

Supporting Statement for
FERC-920, Electric Quarterly Report (EQR)
In 'EQR System Refresh' Final Rule
(Order 770 Issued 11/15/2012, in Docket No. RM12-3-000)

The Federal Energy Regulatory Commission (Commission or FERC) requests Office of Management and Budget (OMB) review and approval of FERC-920, Electric Quarterly Report (EQR) as revised in the Final Rule¹ and an Errata Notice² in Docket No. RM12-3 (EQR System Refresh). The Data Dictionary contained in the Errata Notice corrects and supersedes the Data Dictionary attached to Order 770, and is being included in this submittal to OMB for review and approval.

The EQR is an existing data requirement that had been a part of the FERC-516 for years (before issuance of the final rules in this docket (RM12-3) and RM10-12) and is being separated into a standalone FERC-920. (The requirements of EQR as contained in the Final Rule in RM10-12 (Transparency Rule) were approved by the OMB under FERC-920 on 2/8/2013 (ICR no. 201211-1902-016). Until OMB issues a decision on this request for approval of the requirements in the RM12-3 final rule, the burden related to the existing data, filers and system (prior to the final rules in RM12-3 and RM10-12) continues to be included and double counted in FERC-516 (OMB Control No. 1902-0096).³)

EQR will be a standalone FERC-920. FERC staff then plans to remove the (temporarily double counted) burden for EQR from the FERC-516. [A table showing the burden included in

1 Order 770, issued 11/15/12, <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13109532>

2 issued 11/19/12, <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13111960>; corrected typographical errors within Data Dictionary

3 There have been several rulemaking activities affecting the EQR during the period 2011-2012. Unless otherwise noted, these rulemakings were all submitted to OMB for PRA review under FERC-920 (OMB Control No. 1902-0255). (Only one item per OMB Control No. can be pending at OMB at a time. As a result, submittal of some of the items was delayed until an OMB decision was issued on an item already pending.) The details and timing follow:

- o RM10-12 (Data Transparency rule), NOPR issued 4/21/2011, submitted to OMB 5/9/2011, as ICR201104-1902-003. The related OMB comment decision was issued on 8/8/2011.
- o RM01-8-012, NOPR issued 3/15/2012 (to add "Simultaneous Exchange" to the list of available Product Names in the EQR Data Dictionary), submitted to OMB under FERC-516 (OMB Control No. 1902-0096), ICR 201203-1902-004, OMB comment issued 5/18/2012. This FERC docket is still pending.
- o RM12-3 (EQR System Refresh) NOPR, issued 6/21/2012, submitted 7/23/2012 to OMB under ICR 201206-1902-003. After discussions with OMB, this ICR was withdrawn on 11/08/2012; FERC submitted the replacement ICR 201211-1902-011 on 11/8/2012. OMB issued its comment decision on 11/27/2012.
- o RM10-12 Transparency Final Rule (Order 768) issued 9/21/2012, approved by OMB on 2/8/2013 (ICR no. 201211-1902-016).
- o RM12-3 Final Rule, issued 11/15/2012, related to this supporting statement, being submitted to OMB for review and approval. Because only one item per OMB Control No. can be pending at OMB at a time, this package was delayed until OMB issued its decision on 2/8/2013 on the Transparency Final Rule in RM10-12.

FERC-516 for the existing data, filers, and system is included in Appendix A. We anticipate removing the estimated 66,426.74 annual burden hours from FERC-516, to eliminate the double counting.]

- During the period in which the Commission completes the revised EQR software system, makes it available to the public for testing and roll-out, and holds various public demonstrations, workshops, and/or conferences, FERC expects to post additional information (such as updates to the User Guide, Filing Requirements Guide, and Frequently Asked Questions (FAQs)) on the EQR web page at <http://www.ferc.gov/docs-filing/eqr.asp>. A Notice (with an attached updated Data Dictionary, posted at <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13237098>) was issued on 4/18/2013 in Docket RM10-12. It is included in Supplementary Documents and replaces the Nov. 2012 version of the Data Dictionary, included in this ICR.
- A Notice Of Availability Of XML Schema was also issued on 5/8/2013 and is available at <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13255095>.

BACKGROUND

In Docket RM12-3, FERC amends Part 35.10b of its Regulations (18 CFR Part 35, which governs the filing of EQRs) to change the process for filing EQRs. Currently, EQRs are filed by downloading EQR software from FERC's website, installing it on the filer's Microsoft Windows-based computer, entering the EQR data into the software, and then submitting the EQR data to FERC. The EQR software is designed in Microsoft Visual FoxPro. Due to technological changes and limitations, the current software and filing process are ineffective and unsustainable. Therefore, FERC is implementing a new filing system that will provide EQR filers with two new options for filing EQRs.

One option allows an EQR filer to use a web interface on the Commission's website to file its EQR. This web interface looks and operates like the current EQR software. However, an EQR filer would not need to download and install software from FERC's website; rather the data would be filed directly with FERC through the web interface. The other option allows an EQR filer to file its EQR in an Extensible Mark-Up Language (XML) format via the Commission's website. By implementing a process with two options for filing EQRs, the Commission seeks to provide the flexibility needed to accommodate EQR filers' technical preferences. Under both options, the Commission requires EQR filers to use the company identification number (Company Identifier) assigned through the Commission's Company Registration System, which was developed for FERC's eTariff system. The Company Identifier replaces the personal identification numbers that are currently used. FERC also plans to implement the changes to the process for filing EQRs beginning with the third quarter 2013 EQR, providing data for July through September 2013.

The Commission's regulations at 18 CFR Part 35.10b require public utilities to file Electric Quarterly Reports.

A. Justification

1. CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY

The Commission set forth the EQR filing requirements in Order No. 2001⁴ in Docket RM01-8-000). Order 2001 requires public utilities to electronically file EQRs summarizing transaction information for short-term and long-term cost-based sales and market-based rate sales and the contractual terms and conditions in their agreements for all jurisdictional services. The Commission established the EQR reporting requirements to help ensure the collection of information needed to perform its regulatory functions over transmission and sales while making data more useful to the public and allowing public utilities to better fulfill their responsibility under FPA Section 205(c) to have rates on file in a convenient form and place. As noted in Order No. 2001, the EQR data is designed to “provide greater price transparency, promote competition, enhance confidence in the fairness of the markets, and provide a better means to detect and discourage discriminatory practices.”

Since issuing Order No. 2001, the Commission has provided guidance and refined the reporting requirements, as necessary, to simplify the filing requirements and to reflect changes in the Commission’s rules and regulations. For instance, in 2007 the Commission adopted an Electric Quarterly Report Data Dictionary, which provides in one document the definitions of certain terms and values used in filing EQR data. Moreover, in 2007, the Commission required transmission capacity reassignment to be reported in the EQR.

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

The data filed in the EQR strengthens the Commission’s ability to exercise its wholesale electric rate and electric power transmission oversight and enforcement responsibilities in accordance with the Federal Power Act. The Ninth Circuit Court of Appeals has held that the ability to perform an *ex post* analysis of whether a seller with market-based rate authority has obtained excessive market share since it was granted authorization to transact at market-based rates is a necessary element in determining whether the Commission’s market-based regulatory regime fulfills the requirement for the Federal Power Act. The Court upheld the Commission’s market-based rate regulatory scheme because it relies on a “system [that] consists of a finding that the applicant lacks market power (or has taken sufficient steps to mitigate market power), coupled with strict reporting requirements to ensure that the rate is ‘just and reasonable’ and that

⁴ issued 4/25/2002, at http://elibrary-backup.ferc.gov/idmws/File_list.asp?document_id=2270047

markets are not subject to manipulation.”⁵ The EQR constitutes the strict reporting requirements that helps differentiate the Commission’s market based rate program from impermissible market deregulation.

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

One option would allow an EQR filer to use a web interface on the Commission’s website to file its EQR. This web interface would look and operate like the current EQR software. However, an EQR filer would not need to download and install software from FERC’s website. Rather, the data would be filed directly with FERC through the web interface. The other option would allow an EQR filer to file its EQR in an Extensible Mark-Up Language (XML) format via the Commission’s website⁶. By proposing a process with two options for filing EQRs, the Commission seeks to provide the flexibility needed to accommodate EQR filers’ technical preferences and to minimize the additional implementation burden.

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.

The Commission exercises its FPA Section 205(c) responsibility to have rates on file in a convenient form and place through the EQR. This requirement is unique to FERC in its scope and character, so no other entity can or does collect or distribute the information required to comply with the FPA. Some of the data collected in the EQR are available in the market prior to submission in the EQR (market prices, for instance, are published in the trade press or issued by Independent System Operators), but those data are not provided at the level of detail required in FPA Section 205(c) because much of the information in the EQR may be considered proprietary until it is submitted to the Commission. Due to this key distinction, market information can be used to confirm, but not replace, the EQR collection.

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

The Regulatory Flexibility Act (RFA)⁷ generally requires a description and analysis of rules that will have significant economic impact on a substantial number of small entities. The RFA mandates consideration of regulatory alternatives that accomplish the stated objectives of a proposed rule and that minimize any significant economic impact on a substantial number of

⁵ *State of California, ex rel. Bill Lockyer v. FERC*, 383 F.3d 1006, 1013 (9th Cir. 2004), *cert. denied* (S. Ct. Nos. 06-888 and 06-1100, June 18, 2007)

⁶ <http://www.ferc.gov/>

⁷ 5 U.S.C. 601-612.

small entities. The SBA's Office of Size Standards develops the numerical definition of a small business.⁸ The SBA has established a size standard for electric utilities stating that a firm is small if, including its affiliates, it is primarily engaged in the transmission, generation and/or distribution of electric energy for sale and its total electric output for the preceding twelve months did not exceed four million MWh.⁹

For non-public utilities, the Commission exempts under the de minimis market presence threshold non-public utilities that make 4,000,000 MWh or less of annual wholesale sales (based on an average of the wholesale sales it made in the preceding three years). This de minimis threshold excludes small, non-public utilities. Therefore, this Final Rule will not have a significant economic impact on any small, non-public utility.

For public utilities, based on analysis of the EQR filings made in the four quarters of 2011, there are 1,783 entities that currently file an EQR, but given clearly identifiable affiliate relationships that number is reduced to 1,215 entities. Of those, 97 reported more than 4,000,000 MWh of wholesale sales in the EQR. Of the remaining 1,118 entities that reported less than 4,000,000 MWh of wholesale sales in the EQR, 641 filed transactions in the EQR. The rest that would be subject to this Final Rule, 477 entities, did not file transactions in any quarter of 2011; we conclude that this Final Rule will minimally affect them.

As for the remaining 641 entities, we note that there are two types of companies among those currently filing EQRs that merit additional consideration. First, there are investor-owned public utilities that make both wholesale and retail sales. The SBA's definition of a small utility is based on a utility's total electric output for the preceding twelve months, which includes a public utility's retail sales. However, our estimate in this section is based on information available in the EQR, which includes annual wholesale sales but not retail sales. If we were able to include retail sales, we believe that most investor-owned public utilities that currently file EQRs make more than 4,000,000 MWh annual wholesale and retail sales and thus would not be classified as small. Second, there are power marketers that often do not own or control generation or transmission and may be affiliated with companies that are not primarily engaged in the sale of electric energy (such as financial institutions or hedge funds). However, information regarding whether a power marketer is affiliated with another company is generally not included in an EQR filing, making it difficult to determine the number of small entities that are affiliated with a larger company, thereby leading to an inflated estimate of the number of companies affected by this Final Rule that are truly small.

Furthermore, to ease the burden of implementation for all EQR sellers, we will minimize the changes which EQR sellers will experience because the Commission is adopting two options for filing EQRs: the web interface and XML. The estimated one-time implementation cost per EQR seller is \$1,434.50. We anticipate no change or a slight reduction in the burden for the recurring quarterly EQR filings. In addition, small entities generally have few or no transactions and

⁸ 13 CFR 121.101.

⁹ 13 CFR 121.201, Sector 22, Utilities & n.1.

corresponding minimal recurring burden. We note that EQR sellers may request, on an individual basis, waiver from the Commission's EQR reporting requirements.

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

This proposal does not affect the frequency of the current collection. The Commission created the quarterly filing requirement to balance concerns about the potential business sensitivity of the data with the FPA Section 205(c) requirement to have rates on file in a convenient form and place. Instead of requiring daily or weekly filings of EQR transaction data, the Commission determined (in Order No. 2001) that a lag of 30 to 120 days would be sufficient to reduce "any potential harm to competitors that could result from the disclosure of price data¹⁰." A less frequent collection would extend the time under which charged electric rates would not be on file at the Commission, affecting the Commission and the public's ability to perform oversight and review as anticipated in FPA section 205(c).

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES RELATING TO THE INFORMATION COLLECTION

The EQR does not require any special circumstances that are described in 5 CFR 1320.5

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

The Commission's procedures require that the rulemaking notice be published in the Federal Register, thereby allowing all public utilities, natural gas and oil pipeline companies, state commissions, federal agencies, and other interested parties an opportunity to submit comments, or suggestions concerning the proposal.

The proposed rule requested public comments. Additionally, FERC announced (in the NOPR and in a Notice of Technical Conference¹¹) that staff would hold a technical conference on 7/11/12 to discuss the system changes and filing options. The technical conference was webcast and transcribed.¹² The draft XML schema was issued on 7/27/2012¹³.

The public comments received after the issuance of the NOPR are summarized and addressed in paragraphs 6-51 and 55-56 of the Final Rule¹⁴. Comments related to Paperwork Reduction Act issues (discussed in paragraphs 55-56 of the Final Rule) are included in OMB's ROCIS, with all of the public comments available in FERC's eLibrary in Docket RM12-3.

10 Order No. 2001, at P. 122.

11 <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13021744>

12 <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13032272>

13 <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13035801>

14 <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13109532>

FERC made some administrative clarifications, based on the PRA-related public comments. The final rule states in part:

“55. Some commenters question the Commission’s burden estimate. Energy Compliance Consulting states that there is no explanation of why a utility’s membership in a regional transmission organization (RTO) would affect its filing burden. Energy Compliance Consulting also states that it is unclear whether the burden estimate assumes how many, if any, utilities will move to the new XML format. Pacific Gas and Electric asserts that the Commission’s burden estimates fall short of the cost of transitioning to the XML option.

56. We find that a public utility’s membership in an RTO or independent transmission system operator (ISO) should not affect the burden of complying with the Final Rule. Consequently, for this Final Rule, we estimate that the one-time burden hours, the recurring burden hours, and the average annual burden hours will be the same for all EQR sellers, irrespective of membership in an RTO or ISO. We have broken out EQR sellers by RTO/ISO membership status simply to be consistent with the way that the Commission estimated the average burden per respondent associated with the existing EQR system in a separate filing submitted to OMB.”

9. EXPLAIN ANY PAYMENT OR GIFTS TO RESPONDENTS

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

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS

Generally, the Commission does not consider the EQR to be confidential. An entity seeking confidential treatment of any submittal to FERC may submit a request under 18 CFR 388.112 of the Commission’s regulations (“Requests for special treatment of documents submitted to the Commission”).

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 estimates of the average annual¹⁵ burden and industry cost related to the rule in Docket RM12-3-000 follow:

Final Rule in RM12-3-000 (System Refresh) on Electric Quarterly Report								
	No. of Respondents	No. of Responses per Respondent per Year	Implementing (One-time) Burden per Respondent		Recurring Operating Burden per Respondent per Response ¹⁶		Average Annual Burden Per Respondent (implementation averaged over Years 1-3)	
			Burden Hours	Cost (\$)	Burden Hours ¹⁷	Cost (\$)	Burden Hours	Cost (\$)
Companies within non-California RTO, and large cos. within Cal. RTO	405	4	20	\$1,434.50	no change	no change	6.67	\$478.17
Medium/small companies within Cal. RTO	20	4	20	\$1,434.50	no change	no change	6.67	\$478.17
Companies not within RTO	663	4	20	\$1,434.50	no change	no change	6.67	\$478.17
Companies with no transactions	695	4	20	\$1,434.50	no change	no change	6.67	\$478.17
Sub-Total – All Public Utilities (Existing Filers)	1,783	4	35,660	\$2,557,713.50	no change	no change	11,892.61	\$852,577.11
Non Public Utilities (New Filers)	53	4			no change	no change	no change	no change
Total – All Utilities	1,836	4	35,660	\$2,557,713.50	no change	no change	11,892.61	\$852,577.11

The Commission recognizes that there will be an initial implementation burden associated with reviewing the instructions, revising the filing process, adding the agent to the respondent’s eRegistration data, obtaining a Company Identifier, and filing EQR data through the new

¹⁵ For purposes of calculating the annual averages, the one-time implementation burden and cost have been averaged over the 3-year period and added to the annual recurring burden and cost..

¹⁶ The Commission expects no change or a slight decrease in the Recurring Operating Burden per Respondent per Response under the new filing system (when compared to quarterly filings for current filers under the existing system).

¹⁷ For the current EQR software and reporting requirements, the Commission estimates the average burden per respondent per quarterly filing to be: 32 hours for Companies within non-California RTO, and large companies within the California RTO; 80 hours for medium/small Companies within the California RTO; 3 hours for Companies not within an RTO; and 0.083 hours [5 minutes] for Companies with no transactions.

system. The Commission estimates a burden of 20 hours per filer for the one-time implementation.

For the recurring effort involved in electronically submitting EQR data on a quarterly basis to the Commission, the Commission anticipates that there will be either no change or a slight burden reduction when compared to the burden of making quarterly filings under the current system.

Information Collection Costs: The Commission has estimated the cost of compliance per current respondent to be \$1,434.50, for the one-time implementation of the changes proposed in this NOPR. The Commission has estimated the implementation cost as follows¹⁸:

- legal staff (at \$250/hour), for 2 hours, costing \$500
- senior accountant (at \$51.38/hr.), financial analyst (at \$68.12/hr.), and/or support staff (at \$35.99/hr.), averaged at \$51.83/hr., for a total of 2 hours, costing \$103.66
- information technology analyst (at \$57.24/hour), for 12 hours, costing \$686.88
- support staff (at \$35.99/hr), for 4 hours, costing \$143.96.

13. ESTIMATED OF THE TOTAL COST BURDEN TO RESPONDENTS

All costs related to the EQR in RM12-3 are costs related to burden hours and are covered in #12 above. (The current system is being replaced by a system where filers will make their filing via a web-based FERC system. Additional information is provided in #3 above.)

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

The estimated annual cost to the Federal Government related only to the data collection requirements in RM12-3 follows:

	No. of FTE's	Estimated Annual Cost (averaged over years 1-3) (\$)
Annual Figure for Analysis and Processing of all submitted data [average cost for 1 FTE(including salary and benefits) is \$143,540/year for 2012]	3.6153 FTEs [includes 0.1153 FTEs (user support function) + 3.5 FTEs (analysis/processing)]	\$518,940.16
Data Clearance Cost ¹⁹		\$1,588
Estimated Hardware/Software Costs (including development, testing, implementation, operation, maintenance, and		\$198,526.67 ²⁰

18 Hourly average wage is an average and was calculated using Bureau of Labor Statistics (BLS), Occupational Employment Statistics data for May 2011 (for NAICS 221100 - Electric Power Generation, Transmission and Distribution, at http://bls.gov/oes/current/naics4_221100.htm#00-0000) for the senior accountant, financial analyst, information technology analyst, and support staff. The average hourly figure for legal staff is a composite from BLS and other resources.

19 The estimate is based on the assumption that it takes 24 hours of work time to perform the activities related to compliance with the Paperwork Reduction Act and OMB's implementing regulations .

20 The Commission estimates the hardware, software, and related human IT resource costs to be:

- Year 1: Implementation costs (\$533,580) + operating/maintenance costs (\$8,000) = \$541,580
- Year 2 & Year 3: Operating/maintenance costs = \$27,000/year

related human resources).		
Total Estimated Annualized Federal Cost		\$719,054.83

Annual Analysis and Processing of Filings

- Due to the rule in RM12-3, we anticipate an incremental reduction in the staffing level associated with the current recurring EQR filing requirements.²¹ With the changed filing process in RM12-3, the support function, during the week before each quarterly filing is due, should be halved, at least [to 1.5 staff members for 1 week each, 4 times per year, giving a total of 6 weeks of effort]. The associated cost is \$16,562.31 per year ((6 weeks/52weeks) * \$143,540/FTE = \$16,562.31).²²
- Costs to analyze and process EQR filings year-round should remain steady at between three and four FTEs. The associated yearly cost (using an average of 3.5 FTE/year * \$143,540/FTE) = \$502,390.

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

Currently, EQRs are filed by downloading EQR software from the Commission’s website, installing it on the filer’s Microsoft Windows-based computer, entering the EQR data into the software, and then submitting the EQR data to the Commission. Technological changes and limitations will render the current software unsustainable. Therefore, the Commission is implementing a new filing system that will provide EQR filers with two new options (filing through the provided web interface or using XML format) and will result in an improved method of identifying the filer (the Company Identifier). These changes will result in a one-time implementation burden increase (as highlighted in the table for question #12). Conversely, the recurring operating burden imposed by the EQR filing system will remain unchanged.

For the group of 1,783 existing filers who must transition to the new system, (as shown in the table in #12):

- the total additional one-time implementation burden is 35,660 hours and
- when averaged over Years 1-3, that total additional one-time implementation burden is 11,892.61 hours/year (35,660 hrs./3 years).

Note that the additional burden is listed in ROCIS as 11,887 (rather than 11,892.61 above), due to rounding and truncation.

²¹ Using the current filing system, the Commission requires staff expertise to support the outmoded filing software. This effort to respond to filers who are experiencing some problem with the software, making it impossible to file, is usually performed by two to three subject matter experts over the course of the week before each quarterly filing [3 staff members for 1 week each, 4 times per year, giving a total of 12 weeks of effort].

²² FTE is the full time equivalent of one staff member.

FERC-920, Electric Quarterly Report (EQR) [OMB Control No: 1902-0255]
[formerly part of FERC-516 (OMB No. 1902-0096)]
(Final Rule for EQR System Refresh, in RM12-3-000, Issued 11/15/2012; RIN 1902-AD52)
(updated 5/8/2013)

11

This pending ICR 201302-1902-003 and the supporting statement indicate ‘no change’ to the ongoing quarterly reporting for existing and new filers because it was covered in ICR no. 201211-1902-016. Therefore, those estimates are unchanged, as indicated in #12.

16. TIME SCHEDULE FOR THE PUBLICATION OF DATA

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

17. DISPLAY OF EXPIRATION DATE

The OMB Control No. and expiration date are posted on www.ferc.gov at <http://www.ferc.gov/docs-filing/forms.asp#516> .

18. EXCEPTION TO THE CERTIFICATION STATEMENT

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

APPENDIX A

EQR-related burden included in FERC-516 for current EQR filers, data, and system, pre-rules.

Until OMB’s PRA approval of the final rules (in RM10-12 and RM12-3) and FERC-920, the existing burden for the current filers with the current data requirements using the current system, is included in FERC-516. After completion of those steps, we anticipate removing burden from the FERC-516 (to eliminate double counting); the amount is detailed in the table below. The EQR will become a stand-alone requirement called FERC-920.

Electric Quarterly Report as contained in FERC-516 for current EQR filers, data, and system, and prior to rules in Dockets RM12-3-000 ('EQR System Refresh') ²³ , RM10-12 ('Data Transparency') ²⁴ , and RM01-8-012 ('Simultaneous Exchange') ²⁵					
Entities	No. of Respondents (Filers)	No. of Responses per Respondent per Year	Estimated Recurring Burden per Respondent per Quarterly Response (Hours)	Estimated Annual Recurring Burden per Respondent (Hours)	Total Annual Estimated Burden by Type of Entity (Hours)
Companies within non-California RTO, and large cos. within Cal. RTO	405	4	32.000	128.000	51,840.000
Medium/small companies within Cal. RTO	20	4	80.000	320.000	6,400.000
Companies not within RTO	663	4	3.000	12.000	7,956.000
Companies with no transactions	695	4	0.083	0.332	230.740
TOTAL	1,783				66,426.740

²³ The proposed rule in RM12-3 was reviewed by OMB under FERC-920 (initially submitted on 7/23/2012 as ICR 201206-1902-003, which was withdrawn and re-submitted on 11/8/2012 as ICR 201211-1902-011). An OMB decision was issued on 11/27/2012.

²⁴ The proposed rule in RM10-12 (issued 4/21/2011) was submitted to OMB under FERC-920 (ICR 201104-1902-003, OMB decision issued 8/8/2011). The RM10-12 final rule was issued on 9/21/2012 and approved by OMB under FERC-920 (ICR 201211-1902-016) on 2/8/2013.

²⁵ The proposed rule in RM01-8-012 (issued 3/15/2012) was submitted to OMB for review under FERC-516 (ICR 201203-1902-004, OMB decision issued 5/18/2012).