



December 19, 2024

Additional Comments of the National Association of State Energy Officials (NASEO) on the Notice of Proposed Rulemaking Regarding the U.S. Energy Information Administration’s (EIA) Suspension of Petroleum Marketing Program Surveys

These comments are submitted by the National Association of State Energy Officials (NASEO), which represents the governor-designated State Energy Offices from each of the 56 states, territories, and District of Columbia. State and Territory Energy Offices (State Energy Offices) work on a wide range of energy policies and programs, including State Energy Security Plan development. They have led this critical energy security work within their states for over 40 years as required by the longstanding, bipartisan U.S. State Energy Program established by Congress. This requirement was strengthened by provisions included in the *Infrastructure Investment and Jobs Act*, Section 40108. States develop State Energy Security Plans – in coordination with federal agencies, local governments, tribal nations, and the energy industry – to address risks and vulnerabilities from all hazards impacting all energy sources, including liquid fuels. The fundamental element of any risk mitigation measure included in the plans is access to consistent and reliable data. This information is critical in preparing for potential energy supply disruptions and responding to energy emergencies, a responsibility practiced and executed in partnership with the private sector and Federal Government.

Historically, State Energy Offices have relied on the U.S. Energy Information Administration (EIA) Petroleum Marketing Program data for liquid fuel event monitoring, emergency response, energy security planning, and policy development. The key EIA data used by the states for these purposes is the *782A Refiners’/Gas Plant Operators’ Monthly Petroleum Product Sales Report*, and *782C Monthly Report of Prime Supplier Sales of Petroleum Products Sold for Local Consumption*. The proposed permanent suspension of the 782A and 782C data is very concerning.

EIA’s provision of this critical data to federal, state, and local government officials has for many years aided in emergency planning and response and other governmental functions. Among the many reasons NASEO and the states have strongly supported the work of EIA for decades is because of the agency’s track record of providing high-quality data in an unbiased manner. While some “substitute” data is available from private-sector sources, that data is not of comparable quality or detail, and it comes at a substantial cost to federal, state, and local government entities. We believe EIA’s provision of this data is exactly the type of use case that Congress envisions when it provides funding for EIA’s work. Discontinuation of this dataset means a near-complete elimination of detailed, publicly available industry data needed to maintain situational awareness and use for emergency and other energy planning purposes.

The increased burden of finding even suboptimal alternatives has already fallen disproportionately on rural states with smaller populations, and typically smaller government budgets. Discontinuation of these surveys also undermines the benefit of a federal, independent agency collecting the data from the private sector in a secure manner and then

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making a summary version available to state, federal, and local government officials in key energy decision-making and emergency response roles.

Additionally, the security and safety costs of not having this data are significant. Lack of reliable, timely data during energy emergencies leads to suboptimal outcomes that impact lives and livelihoods. NASEO urges EIA to address the underlying issues that led to the suspension of the surveys, and to continue providing this critical data for their energy emergency planning and response purposes. Discontinuation of this information diminishes critical state, federal, and local government lifeline and safety capabilities.

NASEO appreciates the exceptional work of EIA in collecting and analyzing many valuable energy-related data sets for use by states, federal agencies, and the private sector. As outlined above and in the attached previous NASEO submission to EIA on 782A and 782C, we believe the continued absence of this data will have significant impacts on State Energy Security Planning and energy emergency response. Thank you for opportunity to provide comments on this important matter.

Best regards,

A handwritten signature in black ink, appearing to read 'D. Terry', with a long horizontal flourish extending to the right.

David Terry
President, NASEO

cc: State Energy Office Directors

Attachment: NASEO Submission Comments of the National Association of State Energy Officials (NASEO) on the Notice of Proposed Rulemaking Regarding the U.S. Energy Information Administration's (EIA) Suspension of Petroleum Marketing Program Surveys, August 5, 2024