



Exploration & Production Company

November 30, 2006

VIA EMAIL: hgregczmiel@ceq.eop.gov

Mr. Horst Greczmiel
Associate Director for NEPA Oversight
Council on Environmental Quality (CEQ)
722 Jackson Place, NW
Washington, DC 20503

Re: Guidance on Categorical Exclusions

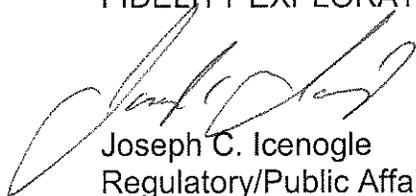
Dear Mr. Greczmiel:

Fidelity Exploration & Production Company (Fidelity) greatly appreciates this opportunity to comment on the proposed *CEQ Guidance on Categorical Exclusions* (CX) published in the *Federal Register* on September 19, 2006. Fidelity supports and endorses the detailed comments that have been submitted by Public Lands Advocacy.

Fidelity is specifically concerned with any misunderstanding that may be caused by agency interpretation on how the revised guidance affects the Section 390 Categorical Exclusions passed under the Energy Policy Act of 2005. Fidelity recommends that the final guidance make it quite clear that the guidance does not apply to any Categorical Exclusion that has been specifically created under the Energy Policy Act of 2005 or by any federal statute. This clarification would remove any doubt as to the applicability of the guidance to the Section 390 Categorical Exclusions.

Your acceptance of these comments will be greatly appreciated.

Respectfully Submitted,
FIDELITY EXPLORATION & PRODUCTION COMPANY



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