

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Sudeen G. Kelly, Marc Spitzer,
Philip D. Moeller, and Jon Wellinghoff.

Application of the Primary
Function Test for Gathering on
The Outer Continental Shelf

Docket No. AD03-13-000

ORDER TERMINATING PROCEEDING

(Issued April 4, 2007)

1. On September 24, 2003, the Commission convened a public conference for the purpose of discussing the criteria employed to distinguish transmission facilities from gathering facilities in the shallow waters of the Outer Continental Shelf (OCS). The Commission considered presentations at the conference and subsequent comments, but took no action on the various proposals.
2. On February 15, 2007, the Commission issued an order in Docket No. PL05-10-000 that clarified the criteria it will employ in classifying facilities located on the OCS and the regulatory consequences of such classifications.¹ The clarification provided by the February 15, 2007 Order responds to the questions raised in the proceeding in Docket No. AD03-13-000. Accordingly, the proceeding in Docket No. AD03-13-000 is terminated.

¹ 118 FERC ¶ 61,114 (2007).

The Commission orders:

The proceeding in Docket No. AD03-13-000 is terminated.

By the Commission.

(S E A L)

Philis J. Posey,
Acting Secretary.