



MEMORANDUM OF UNDERSTANDING BETWEEN THE FEDERAL ENERGY REGULATORY COMMISSION AND THE PETROLEUM & NATURAL GAS REGULATORY BOARD, INDIA REGARDING THE EXCHANGE OF INFORMATION, CONSULTATION, TRAINING AND TECHNICAL ASSISTANCE

The Federal Energy Regulatory Commission ("FERC") and the Petroleum and Natural Gas Regulatory Board, India ("PNGRB") (collectively, "the Authorities"), sharing the goal of building and maintaining open, fair, efficient and sound oil and natural gas markets, recognizing that the development of effective domestic legal and regulatory structures is essential to market integrity, consumer protection and investment promotion, believing that international cooperation can facilitate the growth of best regulatory practices in the oil and natural gas sectors across different countries in the world, and desiring to establish a mutually acceptable basis for the exchange of information, consultation, training and technical assistance,

HAVE REACHED the following understanding:

I. GENERAL PRINCIPLES

1. PNGRB was established as a statutory body on the 1st of October, 2007 under an Act of the Parliament of India. The PNGRB is required to regulate

the refining, processing, storage, transportation, distribution, marketing, and sale of petroleum, petroleum products and natural gas, excluding the production of crude and natural gas, so as to protect the interests of consumers and entities and to ensure uninterrupted and adequate supply in all parts of the country and to promote competitive markets.

2. FERC's jurisdictional activities with regard to oil and natural gas include reviewing applications for the construction and operation of facilities to import and export natural gas; issuing certificates of public convenience and necessity for the construction and operation of interstate natural gas pipelines and storage; overseeing the rates, terms and conditions of transportation and of certain sales for resale of natural gas in interstate commerce; and approving the rates, terms and conditions of transportation services provided by interstate oil pipelines.
3. The Authorities recognize the need and desirability of sharing regulatory expertise and practices, as set forth in Clauses II, III, and IV, with each other pursuant to this Memorandum of Understanding.
4. This Memorandum of Understanding regarding exchange of information, consultation, training and technical assistance with respect to the oil and natural gas sectors within the Authorities' regulatory jurisdiction describes the intent of the Authorities. It is not legally binding, and does not create legally binding obligations under international law or domestic law, and neither Authority is expected to take any action that would be inconsistent with applicable laws, regulations, and policy directives. Unless otherwise decided, each Authority intends to bear its own costs incurred as a result of participation in any activities that may be taken hereunder.

II. EXCHANGE OF INFORMATION AND CONSULTATION

5. The Authorities intend to share information on each other's laws, rules, and regulations relating to the oil and natural gas sectors and their experiences in regulating these sectors with a view to learning about the best practices and promoting development of competitive markets in their respective countries. Where appropriate, the Authorities expect to make a reasonable effort to identify and facilitate contact with other governmental agencies in their respective countries of operation to provide requested information to each other pursuant to this Memorandum of Understanding.

6. The Authorities believe that it would be of help to consult each other on a regular basis especially on matters relating to the development of competitive markets in the oil and natural gas sectors, promotion of investment in the sector, and protection of consumer interests. Such consultations could be on a formal or informal basis and could be through different modes including e-mail, tele-conferencing, meetings, etc. The forms of cooperation may also include assignment of personnel for jointly-determined periods of time from one Authority to the other for participating in workshops, meetings, research activities, projects, etc.

III. TRAINING

7. The Authorities may impart training to personnel from the other Authority, as per request and feasibility, in their offices or in training facilities available to them.

IV. TECHNICAL ASSISTANCE

8. Either Authority may seek technical assistance from the other Authority with a view to improving one's technical capabilities on regulatory issues. Such issues may, *inter alia*, include:

- (i) Development of a regulatory framework for the promotion of fair trade and competitive markets in the interests of the entities and consumers;
- (ii) Guidelines for regulating open access to common carrier or contract carrier gas/petroleum-product pipelines as applicable; and
- (iii) Development of tariffs for transportation for natural gas and oil pipelines.

V. OFFICIAL CONTACTS

9. To further ensure the effective operation of this Memorandum of Understanding and to facilitate communication between the Authorities, the Authorities hereby designate the following contact officials:

For The Petroleum and Natural Gas Regulatory Board:

Petroleum and Natural Gas Regulatory Board, 1st Floor, World Trade Centre,
Babar Road,
New Delhi 110001. India

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For the Federal Energy Regulatory Commission:

U.S. Federal Energy Regulatory Commission

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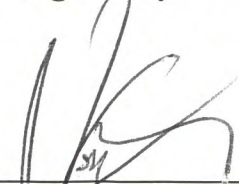
VI. EFFECTIVE DATE AND DISCONTINUATION

10. This Memorandum of Understanding is effective from the date of its signing by the Authorities and is intended to remain effective until discontinued by either Authority as provided for in Paragraph 11.
11. Either Authority may discontinue activities under this Memorandum of Understanding at any time for any reason but should endeavor to give ninety days' advance written notice of its intent to do so to the other Authority.

Signed this day of 2019 at .

**FOR U. S. Federal Energy
Regulatory Commission**

**FOR Petroleum and Natural
Gas Regulatory Board, India**



**Neil Chatterjee
Chairman**



**D K Sarraf
Chairperson**