

SUPPORTING STATEMENT FOR
New FERC-921, ¹ Ongoing Electronic Delivery of Data from Regional Transmission Organizations (RTO) and Independent System Operators (ISO)
[as contained in the Final Rule, in Docket No. RM11-17-000]

The Federal Energy Regulatory Commission (FERC or Commission) is requesting Office of Management and Budget review and approval of new information collection requirements contained in new FERC-921 (Ongoing Electronic Delivery of Data from Regional Transmission Organizations (RTO) and Independent System Operators (ISO)), Error: Reference source not found as contained in the Final Rule in Docket No. RM11-17-000 (“Enhancement of Electricity Market Surveillance and Analysis through Ongoing Electronic Delivery of Data from Regional Transmission Organizations and Independent System Operators”). This Final Rule (Order No. 760) was issued 4/19/2012, and is available in FERC’s eLibrary at <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=12952587>.

Overview

Pursuant to Sections 301(b) and 307(a) of the Federal Power Act (FPA),² FERC amends its regulations to require each RTO and ISO to electronically deliver to the Commission, on an ongoing basis, data related to the markets that it administers. FERC is requiring the RTOs and ISOs to provide ongoing electronic delivery of data relating to physical and virtual offers and bids, market awards, resource outputs, marginal cost estimates, shift factors, financial transmission rights (FTR), internal bilateral contracts, uplift, and interchange pricing.

Receiving and analyzing this data will facilitate the FERC’s development and evaluation of its policies and regulations and will enhance FERC’s efforts to detect anti-competitive or manipulative behavior, or ineffective market rules, thereby helping to ensure just and reasonable rates.

JUSTIFICATION

1. CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY

¹ OATT compliance filings (like the one-time compliance filing here) are normally included under FERC-516 (OMB Control No. 1902-0096, approved through 1/31/2015). However, the reporting requirements (including the one-time compliance filing) contained in the final rule in Docket No. RM11-17 will be covered by this new FERC-921 (OMB Control No. 1902-0257).

² 16 U.S.C. 825(b), 825f(a), attached in ROCIS under Supplementary Documents

FERC is statutorily obligated to ensure that sales of electricity in wholesale markets are made at just and reasonable rates,³ and to address market manipulation in connection with the purchase or sale of electricity subject to the Commission's jurisdiction.⁴ Toward that end, section 301(b) of the FPA provides that the Commission shall at all times have access to and the right to inspect and examine all accounts and records of public utilities.⁵ In this final rule, and pursuant to its authority under section 301(b), the Commission requires ongoing electronic delivery of data including accounts and records of the RTOs/ISOs, which are public utilities.

Moreover, the Commission also has authority pursuant to section 307(a) of the FPA to investigate any facts, conditions, practices, or matters it may deem necessary or proper to determine whether any person, electric utility, transmitting utility, or other entity may have violated or might violate the FPA or the Commission's regulations, or to aid in the enforcement of the FPA or the Commission regulations, or to obtain information about wholesale power sales or the transmission of power in interstate commerce.⁶

As markets continue to evolve with increased levels of sophistication, the Commission must continue to evaluate the type of data necessary to ensure just and reasonable rates. The Commission's market monitoring and surveillance capabilities and associated data requirements must keep pace with market developments and evolve along with the markets. Further, the Commission's evaluation of the market rules, regulations, and policies should be informed by the data requirements in this final rule. Electronic delivery of these types of data will help to bring the Commission's access to RTO/ISO data in sync with the types and levels of activity in those markets and help to ensure that rates are just and reasonable.

2. HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED AND THE CONSEQUENCES OF NOT COLLECTING THE INFORMATION

The data will be used by FERC staff for several different purposes, including the surveillance of electricity markets and for assessing and analyzing FERC policies and regulations.

Market Monitoring and Surveillance - To keep pace with market developments, FERC is requiring ongoing, electronic delivery of data from each RTO and ISO to enhance FERC's market monitoring and surveillance efforts. The data will help FERC detect anti-competitive or manipulative behavior, or ineffective market rules, and thus

³ See 16 U.S.C. 824d, 824e [attached in ROCIS under Supplementary Documents].

⁴ See 16 U.S.C. 824v [attached in ROCIS under Supplementary Documents].

⁵ 16 U.S.C. 825(b).

⁶ 16 U.S.C. 825f(a).

help ensure just and reasonable rates.

Among other objectives, FERC will use the data as part of automated screens and other analyses designed to detect attempts to manipulate RTO/ISO pricing and to detect abuses involving interchange transactions. Supply offer, demand bid, virtual, and FTR data will assist the Commission in understanding how market participants are positioning themselves in RTO/ISO markets. For example, market participants attempting to move RTO/ISO settlement pricing might offer supply into the RTO/ISO market at uncompetitive prices. Likewise, market participants could target specific LMP prices using virtual offers and bids. Because congestion impacts are often spread across many price nodes (and result in many different LMPs) through shift factors, these virtual offers and bids need not be placed at the specific price node for which a market participant might be attempting to move the LMP. Estimated marginal cost and shift factor data will enhance the Commission's ability to identify such behavior that may be designed to impact RTO/ISO pricing. Moreover, interchange pricing data will assist the Commission's efforts to identify anomalous or uneconomic electricity interchange schedules; electricity schedules between markets that are not consistent with pricing signals could be a source of market inefficiency or raise other anti-competitive concerns.

Securing data concerning the markets that the RTOs/ISOs administer is part of FERC's broader effort to enhance its market monitoring and surveillance capabilities. Specifically, in a pending docket on FERC access to electronic tag (e-Tag) data,⁷ the Commission proposed to make e-Tag data available to FERC to assist in monitoring the market and preventing manipulation, among other things. In yet another pending docket, the Commission proposed in an NOPR to require additional contract and transaction data from those who file EQRs and to extend the EQR filing requirements to wholesale market participants which fall outside the Commission's FPA section 205 jurisdiction.⁸ The Commission stated that these proposals would strengthen FERC's ability to identify potential exercises of market power or manipulation. We believe that the same is true here.

Utilizing the data the Commission is requiring in this final rule in RM11-17 (and proposes to require in the two pending NOPRs in Dockets RM11-12 and RM10-12, addressed above) could greatly enhance the Commission's market monitoring and

⁷ *Availability of E-Tag Information to Commission Staff*, NOPR issued 4/21/2011 in Docket No. RM11-12, posted in FERC's eLibrary at <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=12630470>. (The information collection requirements were submitted to OMB in ICR 201104-1902-002, proposed OMB Control No. 1902-0254, FERC-740.) Reply comments (invited on 2/23/2012, by FERC notice posted at <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=12899991>) were due 3/26/2012.

⁸ *Electricity Market Transparency Provisions of Section 220 of The Federal Power Act*, NOPR issued 4/21/2011 in Docket No. RM10-12, posted at <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=12630477>. (The information collection requirements were submitted to OMB in ICR 201104-1902-003, OMB Control No. 1902-0255, FERC-920.)

surveillance capabilities. The data will permit the Commission to improve its screening of market participants for illicit behavior, making such conduct more difficult to mask. In addition, the data could provide a better picture of legitimate market activity and lessen the possibility that market monitoring and surveillance screens will result in error.

FERC Policies and Regulations - In overseeing wholesale electricity markets, the Commission evaluates, in response to submittals or on its own motion, existing market designs and the effectiveness of market rules. The Commission plans to use RTO/ISO market data to more effectively carry out these functions. Electronic delivery of this data will enable the Commission to better identify ineffective market rules and better inform Commission policies and decision-making, and thus help prevent anti-competitive behavior and ensure just and reasonable rates.

We believe that electronic delivery of RTO/ISO market data will provide the Commission with empirical information that will augment ongoing industry outreach in determining the effectiveness of the Commission-approved market rules and the efficiency of existing market designs in producing just and reasonable rates. Electronic delivery of the market data sought will allow the Commission to perform better ongoing analysis as markets evolve and new resources begin participating in these markets. For example, the market data sought should enable the Commission to assess both the scheduling practices of renewable resources and how renewable energy schedules compare with actual real-time performance. Because of its unique position, the Commission will be able to perform such analysis across the RTO/ISO markets. This cross-market analysis will enhance the Commission's ongoing efforts to assess the performance of different market designs and rules.

Consequence of not collecting the information - The information FERC is to collect under this final rule is essential in carrying out the two functions described above. FERC already has authority to collect this, and other, information from RTOs and ISOs and other public utilities. This rulemaking merely attempts, as described in greater detail in our answer to question three, to streamline this collection of data.

3. DESCRIBE ANY CONSIDERATION FOR THE USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN AND TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN

There is an ongoing effort to determine the potential and value of improved information technology to reduce the burden. As one example, this ongoing effort led to FERC adopting user-friendly electronic formats and software in order to facilitate the required electronic formats for rate filings.⁹

⁹ Electronic Tariff Filings, Order No. 714, 73 FR 57515 (Oct. 3, 2008), FERC Stats. & Regs. ¶ 31,276 (2008). Electronically filed tariffs and rate change applications improved the efficiency, convenience, and overall management of the tariff and tariff change filing process, facilitated public access to tariff information, and reduced the burden and expense associated with paper tariffs and tariff

For this rulemaking, FERC is undertaking the ongoing, electronic delivery of data in an effort to streamline the collection of data it already has authority to request from public utilities. Specifically, in the NOPR, FERC noted that it currently requests data from individual RTOs and ISOs on an ad hoc basis. These ad hoc requests, as FERC stated in the NOPR, may require more FERC and RTO and ISO resources than the proposed ongoing electronic delivery of data using an automated process. Two commenters weighed in on whether this effort could reduce burden when compared to ad hoc requests; both agreed with FERC that it may reduce burden when compared to ad hoc requests.¹⁰

In this rulemaking, FERC is also relying on current information technology. Specifically, FERC proposes that the data filed by the RTO or ISO on an ongoing basis will be delivered in one of two file types (Comma Separated Value [CSV] or Tab Delimited), and filed electronically with FERC using the Secure File Transfer Protocol (SFTP). These file types are commonly used and provide sufficient flexibility to allow for divergent formatting schemes among the RTOs and ISOs. Moreover, the RTOs and ISOs collectively stated in their comments that delivering encrypted market data to an appropriately secured FERC server via secure SFTP will be straightforward and will present few challenges.¹¹

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION AND SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN INSTRUCTION NO. 2.

On a case by case basis, FERC may currently request the data proposed to be filed on an automated, recurring basis. By requiring an automated data delivery process, we expect to minimize burden on the RTOs and ISOs and to increase the effectiveness and efficiency of FERC's analysis and oversight. Specifically, ad hoc requests may require new queries to be developed by RTO or ISO staff for every data request. By developing a routine, automated delivery process, queries will only need to be created once and maintained over time, likely limiting burden on the RTOs and ISOs.

5. METHODS USED TO MINIMIZE BURDEN IN COLLECTION OF INFORMATION INVOLVING SMALL ENTITIES

changes. The one-time compliance filing will be filed electronically through the eTariff system (available at <http://www.ferc.gov/docs-filing/etariff.asp>).

¹⁰ Powerex at § IV.A. (<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=12875402>); ISO-NE at 3 (at <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=12875876>).

¹¹ ISO/RTO Council at 4 (<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=12875397>).

The six RTO's and ISO's to which the requirements of this rule would apply do not fall within the definition of small entities.¹² They are the only entities impacted directly by this proposed rule.

- CAISO is a nonprofit organization with over 54,000 megawatts of capacity and over 25,000 circuit miles of transmission lines.
- NYISO is a nonprofit organization that oversees wholesale electricity markets serving 19.2 million customers. NYISO manages a nearly 11,000-mile network of high-voltage transmission lines.
- PJM is comprised of more than 700 members including power generators, transmission owners, electricity distributors, power marketers, and large industrial customers and serves 13 states and the District of Columbia.
- SPP is comprised of 63 members serving 6.2 million households in nine states and has 48,930 miles of transmission lines.
- Midwest ISO is a nonprofit organization with over 145,000 megawatts of installed generation. Midwest ISO has over 57,600 miles of transmission lines and serves 13 states and one Canadian province.
- ISO-NE is a regional transmission organization serving six states in New England. The system is comprised of more than 8,000 miles of high-voltage transmission lines and over 300 generators.

To the extent the RTO or ISO relies on its Market Monitoring Unit (MMU) to produce or retain some limited amount of the requested data, we direct the RTO or ISO either to: (1) request such data from its MMU, so that the RTO or ISO can deliver it to the Commission; or (2) request its MMU to deliver such data directly to the Commission. The requirement, burden, and responsibility for reporting, however, fall on the RTO or ISO.

6. CONSEQUENCE TO FEDERAL PROGRAM IF COLLECTION WERE CONDUCTED LESS FREQUENTLY

The ongoing electronic delivery of data relating to physical and virtual offers and bids, market awards, resource outputs, marginal cost estimates, shift factors, financial transmission rights, internal bilateral contracts, uplift, and interchange pricing will

¹² The RFA definition of "small entity" refers to the definition provided in the Small Business Act, which defines a "small business concern" as a business that is independently owned and operated and that is not dominant in its field of operation. See 5 U.S.C. § 601(3), citing to Section 3 of the Small Business Act, 15 U.S.C. § 632 (2000). The Small Business Size Standards component of the North American Industry Classification system defines a small utility as one that, including its affiliates, is primarily engaged in the generation, transmission, or distribution of electric energy for sale, and whose total electric output for the preceding fiscal years did not exceed 4MWh. 13 C.F.R. § 121.202 (Sector 22, Utilities, North American Industry Classification System, NAICS) (2004).

enhance FERC's efforts to detect anti-competitive or manipulative behavior, or ineffective market rules on a more timely basis, thereby helping to ensure just and reasonable rates. (The Appendix details the various due dates of the datasets and other materials.)

Market fundamentals can change quickly in electricity markets due to weather events, facility outages and various other factors. If delivered less frequently, it will be more challenging for FERC to keep pace with changes in the dynamic markets that it regulates.

Less frequent delivery may also present technology challenges. If the data were delivered less frequently, the size of data transferred would be considerably larger. Larger data transfers would require longer transfer, management and back-up times, potentially disrupting other data procedures managed by FERC or RTOs and ISOs.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES RELATING TO THE INFORMATION COLLECTION

This collection meets OMB's section 1320.5 requirements.

8. DESCRIBE EFFORTS TO CONSULT OUTSIDE THE AGENCY: SUMMARIZE PUBLIC COMMENTS AND AGENCY'S RESPONSE TO THESE COMMENTS

Each FERC rulemaking (both proposed and final rules) is published in the Federal Register, thereby providing public utilities and licensees, state commissions, Federal agencies, and other interested parties an opportunity to submit data, views, comments or suggestions concerning the proposed collection of data. The Notice of Proposed Rulemaking in Docket RM11-17 was published in the Federal Register (on 10/26/2011) and requested public comments. Comments received from the NOPR are available in FERC's eLibrary by searching on Docket No. RM11-17.

For the most part, the commenters did not comment on the burden and cost estimates provided in the NOPR. However, a few comments (some excerpted below) addressed the proposal in the NOPR to use XML or a common format and the resulting cost and delays.

- NYPSC (New York State Public Service Commission; at <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=12865266>) stated that "...if the RTOs/ISOs were ordered to submit data in a digital format that did not match that used by the RTOs/ISOs, conversion of the digital data could be costly."
- ISO-NE (ISO New England Inc.; at <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=12875876>) said in part "With respect to using common or native data formats, the main

issue for the Commission to consider is the significantly longer timeframe that would likely be required to develop a common data format. In particular, it would take a substantial effort for the ISOs/RTOs to develop a standard schema definition to reflect the different data points used by each ISO/RTO. There would also be a need to develop a process to manage changes to the standard schema definition to reflect changes to each region's data over time as market designs and rules change. The use of a common format also would likely require additional effort by each ISO/RTO to convert its data to the standard format.”

Given the various data collection and storage methods used by RTOs and ISOs, FERC has decided, in the final rule, to allow data to be electronically delivered to FERC in a format consistent with how the data is collected in each RTO and ISO system. FERC agrees with commenters that requiring data delivery in a consistent format for all RTOs and ISOs likely would be more costly and may result in data that fails to accurately capture the nuances of each market. This change in the Final Rule is expected to reduce the burden and cost estimates provided in the NOPR.

Based on comments and analysis, the Commission is adding the requirement for submittal of an additional dataset, uplift (not originally proposed in the NOPR). The additional burden and cost related to reporting of uplift data should be offset by the decision in this final rule not to require consistent formatting by the RTOs and ISOs. Therefore, FERC is retaining the cost and burden estimates provided in the NOPR.

The Final Rule summarizes and addresses all of the comments received from the NOPR. The Final Rule is being published in the Fed. Reg.

9. EXPLAIN ANY PAYMENT OR GIFTS TO RESPONDENTS

Not applicable. The Commission does not provide compensation or remuneration to entities subject to its jurisdiction.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS

Much of the data FERC expects to receive per the requirements of this Final Rule are, by their nature, commercially-sensitive. Disclosure of such information could result in competitive harm to market participants and the market as a whole. Accordingly, FERC states that the data sought in this proceeding will be kept non-public and not be made publicly available, except as may be directed by the FERC, or a court with appropriate jurisdiction. Moreover, we note that entities may file requests to obtain data

from FERC, however FOIA exemption 4 protects ‘trade secrets and commercial or financial information from a person [that is] privileged or confidential. Although the Commission cannot foreclose requests of information relation to ongoing electronic submissions of non-public data, we expect that all such data found to satisfy the requirements of exemption 4 would be protected from disclosure.

FERC may make publicly available analyses derived from data FERC uses, but insofar as the law allows, FERC will ensure that confidential information will remain non-public. Such analyses may be, among other things, in the form of a staff white paper or the initiation of a rulemaking proceeding. The one-time compliance filing will be public.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE THAT ARE CONSIDERED PRIVATE.

There are no questions of a sensitive nature that are considered private.

12. ESTIMATED BURDEN ON COLLECTION OF INFORMATION

The Commission’s estimated reporting burden related to the final rule in Docket RM11-17-000 follows.

Data Collection, FERC-921 ¹³	No. of respondents	Implementing Burden	Annual Recurring Operating Burden	Average Annual Burden (implementation averaged over 3 yrs.)
		Burden hrs. per respondent	Burden hrs. per respondent	Burden hrs. for all respondents
Compliance filing (one-time)Error: Reference source not found	6	7	0	14
Ongoing Electronic Data DeliveryError: Reference source not found	6	1040	40	2320
Grand Total, Average Annual Estimates	6			2334

¹³ Initial implementation and reporting is phased and to be completed by 210 days after the effective date of the Final Rule. [The final rule is effective 60 days after publication in the Federal Register. The Final Rule specifies the various due dates. For information, the due dates are also included in the Appendix to this supporting statement.]

The Commission recognizes that there will be an initial implementation burden associated with providing the Commission with RTO/ISO data (including documentation and descriptive material). This includes submitting a compliance filing to the Commission (which the Commission estimates as a burden of 7 hours per RTO/ISO), and implementing a process to automatically upload data to an SFTP site for Commission use (including development, testing and production). FERC estimates a burden of 1040 hours per RTO/ISO for the development, testing and production of an automated process to provide the Commission with the data described in this final rule. In this regard, though, RTO/ISO markets have already developed capabilities necessary to handle RTO/ISO data in an automated manner. For instance, through their Open Access Same-time Information Systems (OASIS), RTOs/ISOs already make certain market data publicly available using automated procedures. Likewise, some RTOs/ISOs have developed procedures similar to those in this final rule to deliver data to their MMUs.

For the recurring effort involved in electronically delivering RTO/ISO data to the Commission, FERC anticipates that the additional burden associated with this rule will be minimal. Recurring burden would be associated with:

- ongoing electronic delivery of updates within seven days after each RTO and ISO creates the datasets in a market run or other procedure
- 90 days prior to change in how data is collected or as soon as practicable once such a change is known, the RTO/ISO must notify FERC (FERC may require submission of updated documentation)
- For data that are updated less frequently than every day (including capacity market results, estimated marginal costs, and FTR data), each RTO and ISO must electronically deliver that data to FERC within seven days after it is created or updated by the RTO or ISO
- For any corrections made to the data, after they have been delivered to FERC, the RTO or ISO will be expected to electronically deliver the corrected data to FERC within seven days after the correction has been made and identify whether that correction is adding to, changing, or deleting data previously delivered

13. ESTIMATE OF THE TOTAL COST BURDEN TO RESPONDENTS

Data Collection, FERC-921	No. of respondents	Implementing Burden		Annual Recurring Operating Burden		Average Annual Burden (implementation cost averaged over 3 yrs.)	
		Burden hrs. per respondent	Cost per respondent	Burden hrs. per respondent	Cost per respondent	Burden hrs. for all respondents	Cost for all respondents
Compliance filing	6	7	\$1,750			14	\$3,500
Web-Based Delivery	6	1040	\$100,864	40	\$3,879	2320	\$225,003
Grand Total, Average Annual Estimates	6					2334	\$228,503

The Commission has estimated the cost of compliance per RTO/ISO to be \$102,614 in the initial year of implementation and \$3,879 in subsequent years. The Commission expects that the compliance filing will be completed by RTO/ISO legal staff and has estimated an hourly rate at \$250/hour. The Commission estimates that a variety of staff, including legal, database administrators and IT and information security specialists, will be required to electronically deliver to the Commission the RTO/ISO data described in this NOPR. The Commission estimated the average hourly cost for this task to be \$96.98/hour (including legal staff at \$250/hour, information systems manager at \$105.35/hour, database administrator at \$55.61/hour, and information security analyst at \$57.67/hour).¹⁴

The average annual cost for all 6 respondents of \$228,503 (in the table above) reflects the implementation costs averaged over the 3-year period of this clearance request.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

As discussed in the response to question three, FERC is undertaking the ongoing, electronic delivery of data in an effort to streamline the collection of data it already has authority to request from public utilities. FERC staff already analyzes data from RTO and ISO markets. Some of these same staff have been included in cost estimates for this section (table below) because they will be analyzing the data required by this rulemaking. Moreover, we also expect that an ongoing automated delivery of data from RTOs and ISOs will increase the effectiveness and efficiency of FERC’s analysis and oversight.

¹⁴ Hourly average wage is an average and was calculated using Bureau of Labor Statistics (BLS), Occupational Employment Statistics data for May, 2010 (at <http://www.bls.gov/oes/>) for the database administrator and information security analysts. The average hourly figure for legal staff and information systems manager is a composite from BLS and other resources. The following weightings were applied to estimate the average hourly cost: legal staff (1/6), information systems manager (1/6), database administrator (1/3), and information security analyst (1/3).

For the reporting requirements in the final rule in RM11-17, the estimated average annual costs to the Commission (averaged over Years 1-3) follow.

	No. of FTE's	Estimated Annual Cost (averaged over Years 1-3)
Estimated Average Annual Figure for analysis of all submitted data, and includes processing of the one-time compliance filings (averaged over Years 1-3) [average cost for 1 FTE (including salary + benefits) is \$143,540 per year for 2012]	11.00467	\$1,579,609.85
Estimated Average Annual Forms Clearance Review for 2012 ¹⁵		\$1,588
Estimated Hardware and Software Costs (including development, testing, implementation, operation, and maintenance, and related human resources) ¹⁶		\$808,934.67
Total Estimated Annualized Federal Cost (averaged over Years 1-3)		\$2,390,132.52

Note the figures are rounded.

15. REASONS FOR CHANGES IN BURDEN INCLUDING THE NEED FOR ANY INCREASE

As wholesale electricity markets continue to develop and evolve, new opportunities arise for anti-competitive or manipulative behavior. The Commission's market monitoring and surveillance capabilities and associated data requirements must keep pace with market developments and evolve along with the markets. The data discussed in this final rule will allow the Commission to more effectively identify and address such behavior; to identify ineffective market rules; to better inform Commission policies and regulations; and thus to help ensure just and reasonable rates.

See "Overview" section and the answers to questions 1 and 2 above for further discussion.

16. TIME SCHEDULE FOR THE PUBLICATION OF DATA

¹⁵ The estimate is based on the assumption that it takes one week (40 hours) of work time to perform the work required to request and obtain OMB clearance for the collection.

¹⁶ The hardware, software and related human resource costs are estimated to be:

- for Year 1, implementation and operations and maintenance-- \$1,420,268
- for each of Years 2 and 3, operations and maintenance -- \$503,268.

Therefore the estimated annual average for Years 1-3 is \$808,934.67
 [(\$1,420,268+\$503,268+\$503,268)/3].

The data are being collected for regulatory purposes and not for the purposes of publication.

17. DISPLAY OF EXPIRATION DATE

The information collected is not collected on standardized filing formats or a preprinted form that would avail itself of displaying the OMB control number.

18. EXCEPTION TO THE CERTIFICATION STATEMENT

The data collected for these reporting and recordkeeping requirements are not used for statistical purposes.

APPENDIX

DUE DATES & REQUIRED FILINGS

The due dates shown below (e.g., ‘0+45 days’) are the final dates by which the subject filings should be submitted to FERC; respondents may submit filings earlier than the due dates.

Unless otherwise determined on a case-by-case basis, the initial delivery of each specified dataset (and corresponding documentation and descriptive information) would include at least all data relating to the subject matter listed in the final rule.

- Noted as “0” day point below---final rule effective 60 days after pub. in Federal Register
- 0+45-30 days [or ‘0+15 days’]---documentation for dataset ‘one’ [phase 1] due
- 0+45 days
 - elec. delivery of dataset ‘one’ [phase 1] for supply offers for energy
 - descriptive info. necessary to understand dataset ‘one’[phase 1]
- 0+45 days—compliance filing due
- 0+90-30 days [or ‘0+60 days’]---documentation for dataset ‘two’ [phase 2] due
- 0+90 days
 - elec. delivery of dataset ‘two’ [phase 2] for virtual offers & bids, & demand bids for energy
 - descriptive info. necessary to understand dataset ‘two’[phase 2]
- 0+150 -30 days [or ‘0+120 days’]--documentation for dataset ‘three’ [phase 3] due
- 0+150 days
 - elec. delivery of dataset ‘three’ [phase 3] for marginal cost estimates; energy and ancillary service awards; resource output; internal bilateral contracts; and uplift data
 - descriptive info. necessary to understand dataset ‘three’ [phase 3]
- 0+210 -30 days [or ‘0+180 days’]--documentation for phase 4 due for all remaining datasets
- 0+210 days [fourth and final phase]
 - all remaining datasets to be electronically delivered, namely: day-ahead shift factors; supply offer and demand bids for ancillary services; capacity

market offers, designations and prices; pricing data for interchange transactions; and FTR data

- o descriptive info. necessary to understand all remaining datasets [phase 4]

- **Ongoing requirements**

- o after initial delivery of datasets (due dates above), continuing ongoing elec. delivery [could be as often as daily] --electronically deliver data to the Commission within seven days after each RTO and ISO creates the datasets in a market run or other procedure
- o 90 days prior to change in how data is collected or as soon as practicable once such a change is known, notify FERC—FERC may require submission of updated documentation
- o For data that are updated less frequently than every day, including capacity market results, estimated marginal costs, and FTR data, each RTO and ISO must electronically deliver that data within seven days after it is created or updated by the RTO or ISO.
- o any corrections made to the data (i.e., after they have been delivered to the Commission), the RTO or ISO will be expected to electronically deliver the corrected data to the Commission within seven days after the correction has been made and identify whether that correction is adding to, changing, or deleting data previously delivered.