



*Independent Statistics & Analysis*  
U.S. Energy Information  
Administration

# Supporting Statement for Quarterly Electricity Imports and Exports Report

## Part A: Justification

*Form EIA-111, Quarterly Electricity Imports and Exports Report*

**OMB No. 1905-0208**

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## Introduction

The U.S. Energy Information Administration (EIA) is the statistical and analytical agency within the Department of Energy (DOE). It collects, analyzes, and disseminates independent and impartial energy information to promote sound policymaking, efficient markets, and public understanding regarding energy and its interaction with the economy and the environment. EIA is required to publish and otherwise make available independent, high-quality statistical data to federal government agencies, state and local governments, the energy industry, researchers, and interested parties through the EIA website.

EIA is requesting a three-year extension with no changes to Form EIA-111, *Quarterly Electricity Imports and Exports Report*. Form EIA-111 collects U. S. electricity import and export data for the purpose of measuring the flow of electricity into and out of the United States from Canada and Mexico. U.S. purchasers, sellers, and transmitters of wholesale electricity are required to report their data to EIA. These include:

- persons authorized by Order of DOE's Office of Electricity Delivery & Energy Reliability (DOE-OE) to export electric energy from the United States to foreign countries;
- persons authorized by Presidential Permit to construct, operate, maintain, or connect electric power transmission lines that cross the U.S. international border; and,
- U.S. Balancing Authorities that are interconnected with foreign Balancing Authorities.

Respondents report, each quarter, monthly flows of electric energy received or delivered across the border, the cost associated with the transactions, and actual (energy transfers that cross Balancing Authority boundaries) and implemented interchange (the state where the Balancing Authority enters the Confirmed Interchange into its Area Control Error equation). Responses to this form are mandatory.

### A.1. Legal Justification

The authority for this mandatory data collection is provided by the following provisions:

- a. Section 13(b), 15 U.S.C. §772(b), of the Federal Energy Administration Act of 1974 (FEA Act), Public Law 93 275, states:
  - a. "All persons owning or operating facilities or business premises who are engaged in any phase of energy supply or major energy consumption shall make available to the (Secretary) such information and periodic reports, records, documents, and other data, relating to the purposes of this Act, including full identification of all data and projections as to source, time and methodology of development; as the [Secretary] may prescribe by regulation or order as necessary or appropriate for the proper exercise of functions under this Act."
- b. Section 5(b), 15 U.S.C. §764(b), of the FEA Act, states that to the extent authorized by Section 5(a), the [Secretary] shall:
  - a. (1) ...advise the President and the Congress with respect to the establishment of a comprehensive national energy policy in relation to the energy matters for which the

- Administration has responsibility, and, in coordination with the Secretary of State, the integration of domestic and foreign policies relating to energy resource management;
- b. (2) ...assess the adequacy of energy resources to meet demands in the immediate and longer range future for all sectors of the economy and for the general public;
  - c. (3) ...develop effective arrangements for the participation of state and local governments in the resolution of energy problems;
  - d. (4) ...develop plans and programs for dealing with energy production shortages; ...
  - e. (5) ...promote stability in energy prices to the consumer, promote free and open competition in all aspects of the energy field, prevent unreasonable profits within the various segments of the energy industry, and promote free enterprise; ...
  - f. (6) ...assure that energy programs are designed and implemented in a fair and efficient manner so as to minimize hardship and inequity while assuring that the priority needs of the Nation are met; ...
  - g. (9) ...collect, evaluate, assemble, and analyze energy information on reserves, production, demand, and related economic data; ...
  - h. (12) ...perform such other functions as may be prescribed by law."
- c. As the authority for invoking Section 5(b), above, Section 5(a), 15 U.S.C. §764(a), of the FEA Act in turn states:
- a. "Subject to the provisions and procedures set forth in this Act, the [Secretary] shall be responsible for such actions as are taken to assure that adequate provision is made to meet the energy needs of the Nation. To that end, he shall make such plans and direct and conduct such programs related to the production, conservation, use, control, distribution, rationing, and allocation of all forms of energy as are appropriate in connection with only those authorities or functions...
    - i. (1) ...specifically transferred to or vested in him by or pursuant to this Act...
    - ii. (3) ...otherwise specifically vested in the (Secretary) by the Congress."
  - d. Authority for invoking Section 5(a) of the FEA Act is provided by Section 52, 15 U.S.C. §790a, of the FEA Act which states that the Administrator of the EIA:
    - a. "... (Shall) establish a National Energy Information System... which shall contain such information as is required to provide a description of and facilitate analysis of energy supply and consumption within and affecting the United States on the basis of such geographic areas and economic sectors as may be appropriate... to meet adequately the needs of..."
      - i. (1) ...the Department of Energy in carrying out its lawful functions;
      - ii. (2) ...the Congress;
      - iii. (3) ...other officers and employees of the United States in whom have been vested, or to whom have been delegated energy-related policy decision-making responsibilities;
      - iv. (4) ...the States to the extent required by the Natural Gas Act [15 U.S.C. §717 et seq.] and the Federal Power Act [16 U.S.C. §791a et seq.].
    - b. "...the System shall contain such energy information as is necessary to carry out the Administration's statistical and forecasting activities, and shall include, such energy information as is required to define and permit analysis of;"

- i. (1) ...the institutional structure of the energy supply system including patterns of ownership and control of mineral fuel and non-mineral energy resources and the production, distribution, and marketing of mineral fuels and electricity;
- ii. (2) ... the consumption of mineral fuels, non-mineral energy resources, and electricity by such classes, sectors, and regions as may be appropriate for the purposes of this Act;
- iii. purposes of this Act;
- iv. (5) ...industrial, labor, and regional impacts of changes in patterns of energy supply and consumption;
- v. (6) ...international aspects, economic and otherwise, of the evolving energy situation;
- vi. (7) ...long-term relationships between energy supply and consumption in the United States and world communities.

The DOE's authority to regulate electricity exports from the United States to foreign countries is provided by § 202(e) of the Federal Power Act (FPA) (16 U.S.C. § 824a(e) and regulations thereunder (10 C.F.R. § 205.300 *et seq.*)

Under FPA § 202(e), DOE "shall issue such order upon application unless, after opportunity for hearing, it finds that the proposed transmission would impair the sufficiency of electric supply within the United States or would impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of [DOE]." DOE has discretion to condition the order as necessary or appropriate, DOE "may by its order grant such application in whole or in part, with such modifications and upon such terms and conditions as the [DOE] may find necessary or appropriate."

The DOE has the responsibility for implementing Executive Order (EO) 10485, as amended by E.O. 12038, which delegates to DOE the authority to issue Presidential permits for the Construction, operation, maintenance, or connection of electric transmission facilities at the United States international borders. DOE may issue such a permit if it determines that issuance of the permit is in the public interest and after obtaining favorable recommendations from the U.S. Departments of State and Defense.

## A.2. Needs and Uses of Data

Form EIA-111 collects U.S. electricity import and export data. The data are used to generate accurate estimates of the flow of electricity into and out of the United States.

### 2.1. Overview of Data Uses

Form EIA-111 data appear in several EIA publications that are available from EIA's website or a joint website. The most prominent are:

- Electric Power Annual <http://www.eia.gov/electricity/annual/>
- Monthly Energy Review <https://www.eia.gov/totalenergy/data/monthly/>
- Electric Power Monthly <https://www.eia.gov/electricity/monthly/>
- State Electricity Profiles <https://www.eia.gov/electricity/state/>

- North American Cooperation on Energy Information (NACEI) web page  
<http://www.nacei.org/#!/overview>

The data are used in other EIA products such as the State Energy Data System and as inputs to EIA projection models. The data collected support the following EIA functions:

- Assess the adequacy of the electricity supply from Canada and Mexico into the U.S.
- Analyze and report on the adequacy of short- and long-term electricity supply in the U.S.
- Fulfill DOE's obligations for sharing import/export of energy data under the trilateral Memorandum of Understanding (MOU) (December 2014) on energy information cooperation between the United States, Canada, and Mexico. The MOU created a framework for consultation and cooperation on sharing publicly available energy information among the participants, with the purpose of setting the stage for dialogue, comparisons and deliverables on each of the participant's energy outlooks and information. Section 3 of the MOU states:

“Participants understand that cooperative activities under this MOU, in subject areas within each Participant's respective purview, are intended to include:

(a) systematically comparing respective import and export information on energy flows to validate publicly available data and improve data quality.”

The form is designed to collect data from all entities engaged in the sale, purchase, or transfer of cross-border electricity transmissions. The data are used by DOE-OE for the following purposes:

- Monitor compliance with the terms of Presidential Permits and Export Authorizations.
- Evaluate open transmission access at the international border.
- Evaluate transmission constraints and system reliability.
- Evaluate the need for additional electric transmission capacity.

## 2.2. Overview of Data Collections

The data collected on Form EIA-111 is used to obtain an accurate measure of the flow of electricity into and out of the United States.

Form EIA-111 collects U. S. electricity import and export data from:

- U.S. entities that purchase, sell, or exchange electricity at wholesale, including persons authorized by Order of DOE-OE to export electric energy from the United States to foreign countries, report monthly flows of electric energy received, or delivered across the border and the cost associated with the transactions.
- U.S. Balancing Authorities that are directly interconnected with foreign Balancing Authorities report actual and implemented interchange.
- Persons authorized by Presidential Permit to construct, operate, maintain, or connect electric power transmission lines that cross the U.S. international border and export authorization holders report events where their DOE Order terms were exceeded.

### **A.3. Use of Technology**

All EIA electricity surveys in routine operation, including Form EIA-111, use Internet-based data collection systems as the primary means of data collection. The majority of contact with respondents (e.g., notification that a survey has opened for a collection cycle) is performed using email.

Internet data collection will continue to be the primary collection mode for the electricity surveys. The Internet-based systems allow respondents to enter their data directly into the EIA survey databases, which reduces the time needed for data collection and processing. The systems identify reported data that fail edit specifications prior to submission, which allow respondents to make necessary corrections or explain unusual situations affecting the reported data. This process aids in detecting and minimizing response errors, data validation procedures are used to check current data. It also improves the timeliness of reporting the information to the public. The only equipment and software the respondent requires are a connection to the Internet and a standard industry web browser.

### **A.4. Efforts to Identify Duplication**

EIA has verified that Form EIA-111 data are not collected by more than one federal government agency. The Canadian National Energy Board (NEB) publishes imports and exports of electricity from Canada. The NEB reports do not include information on Presidential permits and export authorizations issued by DOE which makes it unusable to determine compliance with the DOE orders. There is no known alternative source of data for electricity trade with Mexico. In the absence of the centralized and public data collection by EIA, each state on an international border would have to undertake its own collection of the volumes and prices of imported purchases and exported sales of electricity at wholesale for use by public utility commissions when reviewing rate cases. This may lead duplicative information requests from multiple firms within the electric power industry that engage in the import or export of electricity at the international border.

### **A.5. Provisions for Reducing Burden on Small Businesses**

EIA determined that businesses that engage in electricity transmission are not small businesses. There are no small businesses reporting on this survey.

### **A.6. Consequences of Less-Frequent Reporting**

Form EIA-111 collects monthly electric power import and export data information on a quarterly basis. Less frequent reporting would result in less timely data on the flow of electricity between the U.S., Canada, and Mexico.

## A.7. Compliance with 5 CFR 1320.5

Form EIA-111 is operated in accordance with the guidelines in 5 CFR 1320.5.

## A.8. Summary of Consultations Outside of the Agency

On October 20, 2017, EIA published a 60-day Federal Register Notice (FRN) in [Volume 82, Number 202](#) regarding the renewal of the Form EIA-111. EIA received two written comments in response to the 60-Day FRN. A comment from Puget Sound Energy requested the EIA consider implementing in 2019 a business to business process that would allow information technology to securely interface directly with EIA for submittal of the form. EIA agrees that a business-to-business process to interface directly would reduce errors and effort.

EIA also received a comment from Shell Energy North America (Shell Energy). This comment also requested EIA consider a data upload functionality and improvements to the information technology to simplify the password changing process in particular. As stated above, EIA has started a multi-year program to improve its data collection systems.

Shell Energy also proposed the removal of the requirement to supply Presidential Permit numbers. Shell Energy power transactions are not done by a specific facility or group of facilities when they cross borders. Instead they are done across interfaces, and it is not possible for a trading entity to say which facility power flowed across.

Form EIA-111 requires the reporting of transfer facilities in order to allow DOE's Office of Electricity to verify that electricity is only exported over transmission facilities as specified in the exporter's Export Authorization order. Therefore, EIA will not remove the requirement to report the transfer facility.

The scheduling of international transfers between a U.S. and a foreign border balancing authority is over all the transmission facilities directly connecting the two balancing authorities collectively. If the facilities involved are covered under a single Presidential Permit, only the Presidential Permit needs to be reported using the picklist. If more than one presidential permit is involved in the transfer, appropriate picklist choices are available. Shell Energy does not need to provide a Presidential permit number because their transaction is not occurring pursuant to a Presidential Permit, rather they should use the picklist choice available for their transfer across the New York - Ontario interface.

On December 6, 2017, EIA conducted an Outreach Session via both WebEx and In-Person attendance options. Invitations were extended to respondents, know relevant trade associations, and other stakeholders known to EIA. Ten parties participated via WebEx and one party attended in person. EIA's presentation covered the uses and purposes of the Form EIA-111. As no changes were proposed in the 60-Day FRN, none were discussed.



### A.9. Payments or Gifts to Respondents

There will not be any payments made or gifts given to respondents as an incentive to complete Form EIA-111.

### A.10. Provisions for Protection of Information

The information reported on Form EIA-111 will be considered public information and may be publicly released in identifiable form.

### A.11. Justification for Sensitive Questions

There are no questions of a sensitive nature.

### A.12. Estimate of Respondent Burden Hours and Cost

The total annual burden is estimated to be **1,056 hours** (see Table A1 below). Based on the estimated rate of \$75.69 per hour for employees who would complete these forms, the total annual respondent cost for all forms is estimated to be:

$$\$75.69/\text{hour} \times 1,056 \text{ hours/year} = \$79,929$$

An average cost per hour of \$75.69 is used because that is the average loaded cost (salary plus benefits) for an EIA employee assigned to data survey work. EIA assumes that the survey respondent workforce completing surveys is comparable with EIA workforce.

**Table A1 - Estimated Respondent Burden**

EIA Form Number/Title	Annual Reporting Frequency	Number of Respondents	Annual Number of Responses	Burden Hours Per Response	Annual Burden Hours
EIA-111, Quarterly Electricity Imports and Exports Report	4	176	704	1.50	1,056
<b>TOTAL</b>		<b>176</b>	<b>704</b>		<b>1,056</b>

### A.13. Annual Cost to the Federal Government

The estimated annualized cost to the government for Form EIA-111, including personnel, forms development, maintenance, data collection, and processing is approximately \$127,159. The estimate of \$127,159 is 80% of one full-time equivalent (FTE) EIA employee. (The current estimate of the hourly rate

for an EIA employee is \$75.69/hour. Assuming 2,100 hours per year the annual cost is \$158,949, of which 80% is \$127,159.) The 80% assumption is based on experience with other EIA electricity surveys, the anticipated frame size of 176 respondents, and the frequency of data collection. The overall annual costs to the Federal Government are larger than the previous authorized cycle due to an increase in the average loaded cost for an EIA employee. The estimate for the previous cycle was \$120,910. The estimate of \$120,910 is 80% of one full time equivalent (FTE) EIA employee. The estimate of the hourly rate for an EIA employee was \$71.97/hour. Assuming 2,100 hours per year the annual cost is \$151,137, of which 80% is \$120,910 resulting in a \$6,249 dollar increase from the previous collection cycle in 2015.

Hour Wage Rate x Number of Hours = Total Cost to the Government.

2015 Hour Wage Rate= \$71.97

2015 Number of Hours = 2,100 x 80% = 1,680 hours

2015 Total Cost to the Government = 71.97 x 1,680 = \$120,910

2018 Hour Wage Rate= \$75.69

2018 Number of Hours = 2,100 x 80% = 1,680 hours

2018 Total Cost to the Government = 75.69 x 1,680 = \$127,159

### Cost to the Federal Government

EIA Form Number/Title	Hours per year	Hours for Form EIA-111	Hourly rate	Cost to the Government
2015 Clearance	2,100	1,680	71.97	\$ 120,
2018 Clearance	2,100	1,680	75.69	\$ 127,
<b>Difference</b>				<b>\$ 6.</b>

### A.14. Changes in Burden

There is no estimated change in annual burden as shown in Table A2 below.

Table A2 - Changes in Burden

EIA Form Number/Title	Annual Reporting Frequency	Number of Respondents (Previously Approved)	Number of Respondents (Requested)	Annual Number of Responses (Previously Approved)	Annual Number of Responses (Requested)	Burden Hours Per Response (Previously Approved)	Burden Hours Per Response (Requested)	Annual Burden Hours (Previously Approved)	Annual Burden Hours (Requested)	Change Due to Agency Discretion	Change Due to Agency Estimate
Form EIA-111, Quarterly Electricity Imports and Exports Report	4	176	176	704	704	1.5	1.5	1,056	1056	0	0
<b>TOTAL</b>		<b>176</b>	<b>176</b>	<b>704</b>	<b>704</b>			<b>1,056</b>	<b>1,056</b>	<b>0</b>	<b>0</b>

## A.15. Reasons for Changes in Burden

**Table A3. ICR Summary of Burden**

	<b>Requested</b>	<b>Program Change Due to Agency Discretion</b>	<b>Change Due to Adjustment in Agency Estimate</b>	<b>Previously Approved</b>
Total Number of Responses	704	0	0	704
Total Time Burden (Hr)	1056	0	0	1056

There is no change in estimated annual burden.

## A.16. Collection, Tabulation, and Publication Plans

The data collected on this form will be released in EIA reports and will be made available on the EIA website.

## A.17. OMB Number and Expiration Date

The OMB number (OMB Number 1905-0208) and expiration date will be displayed on the data collection form and the instructions.

## A.18. Certification Statement

There are no exceptions to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I. This information collection request complies with 5 CFR 1320.9.