Airway Segment		Changeover Points	
From	To	Distance	From
J18 Is Amended To Add Changeover Point			
ALBUQUERQUE, NM VORTAC	FORT UNION, NM VORTAC	40	ALBUQUERQUE
J78 Is Amended To Add Changeover Point			
ALBUQUERQUE, NM VORTAC	TUCUMCARI, NM VORTAC	40	ALBUQUERQUE

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 385

[Docket No. RM26–13–000; Order No. 920]

RIN 1902–AG51

Denial of Rehearing Requests by Operation of Law Under the Commission's Rules of Practice and Procedure

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission (Commission) is revising its regulations addressing the circumstances under which a request for rehearing is denied absent Commission action within a particular time frame. Currently, the Commission's regulations provide that unless the Commission acts upon a request for rehearing within 30 days after the request is filed, the request is denied. As revised in this final rule, the regulation will apply only to matters subject to the rehearing and judicial review provisions in the Federal Power Act (FPA) and Natural Gas Act (NGA).

DATES: This rule is effective December 24, 2026.

FOR FURTHER INFORMATION CONTACT: Benjamin Carlisle, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. (202) 502–6040. *benjamin.carlisle@ferc.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

A. Commission Rule of Practice and Procedure 713(f)

1. In this final rule, the Federal Energy Regulatory Commission (Commission) is revising Part 385 of its Rules of Practice and Procedure to modify the circumstances under which a request for rehearing is denied absent Commission action within a particular time frame. Currently, Rule 713(f) of the Commission's regulations provides that unless the Commission acts upon a request for rehearing within 30 days after the request is filed, the request is denied.[1] As revised, Rule 713(f) will be applicable only to matters subject to the rehearing and judicial review provisions in the Federal Power Act (FPA) [2] and Natural Gas Act (NGA) [3] and will continue to provide that as to such matters, a request for rehearing is denied unless the Commission acts upon that request within 30 days after the request is filed.

2. Under both the NGA and the FPA, if a party seeks rehearing of an order issued by the Commission, and if the Commission does not ''act[ ] upon'' the rehearing request within 30 days after it is filed, then rehearing ''may be deemed to have been denied.'' [4] At that point, an aggrieved rehearing applicant may file a petition for judicial review of the Commission's orders within 60 days.[5] Until the administrative record is filed with the court, the Commission may ''modify or set aside, in whole or in part,'' its orders without leave of court.[6]

3. Rule 713(f) was first promulgated to effectuate the statutory process under the FPA and NGA and remove ambiguity regarding whether a request for rehearing remains pending if the Commission does not act on that request during the 30-day period specified in those statutes. In particular, the Federal Power Commission (FPC) promulgated what is now Rule 713(f) in response to the 1953 decision of the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) in *Texas-Ohio Gas Co.* v. *FPC*.[7] On the facts of that case, the court disagreed with the FPC's position that a rehearing applicant had failed to timely petition for review within the requisite 60 days under NGA section 19(b) where the Commission had issued neither an order nor a notice addressing the rehearing request.[8] In reaching its decision, the court explained that ''[t]he literal terms of Section 19(a) . . . are that the application may be deemed to have been denied, not that it must be.'' [9] The court inferred that Congress's primary intent was ''to permit an appeal to the courts by a disappointed litigant as soon as thirty days have passed, without waiting longer for the Commission to act

[1] 18 CFR 385.713(f).

[2] 16 U.S.C. 825*l*.

[3] 15 U.S.C. 717r.

[4] 15 U.S.C. 717r(a); 16 U.S.C. 825*l*(a).

[5] 15 U.S.C. 717r(b); 16 U.S.C. 825*l*(b).

[6] 15 U.S.C. 717r(a); 16 U.S.C. 825*l*(a); *see also* 15 U.S.C. 717r(b) (providing that the jurisdiction of the court shall become ''exclusive'' upon the filing of the record); 16 U.S.C. 825*l*(b) (same); *Allegheny Def. Project* v. *FERC,* 964 F.3d 1, 16–17 (D.C. Cir. 2020) (en banc).

[7] 207 F.2d 615 (D.C. Cir. 1953) (*Texas-Ohio*). Under the 1977 Department of Energy Organization Act, Public Law 95–91, codified in part at 42 U.S.C. 7111 *et seq.,* most of the FPC's functions were transferred to the Commission. *Trunkline LNG Co.,* 57 FERC ¶ 61,112, at 61,420 (1991).

[8] The aggrieved party in *Texas-Ohio* timely sought rehearing of an order the FPC had issued under the Natural Gas Act. The Commission took no action on the request for rehearing within the 30 days after it was filed. On the 32nd day after the rehearing request was filed, the party received notice from the Acting Secretary of the FPC that rehearing had been denied. That party filed a petition for review 59 days after receiving that notice. The FPC moved to dismiss the petition as untimely, reasoning that the FPC ''must be deemed to have issued . . . an order denying'' rehearing on the 30th day after the request for rehearing was filed. *Texas-Ohio,* 207 F.2d at 616. Under that logic, the petition would have been untimely, as it was filed 62 days after the ''deemed'' denial of rehearing (albeit 59 days after the party received actual notice of the denial). The D.C. Circuit denied the FPC's motion to dismiss because, ''[u]nder the circumstances'' of that case, the petition for review ''satisfied'' the timeliness requirements of the NGA. *Id.* at 617.

[9] *Id.* at 616.

on his application for rehearing.'' [10] The court interpreted NGA section 19(b)—under which the 60-day deadline is tethered to ''the order of the Commission upon the application for rehearing'' [11]—as ''contemplat[ing],'' but not requiring, that the Commission issue a formal order granting or denying rehearing.[12] The court, however, interpreted the Administrative Procedure Act (APA) as requiring ''prompt notice'' of a denial, which ''[p]erhaps . . . could be sufficiently supplied by a published regulation'' or notice of ''general applicability.'' [13] The court suggested that such a notice could, ''for example, stat[e] that on the thirtieth day after the filing of an application for rehearing the application shall be deemed denied, with the same force and effect as if a formal order had been entered.'' [14]

4. The FPC first proposed what is now Rule 713(f) in 1954, describing the Rule as, ''in effect, an interpretation of'' NGA section 19(a) and FPA section 313(a).[15] Relying on its authority in NGA section 16 [16] and FPA section 309,[17] the FPC explained that the Rule 713(f)'s ''adoption is made desirable by the decision of the'' D.C. Circuit in *Texas-Ohio.*[18] In Order No. 175, the FPC later adopted this language as proposed in the 1954 NOPR.[19] In Order No. 225, the Commission reorganized its Rules of Practice and Procedure, and announced its intention to extend its Rules of Practice and Procedure to proceedings governed by the Interstate Commerce Act (ICA).[20] Explaining Rule 713(f), the Commission stated that, ''[t]o alleviate a potential administrative burden on the Commission, a request for rehearing is denied by operation of law after 30 days if no Commission action is taken within that time.'' [21]

[10] *Id.* at 616–17.

[11] 15 U.S.C. 717r(b); *see Texas-Ohio,* 207 F.3d at 616 (quoting same language).

[12] *Texas-Ohio,* 207 F.3d at 617.

[13] *Id.; see* 5 U.S.C. 555(e) (''Prompt notice shall be given of the denial in whole or in part of a written application, petition, or other request of an interested person made in connection with any agency proceeding.'').

[14] *Texas-Ohio,* 207 F.2d at 617.

[15] *Miscellaneous Amends. to Chapter; Supplemental Notice of Proposed Rulemaking,* 19 FR 72, 73 (Jan. 6, 1954) (1954 NOPR).

[16] 15 U.S.C. 717o.

[17] 16 U.S.C. 825h.

[18] 1954 NOPR, 19 FR at 72.

[19] *See Amend. of Part 1, Rules of Prac. & Proc.,* Order No. 175, 13 FPC ¶ 1281 (1954).

[20] *Revision of Comm'n Rules of Prac. & Proc. to Expedite Trial-Type Hearings,* Order No. 225, 47 FR 19014 (May 3, 1982), 19 FERC 61,069.

[21] *Id.* at 19,020.

B. Allegheny Defense Project v. FERC (Allegheny)

5. Prior to the D.C. Circuit's 2020 *en banc* decision in *Allegheny,* the Commission routinely issued orders tolling the 30-day period for action on rehearing requests specified in the FPA and NGA, as well as Rule 713(f). These orders stated that the Commission was granting rehearing for the limited purpose of further consideration. In *Allegheny,* the D.C. Circuit, sitting *en banc,* held that tolling orders do not amount to ''action'' on rehearing applications within the meaning of NGA section 19(a), and thus do not prevent requests for rehearing from being ''deemed'' denied after 30 days.[22]

6. After *Allegheny,* the Commission no longer issues tolling orders to extend the 30-day period for action on rehearing requests under the NGA or FPA.[23] Instead, the Commission keeps the public apprised of the status of proceedings by issuing one of two types of notices on or after the 31st day following receipt of a rehearing request. The first type, a Notice of Denial of Rehearing by Operation of Law, states only that rehearing may be deemed denied by operation of law, thus indicating that a further order addressing the merits of the rehearing request is not forthcoming.[24] The second type, a Notice of Denial of Rehearing by Operation of Law and Providing for Further Consideration, states that, although rehearing may be deemed denied by operation of law, the Commission intends to issue a further order addressing the merits of the rehearing request under the Commission's retained authority under the FPA and NGA to modify or set aside the underlying order in whole or in part until the record in a proceeding has been filed in a court of appeals.[25] In proceedings where the Commission issues this second type of notice, litigants often file ''protective'' petitions for review within 60 days of the date rehearing may be deemed denied—*i.e.,* within the statutory timeframe to seek judicial review following Commission action on an application for rehearing.[26]

[22] *Allegheny,* 964 F.3d at 3–4.

[23] Although *Allegheny* was decided under the NGA, its holding is also applicable to rehearing requests brought under the FPA because the rehearing provisions in both statutes are materially identical and read in *pari materia. See, e.g., Ark. La. Gas Co* . v. *Hall,* 453 U.S. 571, 577 n.7 (1981); *Tenn. Gas Pipeline Co.,* 162 FERC ¶ 61,167, at P 9 n.9 (2018).

[24] *See, e.g., Nw. Colstrip 370Pu LLC,* 195 FERC ¶ 62,068 (2026); *Blue Lake Power, LLC,* 186 FERC ¶ 62,001 (2024).

[25] *See, e.g., Midcontinent Indep. Sys. Operator, Inc.,* 181 FERC ¶ 62,079 (2022); *Mountain Valley Pipeline, LLC,* 181 FERC ¶ 62,057 (2022); *see Allegheny,* 964 F.3d at 5, 16–17 (discussing this retained authority to act).

C. ICA

7. The ICA is materially different from the FPA and NGA with respect to rehearing of Commission orders. Although both the FPA and NGA contain mandatory and jurisdictional rehearing requirements, the ICA does not require that an aggrieved party seek rehearing from the Commission prior to petitioning for judicial review.[27] Rather, rehearing requests are permissive in nature.[28] The Supreme Court has held that, if a party requests rehearing, the time for that party to file a petition for review in an ICA case runs from the date the order acting on the rehearing request is issued.[29] Under the ICA, a party that has requested rehearing of an agency decision is precluded from seeking judicial review before the agency has acted on that rehearing request.[30]

8. Unlike the FPA and NGA, the ICA contains no provision specifying that an application for rehearing may be deemed denied if the Commission does not ''act[ ] upon'' [31] the rehearing request before a particular period of time has elapsed. Rather, it more generally provides that such applications under the ICA are ''governed by such general rules as the

[26] *See Allegheny,* 964 F.3d at 17 (noting that applicants may file a petition for review immediately after a deemed denial).

[27] *See, e.g., Tesoro Alaska Co.* v. *FERC,* 778 F.3d 1034, 1037 (D.C. Cir. 2015) (''The ICA has no requirement to seek agency rehearing prior to judicial review.'').

[28] ICA 17(6), codified at 49 U.S.C. app. 17(6) (1988) (authorizing a party to a Commission decision, order, or requirement to seek rehearing, reargument, or reconsideration, governed by such general rules as the Commission may establish). Congress transferred regulatory authority over interstate oil pipelines from the Interstate Commerce Commission to the Commission in the Department of Energy Organization Act, Public Law 95–91, 402(b), 91 Stat. 565, 584 (1977), codified as amended 49 U.S.C. 60502. The Commission administers the ICA as it existed in 1977, as reprinted in 49 U.S.C. app. 1–65a (1988). *See Ass'n of Oil Pipe Lines* v. *FERC,* 83 F.3d 1424, 1428 n.6 (D.C. Cir. 1996). The D.C. Circuit has held that the judicial review provisions of the Hobbs Act, *see* 28 U.S.C. 2321, 2341–51, apply to ICA oil pipeline cases. *See Petro Star Inc.* v. *FERC,* 166 F.4th 161, 165–66 (D.C. Cir. 2026); *Ass'n of Oil Pipe Lines,* 83 F.3d at 1432 n.14.

[29] *See ICC* v. *Bhd. of Locomotive Eng'rs,* 482 U.S. 270, 280 (1987) (*Locomotive Engineers*) (''[T]he filing of a timely rehearing petition, like the filing of a timely petition for agency reconsideration, extends the time for appealing from the original decision. . . .'').

[30] *See United Transp. Union* v. *ICC,* 871 F.2d 1114, 1116 (D.C. Cir. 1989); *Winter* v. *ICC,* 851 F.2d 1056, 1062 (8th Cir. 1988); *see also Stone* v. *INS,* 514 U.S. 386, 392 (1995); *id.* at 391 (discussing the interpretation of the Hobbs Act in *Locomotive Engineers* as supporting this conclusion).

[31] 15 U.S.C. 717r(a); 16 U.S.C. 825*l*(a).

Commission may establish,'' [32] which currently includes denial pursuant to Rule 713(f) absent Commission action within 30 days of the filing of the rehearing request. Following *Allegheny,* the Commission has continued its practice of issuing orders tolling the deadline in Rule 713(f) to allow additional time for further consideration of the matters raised on rehearing.

II. Discussion

9. The Commission is revising Rule 713(f) to apply only to cases subject to the rehearing and judicial review provisions in the FPA, 16 U.S.C. 825*l,* and NGA, 15 U.S.C. 717r. We find that revising Rule 713(f) as provided herein will conform with the statutory authorities governing rehearing of Commission orders, continue to provide parties seeking rehearing with appropriate notice of the disposition of their rehearing requests, and increase administrative efficiency by streamlining the Commission's processes in certain cases.

10. Specifically, the Commission is revising Rule 713(f) to provide that, as to matters subject to the rehearing and judicial review provisions in 16 U.S.C. 825*l* and 15 U.S.C. 717r, a request for rehearing is denied unless the Commission acts upon that request within 30 days after the request is filed. This revised version of Rule 713(f) will thus apply to matters arising under the FPA and NGA, consistent with the reasons for the initial adoption of the Rule.[33]

11. Rule 713(f), as revised, will not result in any change in the Commission's practices or procedures with respect to matters subject to the rehearing and judicial review provisions of the FPA and NGA. Each of those statutes' rehearing provisions states that if the Commission does not ''act[ ] upon'' a rehearing request within 30 days, rehearing ''may be deemed to have been denied.'' [34] Rule 713(f), as revised, continues to provide that a request for rehearing *is* denied when this 30-day period has elapsed without Commission action, thereby providing notice to parties that have sought rehearing as to the status of their request for administrative rehearing.[35] In matters falling within the scope of revised Rule 713(f), the Commission will continue its practice of issuing the two types of notices described above,[36] so that a party whose rehearing request has been denied by operation of law has additional notice as to whether the Commission expects to issue a further order.

12. As noted above, in matters subject to the FPA and NGA parties have often filed ''protective'' petitions for review in cases where the Commission issues a Notice of Denial of Rehearing by Operation of Law and Providing for Further Consideration. Such notices indicate that although the 30-day time period has elapsed, the Commission intends to issue a future order addressing the merits of the rehearing request. Because the Commission intends to continue its existing notice practice in cases that remain subject to the revised Rule 713(f), the Commission finds it appropriate to address the concerns that have motivated parties to file ''protective'' petitions for review in the wake of such notices. The Commission observes that the D.C. Circuit has held that the 60-day window for petitioners to seek judicial review under the FPA or NGA does not preclude the court from considering ''a petition for review from a final denial of relief, even if there had been a deemed denial in the interim and the petition for review was filed more than 60 days following that deemed denial.'' [37] Consistent with that holding, the Commission has not sought—and does not intend to seek—dismissal of a petition for review on grounds of untimeliness where that petition was filed within 60 days from such a final denial of relief, even if it was filed more than 60 days following the date that the rehearing request may have been ''deemed to have been denied'' under FPA section 313(a) or NGA section 19(a).

13. As revised, Rule 713(f) will not apply to matters that are not subject to the rehearing and judicial review provisions in the FPA and NGA, notably including matters arising under the ICA.[38] As explained above, the ICA does not provide that an application for rehearing may be deemed denied if the Commission does not act upon the rehearing request within 30 days or, indeed, before any particular period of time has elapsed.[39] Revising Rule 713(f) as stated is thus consistent with the ICA's statutory text regarding rehearing, including in removing Rule 713(f)'s 30-day deadline for the Commission to either act on a rehearing request in an ICA matter or issue a tolling order extending this deadline. In addition, these revisions to Rule 713(f) obviate any need for the Commission to continue its practice of issuing tolling orders as to rehearing requests in ICA cases. Because the Commission has issued such tolling orders in most matters arising under the ICA, revising Rule 713(f) in this manner simplifies and streamlines the Commission's processes in ICA cases, resulting in administrative efficiencies and continuing the Commission's practice of timely resolving such cases.

14. A party seeking rehearing in an ICA matter will receive notice of the disposition of its rehearing request through the issuance of an appropriate Commission order. In light of the statutory text governing rehearing applications filed in ICA matters, this approach provides sufficient notice to rehearing applicants regarding the pendency and status of their rehearing requests.[40]

III. Information Collection Statement

15. Office of Management and Budget (OMB) regulations require OMB to approve certain information collection requirements imposed by agency rule.[41] This final rule, however, results in no new, additional, or different public reporting burden. This final rule does not require public utilities or natural gas

[32] ICA 17(6).

[33] *See supra* P 4.

[34] 15 U.S.C. 717r(a); 16 U.S.C. 825*l*(a).

[35] *See supra* PP 3–4 (discussing *Texas-Ohio* and reasons for promulgating Rule 713(f)).

[36] *See supra* P 6. For clarity, on a prospective basis, the language in these notices will conform to the regulation and provide that a request for rehearing ''is denied'' absent Commission action within the 30-day period. This conforming update does not reflect any change to the Commission's practices or the effect of these notices.

[37] *Env't Def. Fund* v. *FERC,* 2 F.4th 953, 972 (D.C. Cir. 2021); *Am. Whitewater* v. *FERC,* 125 F.4th 1139, 1152 (D.C. Cir. 2025) (''Whether a deemed denial is accompanied by a Denial Notice, a tolling order or nothing, after 30 days of inaction an applicant may seek judicial review or wait for FERC to act on the application.''); *see also Texas-Ohio,* 207 F.2d at 616–17.

[38] *See supra* PP 7–8 (discussing the separate rehearing and judicial review provisions applicable to cases arising under the ICA). Likewise, the Natural Gas Policy Act (NGPA) has separate rehearing and judicial review provisions, and matters subject to those provisions would not fall within the ambit of the revised regulation. *See* 15 U.S.C. 3416(a)(2), (a)(4). Notably, the NGPA states that unless the Commission acts upon a request for rehearing within 30 days after it is filed ''such application shall be deemed to have been denied,'' in contrast to the ''may be deemed to have been denied'' language of the FPA and NGA. *Id.* 3416(a)(2).

[39] *See supra* P 7 (also noting that rehearing under the ICA is permissive rather than mandatory).

[40] Concerns about notice were identified in the *Texas-Ohio* decision, which turned on a potential ambiguity in the NGA as to whether a rehearing request remained pending before the Commission after 30 days of inaction, given the language in the NGA providing a rehearing request ''may be deemed to have been denied'' in those circumstances. *Texas-Ohio,* 207 F.2d at 616–17 (noting that the NGA seems to contemplate the issuance of a formal order and the APA, 5 U.S.C. 1005(d), requires ''prompt notice'' of a denial). Because the ICA does not contain a similar provision, this potential ambiguity does not exist as to applications for rehearing brought under that Act.

[41] 5 CFR 1320.13.

companies to file new, additional, or different information, and it does not change the frequency with which they must file information.

IV. Environmental Analysis

16. The Commission is required to prepare an Environmental Assessment or an Environmental Impact Statement for any action that may have a significant adverse effect on the human environment.[42] Excluded from this requirement are rules that are procedural, ministerial, or internal administrative and management actions, programs or decisions.[43] This rule falls within this exception; consequently, no environmental consideration is necessary.

V. Regulatory Flexibility Act

17. The Regulatory Flexibility Act of 1980 (RFA) [44] generally requires a description and analysis of final rules that will have significant economic impact on a substantial number of small entities. This final rule revises certain of the Commission's procedural regulations related to addressing requests for rehearing and does not create any additional requirements for filers. The Commission thus certifies that it will not have a significant economic impact upon participants in Commission proceedings. An analysis under the RFA is therefore not required.

VI. Regulatory Planning and Review

18. Executive Order 12866 (Regulatory Planning and Review),[45] as amended by Executive Order 14215 (Ensuring Accountability for All Agencies) [46] and supplemented by Executive Order 13563 (Improving Regulation and Regulatory Review),[47] directs agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. The Office of Information and Regulatory Affairs (OIRA) has determined that this regulatory action is a ''significant regulatory action,'' under section 3(f) of Executive Order 12866, as amended, though not economically significant under section 3(f)(1). Accordingly, OIRA has reviewed this regulatory action for compliance with the analytical requirements of Executive Order 12866. In general, this regulatory action is intended to simplify the Commission's processes and improve stakeholders' interactions with the Commission by eliminating unnecessary administrative steps resulting from the Commission's existing regulations. This regulatory action will increase administrative efficiency by eliminating a purely procedural step in the disposition of certain rehearing requests, thereby supporting the Commission's timely resolution of pending matters. In addition, this final rule is considered a deregulatory action under Executive Order 14192 (Unleashing Prosperity Through Deregulation).

VII. Executive Order 13132 (Federalism)

19. Executive Order 13132 (Federalism) [48] imposes certain requirements on Federal agencies formulating and implementing policies or regulations that preempt State law or that have federalism implications. The Executive Order requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. The Commission has determined that this final rule would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, the Commission has not prepared a federalism assessment.

VIII. Document Availability

20. 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*).

21. 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.

22. User assistance is available for eLibrary, the Public Reference Service, and the Commission's website during normal business hours from FERC Online Support at (202) 502–6652 (toll free at (866) 208–3676) or email at *ferconlinesupport@ferc.gov.*

IX. Notice and Effective Date

23. This rule is effective December 24, 2026. The Commission is issuing this rule as a final rule without a period for public comment. Public notice and comment, otherwise required by 5 U.S.C. 553, do not apply to ''rules of agency organization, procedure, or practice.'' [49] This rule concerns only matters of agency procedure, and will not significantly affect regulated entities or the general public.

List of Subjects in 18 CFR Part 385

Administrative practice and procedure, Electric power, Penalties, Pipelines, Reporting and recordkeeping requirements.

By the Commission.

Issued: November 19, 2026.

Carlos D. Clay,

Deputy Secretary.

In consideration of the foregoing, the Commission amends part 385.713(f), chapter I, title 18, Code of Federal Regulations, as follows:

PART 385—RULES OF PRACTICE AND PROCEDURE

■ 1. The authority citation for Part 385 continues to read as follows:

Authority: 5 U.S.C. 551–557; 15 U.S.C. 717–717w, 3301–3432; 16 U.S.C. 791a–825v, 2601–2645; 28 U.S.C. 2461; 31 U.S.C. 3701, 9701; 42 U.S.C. 7101–7352, 16441, 16451–16463; 49 U.S.C. 60502; 49 App. U.S.C. 1–85 (1988); 28 U.S.C. 2461 note (1990); 28 U.S.C. 2461 note (2015).

■ 2. In § 385.713, paragraph (f) is revised to read as follows:

§ 385.713 Request for rehearing (Rule 713).

* * * * *

(f) *Commission action on rehearing.* As to matters subject to the rehearing and judicial review provisions in section 313 of the Federal Power Act (16 U.S.C. 825*l*) or section 19 of the Natural Gas Act (15 U.S.C. 717r), a request for rehearing is denied unless the Commission acts upon that request within 30 days after the request is filed.

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[42] *Reguls. Implementing the Nat'l Env't Pol'y Act,* Order No. 486, 52 FR 47897 (Dec. 17, 1987), FERC Stats. & Regs. Preambles 1986–1990 ¶ 30,783 (1987) (cross-referenced at 41 FERC ¶ 61,284).

[43] 18 CFR 380.4(a)(1).

[44] 5 U.S.C. 601–612.

[45] 58 FR 51735 (Oct. 4, 1993).

[46] 90 FR 10447 (Feb. 18, 2025).

[47] 76 FR 3821 (Jan. 18, 2011).

[48] 64 FR 43255 (Aug. 10, 1999).

[49] 5 U.S.C. 553(b)(A).