

**UNITED STATES OF AMERICA 138 FERC ¶ 62,135
FEDERAL ENERGY REGULATORY COMMISSION**

18 CFR Part 381

[Docket No. RM12-5-000]

Annual Update of Filing Fees

(February 16, 2012)

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule; annual update of Commission filing fees.

SUMMARY: In accordance with 18 C.F.R. § 381.104, the Commission issues this update of its filing fees. This notice provides the yearly update using data in the Commission's Management, Administrative, and Payroll System to calculate the new fees. The purpose of updating is to adjust the fees on the basis of the Commission's costs for Fiscal Year 2011.

EFFECTIVE DATE: [Insert date 30 days after publication in the Federal Register.]

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

DOCUMENT AVAILABILITY: In addition to publishing the full text of this document in the Federal Register, the Commission provides all interested persons

an opportunity to view and/or print the contents of this document via the Internet through FERC's Home Page (<http://www.ferc.gov>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street, N.E., Room 2A, Washington D.C. 20426.

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**UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

18 CFR Part 381

**Annual Update of Filing Fees) Docket No. RM12-5-000
in Part 381)**

Annual Update of Filing Fees

(Issued February 16, 2012)

The Federal Energy Regulatory Commission (Commission) is issuing this notice to update filing fees that the Commission assesses for specific services and benefits provided to identifiable beneficiaries. Pursuant to 18 C.F.R. § 381.104, the Commission is establishing updated fees on the basis of the Commission's Fiscal Year 2011 costs. The adjusted fees announced in this notice are effective [insert date that is 30 days after publication in the Federal Register]. The Commission has determined, with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, that this final rule is not a major rule within the meaning of section 251 of Subtitle E of Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. 804(2). The Commission is submitting this final rule to both houses of the United States Congress and to the Comptroller General of the United States.

The new fee schedule is as follows:

Fees Applicable to the Natural Gas Policy Act

- | | |
|--|-----------|
| 1. Petitions for rate approval pursuant to
18 CFR 284.123(b)(2). (18 CFR 381.403) | \$ 12,370 |
|--|-----------|

Fees Applicable to General Activities

- | | |
|---|-----------|
| 1. Petition for issuance of a declaratory
order (except under Part I of the Federal
Power Act). (18 CFR 381.302(a)) | \$ 24,860 |
|---|-----------|

- | | |
|--|--|
| 2. Review of a Department of Energy
remedial order: | |
|--|--|

Amount in controversy

\$ 0 - 9,999. (18 CFR 381.303(b))	\$ 100
\$ 10,000 - 29,999. (18 CFR 381.303(b))	\$ 600
\$ 30,000 or more. (18 CFR 381.303(a))	\$ 36,290

- | | |
|--|--|
| 3. Review of a Department of Energy
denial of adjustment: | |
|--|--|

Amount in controversy

\$ 0 - 9,999. (18 CFR 381.304(b))	\$ 100
\$ 10,000 - 29,999. (18 CFR 381.304(b))	\$ 600
\$ 30,000 or more. (18 CFR 381.304(a))	\$ 19,030

- | | |
|--|----------|
| 4. Written legal interpretations by the
Office of General Counsel.
(18 CFR 381.305(a)) | \$ 7,130 |
|--|----------|

Fees Applicable to Natural Gas Pipelines

- | | |
|---|------------|
| 1. Pipeline certificate applications pursuant
to 18 CFR 284.224. (18 CFR 381.207(b)) | \$ 1,000 * |
|---|------------|

* This fee has not been changed.

Fees Applicable to Cogenerators and Small Power Producers

1. Certification of qualifying status as a small power production facility.
(18 CFR 381.505(a)) \$ 21,380

2. Certification of qualifying status as a cogeneration facility. (18 CFR 381.505(a)) \$ 24,200

List of Subjects in 18 CFR Part 381

Electric power plants, Electric utilities, Natural gas, Reporting and recordkeeping requirements.

Charles H. Schneider
Executive Director

In consideration of the foregoing, the Commission amends Part 381, Chapter I, Title 18, Code of Federal Regulations, as set forth below.

PART 381 – FEES

1. The authority citation for Part 381 continues to read as follows:

Authority: 15 U.S.C. 717-717w; 16 U.S.C. 791-828c, 2601-2645; 31 U.S.C. 9701; 42 U.S.C. 7101-7352; 49 U.S.C. 60502; 49 App. U.S.C. 1-85.

§ 381.302 [Amended]

2. In 381.302, paragraph (a) is amended by removing "\$ 23,540" and adding "\$ 24,860" in its place.

§ 381.303 [Amended]

3. In 381.303, paragraph (a) is amended by removing "\$ 34,370" and adding "\$ 36,290" in its place.

§ 381.304 [Amended]

4. In 381.304, paragraph (a) is amended by removing "\$ 18,020" and adding "\$ 19,030" in its place.

§ 381.305 [Amended]

5. In 381.305, paragraph (a) is amended by removing "\$ 6,750" and adding "\$ 7,130" in its place.

§ 381.403 [Amended]

6. Section 381.403 is amended by removing "\$ 11,720" and adding "\$ 12,370" in its place.

§ 381.505 [Amended]

7. In 381.505, paragraph (a) is amended by removing "\$ 20,240" and adding "\$ 21,380" in its place and by removing "\$ 22,920" and adding "\$ 24,200" in its place.

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