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**Date:** August 30, 2018  
**Appraiser:** Steven B. Rhodes, ACRA  
**Agency:** Federal Energy Regulatory Commission  
**Subject:** DAA-0138-2018-0007

*31 Aug 2018*

## INTRODUCTION

### Schedule Overview

Marketing Affiliates of Interstate Pipelines – Compliance Non-tariff Filing (MG Docket series)

### Background

In the late 1980s the Federal Energy Regulatory Commission (FERC) grew concerned over “possible abuses in the relationship between interstate natural gas pipelines and their marketing or brokering” entities. Accordingly, on November 20, 1986 FERC published in the *Federal Register* a “Notice of Inquiry into Alleged Anticompetitive Practices Related to Marketing Affiliates of Interstate Pipelines” (NOI). As a result of this clarion call to action, FERC received a number of comments. Subsequently, the Commission issued a proposal for rulemaking “Inquiry into Alleged Anticompetitive Practices Related to Marketing Affiliates of Interstate Pipelines” which itself was published in the *Federal Register* on June 8, 1987. Publication of Order No. 497 to address the problem came in the June 14, 1988 issue of the *Federal Register* with the stated intention of preventing “possible abuses in the relationship between interstate natural gas pipelines and their marketing to brokering entities” (53 FR 22139). Accordingly, after a long explanation of why these actions were necessary, FERC established standards of conduct for natural gas pipeline suppliers, including the stipulations that such providers must not “give its marketing affiliate preference over nonaffiliated customers in scheduling, transportation, storage, or curtailment priority,” and “to the extent it provides information related to transportation of natural gas and gas sales and marketing to a marketing affiliate, it must do so contemporaneously to all potential shippers, affiliated and non-affiliated” and moreover the provider “must process all similar requests for transportation in the same manner and within the same period of time” (53 FR 22161). FERC therefore required of interstate natural gas pipelines a code of standards with associated reporting requirements to show compliance with the stipulations of Order No. 497 as it relates to applicable tariffs. These filings are examined, discussed and judged in the MG Docket of the Commission. This schedule covers filings and other documentation generated by the reporting requirements related to the MG Docket.

### Overall Recommendation

I recommend approval of the attached schedule.

NATIONAL ARCHIVES *and*  
RECORDS ADMINISTRATION

8601 ADELPHI ROAD  
COLLEGE PARK, MD 20740-6001

[www.archives.gov](http://www.archives.gov)

## APPRAISAL

### **Item 1: Marketing Affiliates Tariff Filings under Order No. 497 (MG Docket series)**

Records relating to the monitoring of activities of pipelines and marketing affiliates as to deter undue favoritism by pipeline companies in favor of marketing affiliates and prevent any harassment of non-affiliates including compliance filings, audits, notices, motions, comments, settlement agreements, and related investigative materials.

**Proposed Disposition:** Temporary

**Appropriateness of Proposed Disposition:** Appropriate

**Appraisal Justification:**

\*Little or no research value.

\*Does not document significant actions of Federal officials.

**Adequacy of Proposed Retention Period(s):**

\*Adequate from the standpoint of legal rights and accountability.

**Media Neutrality:** Requested and approved.



STEVEN B. RHODES

Appraiser, Agency Services