



BILLING CODE 6717-01-P
DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission

[Docket No. CP19-505-000]

Spire Storage West LLC; Notice of Request for Extension of Time

Take notice that on October 26, 2020, Spire Storage West LLC (Spire or Applicant) requested that the Federal Energy Regulatory Commission (Commission) grant an extension of time, until May 6, 2021, to complete construction of the Belle Butte Project (Project) at its Belle Butte Storage facility in Uinta County, Wyoming, and make the Project available for service, as authorized on November 6, 2020. Spire is authorized to complete the construction activities of the project under the Commission's blanket certificate prior notice procedure.

On August 30, 2019, Spire filed with the Commission in Docket No. CP19-505-000 a Prior Notice of Blanket Certificate Activity describing its plan to complete the Project.¹ The Project consists of converting two existing observation wells to vertical injection/withdrawal wells (Wells #15 and #34), and to construct related connecting flowlines and appurtenances that are necessary to improve the Belle Butte Storage Field's performance in Uinta County, Wyoming. Spire was required to complete construction of the Project facilities and make them available for service by November 6, 2020. Due to delays related primarily to the Covid-19 pandemic, the Bureau of Land Management's (BLM) Kemmerer Field Office in Kemmerer, Wyoming, was unable to provide Spire with the requisite land agreements to begin construction on BLM-administered lands until October 9, 2020. Applicants now request an additional six-month extension of time, until May 6, 2021, to complete construction of the Project and place it into service.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on the Applicant's request for an extension of time may do so. No reply comments or answers will be considered. If you wish to obtain legal status by becoming a party to the proceedings for this request, you should, on or before the comment date stated below, file a motion to intervene in accordance with the

¹ Prior Notice of Blanket Certificate Activity, Docket No. CP19-505-000 (filed Aug. 30, 2019).

requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10).²

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for Natural Gas Act facilities when such requests are contested before order issuance. For those extension requests that are contested,³ the Commission will aim to issue an order acting on the request within 45 days.⁴ The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension.⁵ The Commission will not consider arguments that re-litigate the issuance of the Certificate Order, including whether the Commission properly found the project to be in the public convenience or necessity and whether the Commission's environmental analysis for the certificate complied with the National Environmental Policy Act.⁶ At the time a pipeline requests an extension of time, orders on certificates of public convenience and necessity are final and the Commission will not re-litigate their issuance.⁷ The OEP Director, or his or her designee, will act on all those extension requests that are uncontested.

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://ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning COVID-19, issued by the

² Only motions to intervene from entities that were party to the underlying proceeding will be accepted. *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 39 (2020).

³ Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 C.F.R. 385.2201(c)(1) (2019).

⁴ *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

⁵ *Id.* P 40.

⁶ Similarly, the Commission will not re-litigate the issuance of an NGA section 3 authorization, including whether a proposed project is not inconsistent with the public interest and whether the Commission's environmental analysis for the permit order complied with NEPA.

⁷ *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

President on March 13, 2020. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll-free, (886) 208-3676 or TYY, (202) 502-8659.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the “eFile” link at <http://www.ferc.gov>. Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Comment Date: 5 pm Eastern Time on November 12, 2020.

Dated: October 27, 2020.

Kimberly D. Bose,
Secretary.

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