

Appendix A

Summary of Comments Received in Response to the Open Federal Register Notice (Vol. 76. No. 155) Published August 11, 2011

Introduction

On August 11, 2011, a request for comments from interested persons was solicited in the Federal Register Notice that proposed approval for a three year collection for Form EIA-111, “Quarterly Electricity Imports and Exports Report.” The comments received and EIA’s responses are summarized below.

Table B 1. List of Entities Providing Comments

Name of Respondents

Bank of America Merrill Lynch Power Settlements
Boralex Stratton Energy LP
Constellation Energy Commodities Group
El Paso Electric Co.
Intercom Energy, Inc.
ISO-New England
Midwest Independent System Operator (MISO)
NorthPoint Energy Solutions, Inc
New York Independent System Operator (NYISO)
Ontario Power Generation Inc.
Puget Sound Energy, Inc.
TransAlta Corporation

Comments provided to EIA are grouped into the following categories:

- Requests Regarding Revisions of Submitted Data
- Requests to Clarify Implemented Interchange Data
- Requests to Clarify Other Payments and Other Revenue Data
- Other Comments

The comments shown below incorporate minor editing for clarity.

Requests Regarding Revisions of Submitted Data

Comments:

1. If we have a revision of what we submitted for the quarter, how do we go about to submit for the correction.
2. Do we need to have a new ID & Password set up for the new form submission or can we use the one we currently have?

Response:

1. The reporting deadlines are the end of the month following the close of each quarter. Respondents are able to make changes in their submitted data up to the point that the data is locked for quality assurance purposes. Since the quality assurance processes have not been finalized, the specific point at which the data is locked has not been firmly established.
2. EIA is currently developing the EIA-111 survey collection system. The intent is to use current respondent credentials to access the form, however, if a change is required, EIA will work closely with respondents to minimize the inconvenience of the transition.

Comment:

MISO would also like to note that the information it will use for completing Schedule 3A and Schedule 4 of Form EIA-111 will be current as of the date of the report. Entities providing such information to MISO have a 52-day window for updating such information, after which time the system is locked. This 52-day window may extend beyond the time MISO is scheduled to submit its quarterly report, in which case entities may update information after the report is submitted. Accordingly, this updated information may alter the data previously provided by MISO in its quarterly report. MISO would like to make EIA aware of this possibility.

Response:

EIA will incorporate this feedback during the development of the survey management system and the accompanying quality assurance processes. Adjustments to reported data will be permitted up to the point that the data needs to be locked for quality assurance and publication purposes.

Requests to Clarify Implemented Interchange Data

Comment:

With respect to Schedule 3B, MISO seeks clarification on the use of the term “Implemented Interchange.” MISO believes that this term is referring to Net Scheduled Interchange (NSI), but would appreciate confirmation in this regard.

Response:

“Implemented Interchange” is the value that the Balancing Authority enters into its Area Control Error equation to balance supply and demand of its electric system.

Comment:

There is still the open issue of instructions that are referred to in the Federal Register and whether the reference to “implemented interchange” is actually referring to “scheduled.” Please advise so that I may compare the instructions to those from the prior OE-781R to see what filing requirements are changing for the NYISO as a transmission system operator in order to provide our required comments by the 10/11/11 due date.

Response:

“Implemented interchange” is what was referred to as “scheduled interchange” in the predecessor form, OE-781R.

Requests to Clarify Other Payments and Other Revenue Data

Comment:

The IESO (Independent Electricity System Operator of Ontario) treats all Exports from its Market as Load but does not always associate a Balancing Authority for the Uplift charges. Would these charges still need to be reported as part of our Transaction Payments and if so, how would we note the “Foreign Source Balancing Authority Area” on page 3?

Response:

Payments for imports should include all charges made under a specific transaction from the buyer to the seller. All payments/charges that are not based on a volumetric rate for energy should be included in the ‘Other’ category.

Comment:

It would be beneficial to receive some clarity for 2A Imports to the USA what constitutes “Other Payments”? Does it include book-outs, transmission charges, ancillaries and uplifts?

For 2B Exports from the U.S., what constitutes “Other Revenues”?

Response:

Payments for imports should include all charges made under a specific transaction from the buyer to the seller. All payments/charges that are not based on a volumetric rate for energy should be included in the 'Other' category. Book-outs should not be reported.

Other Comments**Comment:**

In terms of my expectations of the new form EIA-111, I do not notice issues or applications that brings question to mind. The form appears to have been streamlined and I believe it will be a much more user-friendly and simplified version to extrapolate information formerly captured by the form OE-781R.

Response:

Noted, no response required.

Comment:

For "Category of Service" discussed on pages 2 and 3, what is the definition? Additionally, what would be our choice options?

Response:

The options for category of service are: Firm, Non-Firm, Exchange or Other.

Firm – refers to energy guaranteed to be available for delivery under the terms of an electric purchase contract.

Non-Firm – refers to energy that is not required to be delivered or to be taken under the terms of an electric purchase contract; energy that is reserved on an as-available basis and is subject to curtailment or interruption.

Exchange – In an exchange agreement, the U.S. entity accepts delivery of imported from or provides exported energy to a foreign entity. Later, the U.S. entity repays in-kind exported energy or accepts delivery of imported energy from the foreign entity.

Other – this category is intended for energy transactions that do not meet the criteria of Firm, Non-Firm, or Exchange. When "Other" is selected an explanatory footnote should be entered into Schedule 5.

Comments:

Our Comments about the new form EIA-111 are positive.

1. Preprinted and prefilled data helps a lot and save us from typing mistakes and saves time too.
2. Going to quarterly instead of monthly filings is also appreciated.
3. The sign-on website is not yet available and we wonder when it would be ready to have a complete view on this filing option.

Response:

1. Noted, no response required.
2. Noted, no response required.
3. EIA is currently developing the EIA-111 survey collection system. The current intent is to have the system available in March, 2012.

Comment:

Are all submissions on the forms, particularly 3A (Received and Delivered) and 3B (Imports and Exports) all positive or absolute values? I ask because there was an issue with this in the 781R reporting?

Response:

Received and Delivered energy (Schedule 3A) and Delivered energy (Schedule 3B) should be reported as positive values.

Comment:

The proposed form EIA-111 is an improvement over the previous on-line version for two main reasons. The new form is not nearly as cumbersome as the previous in areas of speed and data requirements. Also, the EIA-111 has a more intuitive flow to entering in our currently available data into it. I think filling out the EIA-111 will yield more accurate and usable data, plus it will reduce the reporting burden from the previous on-line DOE report.

Response:

Noted, no response required.

Comment:

We reviewed the instructions as well as the Federal Register and had no comments. I would imagine that the information being sought in section 3B is a monthly sum and not individual contracts.

Response:

The data for Schedule 3B is to be reported as a monthly sum of hourly data.

Comment:

Please confirm that we can report at an aggregated level - not detailed by trade.

Response:

Interchange data is to be aggregated by source and sink Balancing Authority, Presidential Permit Number, and month for a particular quarter.

Comment:

Using the information that it has available to it, MISO is not able to separate firm from non-firm exports on these Presidential Permits for purposes of completing Schedule 4. Accordingly, MISO requests direction from EIA as to how it should complete Schedule 4 for purposes of these particular Presidential Permits.

Response:

Schedule 4 collects data on the terms of an event in which the terms of an Order have been violated. This schedule should be completed by holders of export authorizations and/or Presidential permits.

Comment:

Under the terms of (MISO) Export Authorization and the associated Presidential Permits, term limits are provided in terms of “instantaneous transmission rates.” Using the information that is available to it, MISO is not able to identify instantaneous exports. EIA would have to obtain information at this granularity from the individual Presidential Permit holders. However, MISO could use hourly Net Actual Interchange (NAI) to complete Schedule 4, and request confirmation that this approach is acceptable to EIA.

Response:

Schedule 4 only relates to limits on each entity’s Export Authorization and/or Presidential Permits. MISO’s Schedule 4 responses should only include events that exceed the limits set in its Export Authorization (EA-343).

Comment:

As a respondent to Form OE-781R, the Midwest Independent Transmission System Operator, Inc. (MISO) commends the EIA’s efforts to improve its data collection mechanism in this regard.

Response:

Noted, no response required

Comment:

It sounds like the DOE wants to know what revenues OPG (Ontario Power Generation) is receiving from the IESO (Independent Electricity System Operator of Ontario) rather than what OPG is paying the US ISO’s to obtain the power. Perhaps the DOE can clarify this once again. In the past I have included OPG sales at the border to its subsidiary OPGET as an import to the U.S. Should I continue this practice?

Response:

EIA is seeking data on imports to and exports from the U.S. In an export transaction, the energy transferred and revenue received by the seller should be reported. In an import transaction, the energy received and the payments made by the buyer should be reported.

Comment:

We have reviewed the proposed quarterly report requirements and have some concerns. Can you please comment on the following? Information on interchange transaction tags: Foreign Source Balancing Authority Area - TransAlta only export/import to and from Canada. Does the DOE require only the names of the Balancing Authority in Canada? E.g. **AESO** (Alberta), **BCTC** (British Columbia), **HQT** (Quebec), **MHEB** (Manitoba), **NBPC** (New Brunswick), **IMO** (Ontario), **SPC** (Saskatchewan).

Response:

Foreign Balancing Authorities are Canadian and Mexican balancing authorities. The list of Foreign Source Balancing Authorities provided in the comment contains almost all Canadian Balancing Authorities with the exception of **NSPI** (Nova Scotia Power Inc.).

Comment:

We're not sure what other information on interchange transaction tags is required and if our trading system would be able to match these tags. Transfer Facility Presidential Permit Number – we currently do not have this information; we do not have the energy transactions matched to a transmission purchase.

Response:

For interchange transactions, EIA requires the Presidential Permit number, which in most cases can be determined from the Transmission Provider. In those rare cases where the transfer facility does not have a Presidential permit, enter the Transmission Service Provider's name.