



## **DEPARTMENT OF ENERGY**

### **Federal Energy Regulatory Commission**

**[Docket No. CP24-59-001]**

#### **WBI Energy Transmission, Inc.; Notice of Request for Extension of Time**

Take notice that on March 21, 2025, WBI Energy Transmission, Inc. (WBI Energy) requested that the Commission grant an extension of time, until December 31, 2025, to complete construction and place into service the Elk Basin – Billings Replacement Project (Project) located in Yellowstone County, Montana. On February 23, 2024, the Commission issued a Notice of Request Under Blanket Authorization, which established a 60-day comment period, ending on April 23, 2024, to file protests. No protests were filed during the comment period, and accordingly the project self-implemented on April 24, 2024, and by Rule should have been completed within one year.

WBI Energy states it has successfully completed construction activities for Section 4 of the Project and has commenced construction activities at the North Yellowstone River Valve Setting. However, due to delays in receiving an easement from the Burlington Northern Santa Fe Railway (BNSF), WBI Energy has been unable to commence construction in Sections 1 through 3 of the Project.

On March 12, 2025, WBI Energy received a draft easement agreement from BNSF and is currently reviewing the terms of the easement. Upon receiving a final easement agreement, WBI Energy anticipates construction of Sections 1 through 3 will take approximately five months. Construction activities in Sections 1 through 3 include: (1) replacement of pipeline including installation and removal activities; (2) completion of six guided bores; (3) aboveground facility work at the Monad Station, Streeter Valve Setting,

Conoco Takeoff Valve Setting, T&E Lateral Valve Setting, Laurel Town Border Station, and Yost Farm Tap; (4) completion of construction activities at the North Yellowstone River Valve Setting; and (5) clean-up and seeding activities.

This notice establishes a 15-calendar day intervention and comment period deadline. Any person wishing to comment on WBI Energy'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 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 (NGA) (18 CFR 157.10).

As a matter of practice, the Commission itself generally acts on requests for extensions of time to complete construction for NGA facilities when such requests are contested before order issuance. For those extension requests that are contested,<sup>1</sup> the Commission will aim to issue an order acting on the request within 45 days.<sup>2</sup> The Commission will address all arguments relating to whether the applicant has demonstrated there is good cause to grant the extension.<sup>3</sup> 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 and necessity and whether the Commission's environmental analysis for the certificate complied with the National

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<sup>1</sup> Contested proceedings are those where an intervenor disputes any material issue of the filing. 18 CFR 385.2201(c)(1).

<sup>2</sup> *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

<sup>3</sup> *Id.* at P 40.

Environmental Policy Act (NEPA).<sup>4</sup> 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.<sup>5</sup> The Director of the Office of Energy Projects, or his or her designee, will act on all of 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 (<https://www.ferc.gov>). 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.

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The Commission strongly encourages electronic filings of comments in lieu of paper using the "eFile" link at <http://www.ferc.gov>. In lieu of electronic filing, you may submit a paper copy which must reference the Project docket number.

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<sup>4</sup> 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.

<sup>5</sup> *Algonquin Gas Transmission, LLC*, 170 FERC ¶ 61,144, at P 40 (2020).

To file via USPS:

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To file via any other courier:

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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, community organizations, 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](mailto:OPP@ferc.gov).

Comment Date: 5:00 pm Eastern Time on April 14, 2025.

Dated: March 28, 2025

**Debbie-Anne A. Reese,**

*Secretary.*