

are rules that are clarifying, corrective, or procedural or that do not substantially change the effect of the regulations being amended.⁵⁴ The actions directed herein fall within this categorical exclusion in the Commission's regulations.

VI. Document Availability

34. 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 the Commission's Home Page (<http://www.ferc.gov>).

35. From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

36. User assistance is available for eLibrary and the Commission's website during normal business hours from the Commission's Online Support at (202) 502-6652 (toll free at 1-866-208-3676) or email at ferconlinesupport@ferc.gov, or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at public.referenceroom@ferc.gov.

The Commission orders:

(A) Reliability Standards EOP-011-4 and TOP-002-5 and their associated violation risk factors and violation severity levels are hereby approved, as discussed in the body of this order.

(B) The decision on whether to approve or modify NERC's proposed implementation date for Reliability Standard EOP-011-4 (and the proposed retirement of Reliability Standard EOP-011-2 and EOP-011-3) is hereby deferred until NERC submits its revised applicability section for Reliability Standard EOP-012-2.

By the Commission. Commissioner Clements is concurring with a separate statement attached.

Issued: February 15, 2024.

Debbie-Anne A. Reese,

Acting Secretary.

United States of America

Federal Energy Regulatory Commission

North American Electric Reliability Corporation

Docket No. RD24-1-000

(Issued February 14, 2024)

CLEMENTS, Commissioner, *concurring*:

1. While I am voting with my colleagues to approve these revised Reliability Standards, I am writing separately to express my concern with the delayed implementation timeline for EOP-011-4.

2. Today's order highlights "the importance of these revised Reliability Standards to maintaining the reliable operation of the Bulk-Power System."¹ But this stated importance is undercut by the extended time granted to affected Registered Entities to implement the new requirements. Specifically, NERC proposed that EOP-011-4 become effective on the first day of the first calendar quarter that is six months following regulatory approval,² and then for each affected Registered Entity to have *at least* 30 months after this effective date to comply with the new and revised provisions of the requirement.³ Under the best of scenarios, this would mean that these new and revised provisions would be implemented no sooner than April 1, 2027—three years, and crucially, three winters from today.⁴

3. Three years after regulatory approval to implement changes to a Reliability Standard is an awfully long time. By the time these standards are implemented, recent experience has taught us that we are likely to face one or more dangerous winter storms. As with Uri in February 2021, Elliott in December 2022, and Gerri/Heather in January 2024, widespread, long duration winter storms that threaten the reliability of our system are no longer

rare events, but rather nearly annual occurrences.

4. I appreciate that NERC has continually worked with its stakeholders to advance improved Reliability Standards for cold weather operations and preparedness following Winter Storm Uri and the subsequent Staff Report.⁵ I also recognize that the 30-month implementation timeframe is responsive to some stakeholders' concerns about the potential time needed to implement any physical changes necessary to comply with the requirements of the revised standard. However, considering the urgency of the winter storm risk that faces our system, this is not the first time that I have been left wondering if our processes for drafting and implementing needed Reliability Standards, whether they be cold weather standards or cybersecurity standards, are too slow to keep up with needed change.⁶

For these reasons, I respectfully concur.

Allison Clements,
Commissioner.

[FR Doc. 2024-03608 Filed 2-21-24; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 7987-016]

Up Property 2, LLC; Notice of Intent To Prepare an Environmental Assessment

On October 5, 2023, as supplemented on October 20, 2023, November 3, 2023, and November 13, 2023, UP Property 2, LLC filed an application to surrender the exemption for and remove the High

⁵ See FERC, NERC, and Regional Entity Staff, *The February 2021 Cold Weather Outages in Texas and the South Central United States*, 19 (Nov. 16, 2021) (November 2021 Report), <https://www.ferc.gov/media/february-2021-cold-weather-outages-texas-and-south-central-united-states-ferc-nerc-and>.

⁶ See, e.g., *Transcript of the 1097th Meeting*, FERC, at 21 (Jan. 19, 2023), <https://www.ferc.gov/media/transcript-january-2023-commission-meeting> ("I'm very pleased that we are directing a firm 15-month deadline for NERC to propose the standards. . . . The processes take time, but it is imperative that we get this important cybersecurity measure in place as quickly as it is feasible."); *Transcript of the 1098th Meeting*, FERC, at 23-24 (Feb. 16, 2023), <https://www.ferc.gov/media/transcript-february-2023-commission-meeting> ("[T]he critical generator weatherization requirements as proposed are, to be frank, not up to the task. The proposal before us requires existing generators to weatherize so they are capable of operating for one hour at extreme cold temperatures beginning in April of 2027. . . . [W]aiting [for] four additional winters before weatherization requirements actually kick in does not reflect the urgency we feel.").

¹ Order, 186 FERC ¶ 61,115, at P 20 (2024).

² By my calculation, this would mean October 1, 2024.

³ NERC, Petition, Docket No. RD24-1-000, Exhibit B "Implementation Plan" at 3 (filed Oct. 30, 2023).

⁴ However, as discussed in the draft order, the actual effective date and implementation plan for EOP-011-4 hinges on NERC's upcoming submission, and Commission approval, of a revised applicability section for EOP-012. If the Commission was to reject the revised applicability section of EOP-012, it is unclear to me when we can expect the requirements to EOP-011-4 (and the preceding, but also yet to be effective, EOP-011-3) to be implemented.

⁵⁴ 18 CFR 380.4(a)(2)(ii) (2023).

Falls Project No. 7987. The project is located on the Deep River in Moore County, North Carolina. The project does not occupy Federal lands.

The Commission issued a public notice of the application on December 20, 2023, with protests, comments, and motions to intervene due to be filed by January 19, 2024. Commenters filed letters and motions to intervene in support of (American Rivers, Sam Warnock), in opposition to (Moore County), and neutral/not pertaining to (Zachariah Schiada) the proposed surrender and removal of the dam. Filings in support of the application cite benefits to migratory fish species and increased recreation opportunities. Filings in opposition cite water level and water table changes, displacement of fish, and concerns about increased recreation access.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) for the project. The planned schedule for the completion of the EA is January 2025.¹ Revisions to the schedule may be made as appropriate. The EA will be issued and made available for review by all interested parties. All comments filed on the EA will be reviewed by staff and considered in the Commission's final decision on the proceeding.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members, and others to access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Any questions regarding this notice may be directed to Shana High at 202-502-8674 or shana.high@ferc.gov or Mary Karwoski at 678-245-3027 or mary.karwoski@ferc.gov.

Dated: February 15, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024-03610 Filed 2-21-24; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP24-402-000.
Applicants: Black Hills Shoshone Pipeline, LLC.

Description: 4(d) Rate Filing: Black Hills Shoshone 2024 LAUF Filing to be effective 4/1/2024.

Filed Date: 2/15/24.

Accession Number: 20240215-5040.

Comment Date: 5 p.m. ET 2/27/24.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

Filings in Existing Proceedings

Docket Numbers: RP23-917-000.
Applicants: Viking Gas Transmission Company.

Description: Report Filing: Section 154.311 Updated Statements to be effective N/A.

Filed Date: 2/14/24.

Accession Number: 20240214-5198.

Comment Date: 5 p.m. ET 2/26/24.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR 385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercensearch.asp>) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and

others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: February 15, 2024.

Debbie-Anne A. Reese,
Acting Secretary.

[FR Doc. 2024-03612 Filed 2-21-24; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC24-51-000.
Applicants: EnerSmart Chula Vista BESS LLC.

Description: Application for Authorization Under Section 203 of the Federal Power Act of EnerSmart Chula Vista BESS LLC.

Filed Date: 2/14/24.

Accession Number: 20240214-5228.

Comment Date: 5 p.m. ET 3/6/24.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG24-112-000.
Applicants: Crossett Solar Energy, LLC.

Description: Crossett Solar Energy, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 2/14/24.

Accession Number: 20240214-5213.

Comment Date: 5 p.m. ET 3/6/24.

Docket Numbers: EG24-113-000.
Applicants: Crossett Solar Energy, LLC.

Description: Crossett Solar Energy, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 2/14/24.

Accession Number: 20240214-5221.

Comment Date: 5 p.m. ET 3/6/24.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER23-2641-002; ER23-2642-002.

Applicants: NRG Power Marketing LLC, NRG Power Marketing LLC.

Description: Notice Regarding Refund Report Requirement of NRG Power Marketing LLC.

Filed Date: 2/7/24.

Accession Number: 20240207-5150.

¹ 42 U.S.C. 4336a(g)(1)(B) requires lead Federal agencies to complete EAs within one year of the agency's decision to prepare an EA.