## UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

[Docket Nos. RM11-24-000 and AD10-13-000; Order No. 784]

Third-Party Provision of Ancillary Services; Accounting and Financial Reporting for New Electric Storage Technologies

## **ERRATA NOTICE**

(July 25, 2013)

On July 18, 2013, the Commission issued Order No. 784. This Errata Notice is being issued to correct the revised regulation under § 35.37(c)(1) on page 140 of Order No. 784. The regulation is corrected to read as follows:

## § 35.37 Market power analysis required.

\* \* \* \* \*

(c)(1) There will be a rebuttable presumption that a Seller lacks horizontal market power with respect to sales of energy, capacity, energy imbalance, and generator imbalance services if it passes two indicative market power screens: a pivotal supplier analysis based on annual peak demand of the relevant market, and a market share analysis applied on a seasonal basis. There will be a rebuttable presumption that a Seller lacks horizontal market power with respect to sales of operating reserve-spinning and operating reserve-supplemental services if the Seller passes these two indicative market power screens and demonstrates in its market-based rate application how the scheduling practices in its region support the delivery of operating reserve resources from one balancing authority area to another. There will be a rebuttable presumption that a seller possesses horizontal market power with respect to sales of energy, capacity, energy imbalance, generator

imbalance, operating reserve-spinning, and operating reserve-supplemental services if it fails either screen.

\* \* \* \* \*

Nathaniel J. Davis, Sr., Deputy Secretary.