

From: [Petroleum Marketing Program](#)
To: [Campbell Delahoyde](#); [Petroleum Marketing Program](#)
Cc: [David Terry](#); [Kirsten Verclas](#); [Sarah Trent](#)
Subject: RE: 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
Date: Thursday, October 3, 2024 8:43:51 AM
Attachments: [image001.png](#)

Thank you for your comments to support the following reports that we had previously published in our [Petroleum Marketing Monthly](#):

- [Form EIA-782A, Refiners'/Gas Plant Operators' Monthly Petroleum Product Sales Report \(Tables 28–44\)](#)
- [Form EIA-782C, Monthly Report of Prime Supplier Sales of Petroleum Products Sold for Local Consumption \(Tables 45–47\)](#)

We also appreciate you meeting with us on Wednesday, September 11, 2024, and several prior discussions since 2022.

We have carefully considered all comments, and we have decided to discontinue EIA-782A and EIA-782C. Our resource constraints and data requirements make it difficult to demonstrate the utility of these reports under the Office of Management and Budget's standards and guidelines. In addition, viable alternative data sources exist within EIA, states, and other private resources.

From your letter and our meetings, we understand that states have used our *Petroleum Marketing Monthly* publication data for four main activities:

- Energy security planning
- Liquid fuel event monitoring
- Emergency response
- Policy development

You have clearly explained how state governors, in coordination with private-sector energy partners, have used this data to avoid, mitigate, and respond to refined petroleum product supply concerns resulting from natural disasters and cyber- and physical-security events. We have also learned that some states have only one full-time staff member covering these four main activities and that direct access to EIA data can save time and provide actionable information. Other states with larger teams, and even their own legislatively approved data collection programs, find value from uniform data covering both their own and neighboring states. The congressional requirement to submit State Energy Security Plans to the U.S. Department of Energy (DOE) Office of Cybersecurity, Energy Security, and Emergency Response (CESER) is a substantial burden, and EIA data are critical to meeting the requirement. CESER provides substantial [guidance](#) for these plans. EIA can work with CESER and states to meet the objectives of the plans.

We also heard from you that one of the most valuable metrics during energy disruptions is

inventory days of supply (in other words, if the disruption continues, how soon will your state run out of a particular fuel?). We provide this metric in some publications (for example, Table 9 of [Weekly Petroleum Status Report](#) [WPSR] at the U.S. level), and we could calculate it for additional data series (for example, at the PADD level and for more products in the WPSR, and even for sub-PADDs in the [Petroleum Supply Monthly](#) [PSM]).

The 2022 [IT outage](#) was not the only challenge for the EIA-782A and EIA-782C data program. Market consolidation (in other words, mergers and acquisitions) and the application of EIA's data disclosure rules resulted in declining publishable data cells because of the necessity to withhold cells to avoid disclosure of individual company data. Before June 2022, the extent of unavailable or withheld data is observed in our [Petroleum Marketing Monthly](#) Tables 28-44 (EIA-782A) and Tables 45-47 (EIA-782C). For example, Table 33. [Refiner prices of distillate fuels by PAD District and state](#), which has 60 variables, had declined from an average of 91% of the cells with data in 2001, to 79% in 2011, and 59% in 2021, and 50% in March 2022. A similar trend was observed in [Table 43](#) for related volumes. The decline in published data was significantly faster for Table 39 [Refiner motor gasoline volumes by grade, sales type, PAD District, and state](#), which fell from 90% to 48% to 15%, for 2001, 2011, and 2021 averages, respectively. Tables 45-47 did not have the same declines of publishable data, but it is increasing.

The EIA-782A provided price and volume data at the state level for 14 petroleum products for various retail and wholesale marketing categories reported by the universe of refiners and gas plant operators. The publication provided volumes and average weighted prices by state where the transfer of title occurred. Sometimes, but not always, the transfer of title would be in the state where the sales to end users occurred. This limited the survey's precision in terms of eventual sales to end users and likely resulted in enhanced measurement error of the construct.

The EIA-782C survey provided a unique view into the volume of sales to end users and sales for resale by state. However, it did not provide prices.

We recognize the discontinuation of the EIA-782A and EIA-782C may impact states' current methodology for preparing for, and responding to, liquid fuels shortages and other energy emergencies. However, our other petroleum data collections and publications can provide alternative data. Our weekly publications ([Weekly Petroleum Status Report](#) (WPSR), [Gasoline and Diesel Fuel Update](#) (GDFU), and [Heating Oil and Propane Update](#) (HOPU) (a.k.a. SHOPP)) provide a variety of geographic resolutions that maximize the amount of information we can provide with only a one-week lag. Our [Petroleum Supply Monthly](#) (PSM) provides more complete data, but with a two-month lag.

For example, the combination of our weekly and monthly petroleum supply publications provide data for the prior week that is statistically grounded to our monthly complete census of petroleum product facilities (refineries, gas plants, terminals, etc.). We believe the timeliness and coverage at a PADD resolution of these publications, outweighs the lack of state level resolution and price data for all petroleum products. Additionally, our weekly motor gasoline and diesel fuel price surveys provide significantly more timely price data than the EIA-782A.

Supply disruptions in petroleum markets are rarely confined to one state. Refinery and

pipeline outages quickly impact inventories and prices in states with constrained infrastructure connections.

In the past year, we added critical inventory data in WPSR of “Propane, Fractionated and Ready for Sale” and we extended the HOPU to include one week each month throughout the summer April–September. We have implemented additional improvements in our WPSR and PSM to reduce discrepancies between supply and disposition (e.g., new “transfers to crude oil” column).

We have and can provide indications of market constraints during significant market disruptions caused by weather, sabotage, and mechanical failure. We can provide this information with our weekly surveys at sub-PADD and even state or major regional geographies depending on the completeness of the facilities included in the weekly samples. We work with CESER and senior staff in the DOE Secretary’s office, and other federal agencies during these events.

At the state level, data on tax revenue from retail fuel sales is collected by the states themselves, which provide an alternative means of assessing state-level energy sales and consumption. We recognize that data may not include non-road fuel sales. We may be able to leverage this administrative data to provide more detailed and complete market data. For example, we have used states’ oil and gas well production administrative data for decades in many data products (e.g., [U.S. Oil and Natural Gas Wells by Production Rate](#), [Monthly Crude Oil and Natural Gas Production](#), [Short-Term Energy Outlook](#), and [Annual Energy Outlook](#).)

In summary, we feel that viable alternative data sources exist within EIA, within the states themselves, as well as other private data sources. In light of the existence of these alternatives, EIA’s resource constraints, and mergers that require us to suppress more data, it is more difficult to demonstrate the utility of these data collections, we affirm our proposal to discontinue Forms EIA-782A and EIA-782C.

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From: Campbell Delahoyde <cdelahoyde@naseo.org>

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Subject: [EXTERNAL] 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

Good afternoon,

On behalf of the National Association of State Energy Officials (NASEO) and the Governor-designated State Energy Offices from each of the 56 states, territories, and District of Columbia, we respectfully submit comments (attached) on the Energy Information Administration's Petroleum Marketing Survey Form Changes Proposed for 2025.

Please contact us if you have any questions.

Best regards,

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