FERC-725A (OMB Control No. 1902-0244)
Docket No. RM12-19-000, Final Rule issued 7/18/2013
RIN: 1902-AE65

**FERC Request for OMB Approval of Non-Substantive Change to FERC-725A, as Contained in the Final Rule (Order 782) in Docket Number RM12-19[1]**

**NOTE:** The related Notice of Proposed Rulemaking (NOPR)[2] was 'approved without change' by OMB on 6/20/2013 in ICR 201306-1902-001 (for 'No material or nonsubstantive change to a currently approved collection').

Since the NOPR, there have been no further changes and no public comments related to Paperwork Reduction Act (PRA) items. We are therefore sending the Final Rule[3] to OMB for review and approval of the 'non-substantive change' at OMB's request.

**Final Rule:** This Final Rule approves one revision to a previously-approved Reliability Standard MOD-028-1, which was developed by the North American Electric Reliability Corporation (NERC) as the Electric Reliability Organization (ERO). The Commission had previously approved this Reliability Standard, as well as the related information requirements, in Order No. 729.[4] The minor revision relates to an existing Reliability Standard and does not add to or otherwise increase entities' current reporting burden. Thus, the revision does not materially affect the burden estimates relating to the currently-effective version of the Reliability Standards presented in Order No. 729.[5]

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[1] The Final Rule in RM12-19 was submitted to OMB for information only on 7/18/2013. The Commission was unable to submit this non-substantive change request through reginfo.gov and ROCIS at the time the Final Rule was published in the Federal Register because of another item in the same control number pending an OMB decision (ICR#201306-1902-008); a decision in ICR#201306-1902-008 was issued on 8/15/2013.

[2] *Revisions to Modeling, Data, and Analysis Reliability Standard*, Notice of Proposed Rulemaking, 142 FERC ¶ 61,210 (2013) (*available at* http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13210777).

[3] *Revisions to Modeling, Data, and Analysis Reliability Standard*, Order No. 782, 144 FERC ¶ 61,027 (2013) (*available at* http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13308625).

[4] *Mandatory Reliability Standards for the Calculation of Available Transfer Capability, Capacity Benefit Margins, Transmission Reliability Margins, Total Transfer Capability, and Existing Transmission Commitments and Mandatory Reliability Standards for the Bulk Power System*, Order No. 729, 129 FERC ¶ 61,155 (2009), *order on clarification*, Order No. 729-A, 131 FERC ¶ 61,109, *order on reh'g and reconsideration*, Order No. 729-B, 132 FERC ¶ 61,027 (2010).

[5] The MOD-028-1 Reliability Standard that is subject of the approved revision was

At the NOPR stage, the Commission submitted the revised Reliability Standard to OMB and requested that it be classified as a "no material" or "non-substantive" change. OMB approved the non-substantive change, as noted above. FERC is now requesting that OMB similarly approve the Final Rule as a non-substantive change.

**Background:**
On August 24, 2012, NERC submitted a Petition for Approval of Proposed Reliability Standard (Petition), seeking Commission approval of a proposed Reliability Standard, MOD-028-2, Area Interchange Methodology, Requirement R3.1, which would revise the currently effective "Version 1" standard – MOD-028-1.

In its Petition, NERC asserted that it intended the language of MOD-028-1 to specify that, for Total Transfer Capability (TTC) used in current-day and next-day Available Transfer Capability (ATC) calculations, the load forecast used should be consistent with the period being calculated. Specifically, NERC stated:

> Requirement R3 of the MOD-028-1 standard is proposed to be modified to clarify language regarding load forecasting, to indicate that for days two through 31, a daily load forecast is required (identical to the current standard); for months two through 13, a monthly load forecast is required (identical to the current standard); and for current-day and next-day, entities may use *either* a daily or hourly load forecast (the language being clarified). The new language clarifies and is consistent with the intent of the original requirement language, and does not materially change the standard.[6]

NERC thus proposed Reliability Standard MOD-028-2, which revises MOD-028-1 as follows:

R3. When calculating TTCs for ATC Paths, the Transmission Operator shall include the following data for the Transmission Service Provider's area …

R3.1. ~~For on peak and off peak intra day and next day~~For TTCs, use the following (as well as any other values and additional parameters as specified in the ATCID.

R3.1.1. Expected generation and Transmission outages,

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approved in Order No. 729, and the related information collection requirements were reviewed and approved, accordingly. *See* Order No. 729, 129 FERC ¶ 61,155 at PP 307-312.

[6] NERC Petition at 7 (emphasis added).

additions, and retirements, included as specified in the ATCID.

R.3.1.2. ~~Load~~A daily or hourly load forecast for ~~the applicable period being calculated~~TTCs used in current-day and next-day ATC calculations.

R.3.1.3. A daily load forecast for TTCs used in ATC calculations for days two through 31.

~~R.3.1.2.~~R3.1.4. A monthly load forecast for TTCs used in ATC calculations for months two through 13 months TTCs.

Pursuant to FPA section 215(d)(2), the Commission approves Reliability Standard MOD-028-2 in Order No. 782 in Docket No. RM12-19-000.

**In Summary:** Based on the above, the Commission requests OMB approval of this nonsubstantive change, contained in the Final Rule in RM12-19, issued 7/18/2013.