponed. Schedules will be posted to the FERC.gov calendar.
- ALJs will make case-specific calls on hearings as to their start dates, and ALJ settlement conferences will continue via conference call.
- FERC is actively exploring other ways to ease burdens on regulated entities.
- FERC has developed a landing page on the FERC website, where regular updates will be posted.

Please contact us if you have any questions about these measures and how they might impact your filing requirements.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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