

FEDERAL ENERGY REGULATORY COMMISSION

FERC Form No. 580

Interrogatory on Fuel and Energy Purchase Practices

2010

FREQUENTLY ASKED QUESTIONS

Q. What is an Automatic Adjustment Clause (AAC)?

A. An automatic adjustment clause is a provision of a rate schedule which provides for increases or decreases (or both), without prior hearing, in rates reflecting increases or decreases (or both) in costs incurred by an electric utility.

Many rate schedules contain provisions for adjustments to rates based on changes in one or more elements of the cost incurred to provide the service, the adjustments being calculated using procedures that have had prior regulatory approval. Where such adjustments in charges are permitted to occur automatically, without specific regulatory review of each adjustment, the rate schedule provisions are referred to as “automatic adjustment clauses.”

Many of the wholesale electric rate schedules filed with the Commission by public utilities contain provisions for automatic adjustment of rates. Current Commission policy permits acceptance of these types of energy cost rates, as well as comprehensive cost-of-service formula rates. These operate to adjust rates automatically. The effect of the clause may be reflected in rates charged by the utility without notification to or filing with the Commission.

These types of automatic adjustment clauses correspond to the definition of AAC in PURPA¹. What was *not* included in this definition were so-called “periodic review-of-rate clauses,” where the Commission has routinely required filing of changes in rates pursuant to implementation of a review-of-rate clause.

The fact that a rate may be subject to an after-the-fact public true-up proceeding and/or later refund is a rate that is *not* subject to prior hearing; a rate that adjusts only subject to after-the-fact review, and not prior review, is thus a rate that can and should be legitimately considered an automatic adjustment clause.

Q. Who must file the FERC Form No. 580?

A. The filing must be submitted by all FERC-jurisdictional utilities owning and/or operating at least one steam-electric generating station of 50 MW or greater capacity, or having a majority ownership interest in a jointly-owned steam-electric generating station of at least 50 MW. A jurisdictional utility without a cost-based tariff on file with the Commission is not required to file the form.

Q. When is our FERC Form No. 580 filing due?

A. It is due September 15, 2010.

Q. What do I file in the FERC Form No. 580?

A. Answer all of the questions in the interrogatory and efile it with the required attachments.

Q. How should I name my electronic files?

A. Name your public interrogatory form as: UtilityName2010Form580.pdf

Name your privileged interrogatory as: PRIVUtilityName2010Form580.pdf

Q. How do I file a revised FERC Form No. 580?

¹ Public Utility Regulatory Policies Act of 1978

- A.** Respondents who need to make a change to a filed response can do so by eFiling the form with the revised information. For example, if the respondent needs to change the response provided for Question 2, the respondent would make the change and name the revised file as follows: UtilityName2010Form580**Q2revised**.pdf

The respondent should include a cover letter with the eFiled revision explaining the circumstances that required the revision.

- Q. Do I have to use the electronic form to complete my 2010 FERC Form No. 580 filing?**

- A.** Yes. OMB approved this format for use by all filers.

- Q. May I ask the Commission to treat my responses to the Form 580 as privileged?**

- A.** Form 580 question 5 responses will be treated as non-public documents by the Commission if requested properly. A cover letter, that is filed as a public document should accompany the privileged question 5 answers and contain justification for the privileged treatment in compliance with 18 CFR 388.112.

- Q. How do I eFile my Form 580?**

- A.** Start at the Commission's home page: www.ferc.gov. Click on the Documents & Filing tab and choose eFiling from the dropdown. If you haven't previously eRegistered, click the eRegister link and provide the requested information in order to create an account. Click login.
Click on eFiling.

Filing Type - Click on electric in the first column. Click on Report / Form for existing docket number (Report / Form should show in the third column). Click next.

Select Docket - Enter docket number: IN79-6 and click search, the docket number will show in a new table. Click the plus sign under the Select column and a selected docket row will dropdown.

NOTE: if at anytime you want to go back to a previous screen, press the back button provide on the eFiling screen, not the back button in the browser.
Click Next

File Upload - Click the public tab, then click browse to select a public file to upload. Enter a description. Click upload. Continue doing this until all your public files appear in the file upload table. Click the privileged tab, then click browse to select your privileged file for upload, enter a file description and click upload. The eFiling allows you to attach up to 200 files.

There must be at least one Public file for each privileged submission. This can be your cover letter describing the filing and asking for privileged treatment. It could also be your Form 580 public file.

Tip: Use PRIV as the first four characters of the file name for a privileged file to avoid uploading a file under the wrong tab.

There is a feature at the bottom of the File Upload table to change the security designation if the file wasn't uploaded as privileged and should have been. FERC staff can also revise the security when processing the filing (this is another instance where the PRIV in the file name helps).

When FERC accepts a filing with multiple security classes, the system puts the files under different accession numbers and links them as document components in eLibrary so, eFile the privileged and public files during the same session and they will be linked in eLibrary.

Click next at the bottom of the screen

Specify Filing Parties – Click either “on behalf of another Party(ies) or “As an Individual”, whichever applies. Click next.

Specify the person to whom communication should be addressed - Enter your email address in the contact email block and click as Signer or Other Contact.

Enter the first three letters of your utility name and select Search; click your organization name when it appears. Your selection will appear in a new Selected Organizations table at the bottom of the screen.

Submission Description - you shouldn't have to change the description, but if you do, you can do so here.

Summary – Check over the information shown. Make sure the file labeled privileged was correctly chosen. Click submit.

A new screen will appear that states: “You have successfully submitted the filing and will receive an eMail confirmation shortly”. Click “Printable submission confirmation receipt” button and a receipt will appear that states the date, time and submission ID for your filing. You should also receive a confirmation of receipt by email with the same information, a link to additional information for your filing and the status of your filing. When the Commission accepts your filing, that status will change to accepted.

Go to: <http://www.ferc.gov/help/filing-guide/file-ceij.asp> for further information regarding the filing of documents where privileged treatment is sought.

Q. The person you sent the FERC letter to has left the company and we have a new contact person for the FERC Form No. 580.

A. Email the information below about the new contact to FERC-580@ferc.gov

Name:
Utility name:
Phone number:
Address:
Email address:

Q. How can I get a copy of interrogatories my utility previously filed by my utility?

A. You can use e-Library to view these documents as well as to download them to

your computer. Access eLibrary from this link: <http://www.ferc.gov/docs-filing/elibrary.asp>, then, click on *General Search*. This brings up a web page where you enter a date range for the filing you want. Under the *Class/Type* dropdown, pick *Form 580*. Lastly, enter all or part of your utility's name in the *Text Search Box* and click *Search*. A list of your filings will provide links to your documents submitted.

- Q. In completing our Form 580 filing due this year, for jointly-owned generating stations for which our company is the operator, should we report 100% of the expenses and other information (including the other joint owners' expenses and statistics) or just the expenses and statistics relating to our company's ownership percentage?**
- A.** Enter your information for the entire generating station, regardless of your ownership percentage.
- Q. We did not test the quality characteristics of the oil or gas we received via pipeline at the plant so do not know what to enter in the quality characteristic cells in question 6.**
- A.** Choose "pipeline quality" from the dropdown provided in those cells.
- Q. I still have questions. Who do I ask?**
- A.** Email your questions to: FERC-580@ferc.gov and they will be promptly answered.