

Supporting Statement for  
**FERC-500 and FERC-505,**  
**Modifications Due to the Final Rule**  
**in Docket No. RM19-6-000**

The Federal Energy Regulatory Commission (Commission or FERC) requests the Office of Management and Budget (OMB) approve modifications due to the Final Rule (issued 4/18/2019) in Docket No. RM19-6-000.<sup>1</sup>

The Final Rule changes the:

- FERC-500, Application for License/Relicense for Water Projects with More than 5 Megawatt Capacity
- FERC-505, Small Hydropower Projects and Conduit Facilities including License/Relicense, Exemption, and Qualifying Conduit Facility Determination.

NOTE: The Rulemaking Identification Number (RIN) for this Final Rule is 1902-AF59. The RIN, however, is not referenced in the Information Collection Request related to the FERC-505 information collection (OMB Control No. 1902-0115). Commission staff used a temporary information collection (FERC-505A; OMB Control No. 1902-0309) for the NOPR in Docket RM19-6-000. The ICR for FERC-500 related to this Final Rule uses the “Not Associated with Rulemaking” stage of rulemaking because the FERC-500 was not used at the NOPR stage. The NOPR and Final Rule federal register citations are populated in the 60-day Notice and 30-day Notice fields respectively.

## **1. CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY**

The Commission regulates non-federal hydropower projects on navigable waters and federal lands pursuant to the Federal Power Act (FPA).<sup>2</sup>

16 U.S.C. 797(e) authorizes the Commission to issue licenses to citizens of the United States, or to any association of such citizens, or to any corporation organized under the laws of United States or any State thereof, or to any State or municipality for the purpose of constructing, operating, and maintaining dams, water conduits, reservoirs, power houses, transmission lines, or other project works necessary or convenient for the development and improvement of navigation and for the development, transmission, and utilization of power across, along, from, or in any of the streams or other bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, or upon any part of the public lands and reservations of the United States, or for the purpose of utilizing the surplus water or water power from any Government, with exceptions. The Electric Consumers Protection Act<sup>3</sup> amended the FPA, and among other things, added the following consideration in

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1 The Final Rule, posted [here](#) on FERC’s eLibrary, was published in the *Federal Register* on April 24, 2019. 84 FR 17064.

2 16 U.S.C. §§ 791a-825r (2012).

3 Pub. L. No. 99-495, 100 Stat. 1243 (1986).

issuing licenses: “In deciding whether to issue any license under this Part, for any project, the Commission, in addition to the power and development purposes for which licenses are issued, shall give equal consideration to the purposes of energy conservation, the protection, mitigation of damage to, and enhancement of, fish and wildlife (including related spawning grounds and habitat), the protection of recreational opportunities, and the preservation of other aspects of environmental quality.”

Section 10(a) of the FPA stipulates conditions upon which hydroelectric licenses are issued.<sup>4</sup> Sections 4(e) and 10(j) of the FPA allow agencies to submit license conditions.<sup>5</sup>

The Commission requires all hydroelectric license applications to address a variety of environmental concerns. Many of these concerns address environmental requirements developed by federal and state resource agencies, including the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, federal land management agencies (such as the U.S. Forest Service, Bureau of Land Management, and National Park Service), U.S. Army Corps of Engineers (depending on location of dam), Indian Tribes, State Departments of Natural Resources, and State Historic Preservation Officers.

In addition, the National Environmental Policy Act of 1969 requires federal agencies to prepare an environmental impact statement for all major federal actions significantly affecting the quality of the human environment.<sup>6</sup> The statement must discuss the environmental impacts of the project and alternatives to the project. The preparation of such statement requires information collection.

Applicants must provide information in order for the Commission to understand and address potential environmental problems associated with the application to meet the statutory mandates and to further the public interest.

**FERC-500.** FERC-500 is an application for a hydropower project license/relicense or exemption for water power projects with more than 5 megawatts (MW) of installed capacity. FERC-500 information also includes related filing and reporting requirements, such as the filing of annual conveyance reports by licensees under section 141.15 of the Commission’s regulations,<sup>7</sup> and the filing of comprehensive plans in accordance with section 2.19 of the Commission’s regulations. FERC-500 includes the reporting requirements in 18 CFR listed in Attachment A.

The FERC-500 filing requirements for a major hydropower license/relicense include project description, schedule, resource allocation, project operation, construction schedule, cost, and financing; and an environmental report. Applicants can choose to seek FERC hydropower licenses using one of three different options: the traditional licensing process (TLP), alternative

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4 16 USC 803(a) (2012).

5 16 U.S.C. 797(e) and 803(j) (2012).

6 42 U.S.C. 4332(C) (2012)

7 Annual conveyance reports are filed for both major and minor licenses. Eighty percent of the reports are related to major licenses.

licensing process (ALP), or integrated licensing process (ILP).<sup>8</sup> The ILP is the default process and enables potential licensees to conduct pre-filing consultation and the Commission to conduct scoping concurrently rather than sequentially. After an application for a major license is filed, the Federal agencies with responsibilities under the FPA and other statutes, the States, Indian tribes, and other participants have opportunities to request additional studies and provide comments and recommendations. Federal agencies with mandatory conditioning authority also provide their conditions.

**FERC-505.** FERC-505 is an application for a small hydropower project license or relicense, exemption, or determination of a qualifying conduit hydropower facility.

*Small Hydropower Projects.* Small hydropower projects are minor water power projects and major water power projects that have an installed capacity of 5 MW or less.<sup>9</sup> Small hydropower projects have distinct filing requirements as outlined in section 4.61 of the Commission's regulations.

*Exemptions from Licensing.* A hydroelectric project may be eligible for an exemption. An exemption is not a form of deregulation; it is a statutory provision that allows an applicant to be exempt from some or all of Part I of the FPA, including the comprehensive development standard of FPA Section 10(a)(1). There are two types of FERC exemptions: (1) conduit exemptions; and (2) 10-MW or less hydroelectric power project exemptions.

A conduit exemption, as defined in section 30 of the FPA,<sup>10</sup> is an existing or proposed hydroelectric facility that utilizes for electric power generation the hydroelectric potential of a conduit, or any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is not primarily used for the generation of electricity.

A 10-MW or less exemption, as defined in the Public Utilities Regulatory Policies Act of 1978,<sup>11</sup> is a project that utilizes for electric generation the water potential of either an existing non-federal dam or a natural water feature (e.g., natural lake, water fall, gradient of a stream, etc.) without the need for a dam or man-made impoundment. For both types of exemptions, the applicant must possess all real property rights at the time of filing unless the project is located on federal land.

*Qualifying Conduit Hydropower Facilities.* The Hydropower Regulatory Efficiency Act of 2013 created a subset of conduit exemptions, called "qualifying conduit hydropower facilities," which are not required to be licensed under Part I of the FPA. A qualifying conduit hydropower facility is a facility that meets the following qualifying criteria:

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<sup>8</sup> More information on the licensing processes is available at <http://www.ferc.gov/industries/hydropower/gen-info/licensing.asp>.

<sup>9</sup> Minor water power projects are those that have a total installed capacity of 1.5 MW or less. Major water power projects have a total installed capacity of greater than 1.5 MW.

<sup>10</sup> 16 U.S.C. 823a (2012), amended by, Hydropower Regulatory Efficiency Act of 2013, Pub. L. No. 113-23, 4, 127 Stat. 493 (2013).

<sup>11</sup> 16 U.S.C. 2708 (2012).

- (1) the facility would be constructed, operated, or maintained for the generation of electric power using only the hydroelectric potential of a non-federally owned conduit, without the need for a dam or impoundment;
- (2) the facility would have a total installed capacity that does not exceed 5 MW; and
- (3) the facility is not licensed under, or exempted from, the license requirements in Part I of the FPA on or before the date of enactment of the Hydropower Regulatory Efficiency Act (i.e. August 9, 2013).<sup>12</sup>

To obtain a determination that a project is a qualifying conduit hydropower facility, an entity must file with the Commission a notice of intent to construct the facility that demonstrates the facility meets the qualifying criteria.

**Final Rule in Docket RM19-6-000.** On October 23, 2018, the America’s Water Infrastructure Act of 2018 (AWIA) was signed into law.<sup>13</sup> The AWIA, among other things, requires the Commission to establish an expedited process for issuing and amending licenses for qualifying facilities at existing nonpowered dams and for closed-loop pumped storage projects. Under the expedited process, the Commission will seek to ensure that a final decision on a license application will be issued no later than two years after the Commission receives a completed application for a license. Therefore, to comply with the AWIA, the Final Rule amends the Commission’s regulations governing hydroelectric licensing under the FPA by adding a new Part 7 that establishes an expedited licensing process for qualifying facilities at existing non-powered dams and for closed-loop pumped storage projects.

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

### **FERC-500 and FERC-505**

The Commission’s current regulations provide three filing process options for hydropower developers to use in preparing license applications: (i) the ILP, which is the default process, as described in part 5; (ii) the TLP, as described in part 4, subparts D to H; and (iii) the alternative procedures (i.e., the ALP), as described in § 4.34(i) of part 4. The Final Rule does not alter these existing licensing processes. Instead, the Final Rule establishes an expedited licensing process, set forth in a new Part 7 to the Commission’s regulations, which will allow the Commission to determine, on a case-by-case basis, whether original license applications for qualifying facilities at existing nonpowered dams and for closed-loop pumped storage projects, as defined in FPA sections 34 and 35, qualify for expedited processing. For applicants who seek to participate in the expedited licensing process, the Final Rule requires them to file a request to use the expedited process. In all other respects, the modifications will not impose any additional information collection requirements/burden, change the current information that is collected, pursuant to federal law and existing Commission regulations, or change the submission of the required federal and state authorizations, to apply for a license under the Commission’s current licensing processes. To increase the likelihood that a final licensing decision can be made within two years from application filing, the Final Rule requires applicants interested in pursuing

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<sup>12</sup> 16 U.S.C. 823a (2012). See also 18 C.F.R. Part 4, Subpart N (2018) (Commission’s implementing regulations).  
<sup>13</sup> Pub. L. No. 115-270, 132 Stat. 3765 (2018) (AWIA).

the expedited process to submit to the Commission consultation documentation regarding federal and state authorizations earlier in the licensing process than is currently required under the Commission's existing licensing processes.

To be considered under the expedited process, applicants for original licenses for qualifying hydropower projects at existing nonpowered dams or for closed-loop pumped storage projects must include with their application a request for authorization to use the expedited licensing process. The Commission may grant the request if the applicant demonstrates compliance with the procedures set forth in the approved regulations (Part 7 of the Commission's regulations). Use of the expedited licensing process is optional in that potential license applicants may elect to apply for consideration under the expedited licensing process and follow the schedule under that process or may prefer to follow the processing schedule under the Commission's existing licensing processes set forth in Parts 4 and 5 of the Commission's regulations. The approved expedited licensing process will only apply to original license applications; it will not apply to applications for a new or subsequent license. The expedited licensing process would begin with the filing of a final license application; that is, the prefiling process is not included in the two-year time frame governed by the expedited process. For the purposes of prefiling activities, any applicant interested in pursuing authorization to use the expedited licensing process must use the default ILP, or request authorization to the use TLP or ALP, as required under the current regulations. Therefore, the focus of the Final Rule is solely on the process milestones and necessary authorizations that occur after an applicant files a final license application.

#### Eligibility Criteria

An applicant interested in requesting authorization to use the expedited licensing process must demonstrate that its proposed project design meets the statutory criteria for qualifying facilities that Congress enumerated in sections 34 and 35 of the FPA. In addition, the applicant must demonstrate compliance with the FERC-defined criteria to use the expedited process, which include providing documentation of consultation, as required by federal law (e.g., Endangered Species Act, National Historic Preservation Act, and the Clean Water Act), at the time of application filing, verifying that the applicant has engaged in consultation with agencies, Indian Tribes, and, if applicable, the existing dam owner, sufficient to facilitate Commission action on the application within two years. The statutory criteria for qualifying facilities and the FERC-defined documentation requirements for the expedited process are further described in the Final Rule.<sup>14</sup>

#### **Expedited Licensing Process**

As directed by FPA sections 34 and 35, the Commission approved an expedited licensing process for two types of hydropower projects – qualifying facilities at existing, nonpowered dams and closed-loop pumped storage projects. The modified regulations will be codified as Part 7 of the Commission's regulations.

The addition of a new Part 7 to the Commission's regulations will affect only the number of entities that file applications with the Commission for these two project types, and will impose a

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<sup>14</sup> Final Rule at PP 33-45 (statutory criteria), 46-84 (FERC-defined criteria); see also sections 7.1 and 7.2 of the Final Rule.

new, albeit slight, information collection requirement (i.e., filing the request to use the expedited licensing process). The requirement that an applicant file a request for authorization to use the expedited process concurrently with its license application is necessary for the Commission to carry out its responsibilities under the FPA, as amended by the AWIA. The information provided will enable the Commission to review the features of the proposed project and make a determination on whether the proposed project meets the statutory criteria enumerated in the AWIA, as well as the early consultation requirements that the Commission has determined will help it seek to ensure that the proposed project's license application will be acted on no later than two years after the date of application filing.

Submission of the data is necessary to fulfill the requirements of the FPA in order for the Commission to make the required finding that a proposal is economically, technically, and environmentally sound, and is best adapted to a comprehensive plan for improving and developing a waterway or waterways.

The Commission is codifying the new requirements in the RM19-6-000 Final Rule in FERC-500 and FERC-505 related to the expedited process contained in new sections 7.1-7.9 of the Commission's regulations.

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

#### **FERC-500 and FERC-505**

FERC continually considers the use of improved information technology to reduce burden in the filing requirements for submission of information.

In addition, the Commission allows eFiling for the FERC-500 and FERC-505 information collection requirements (e.g., applications). Applicants interested in pursuing the expedited licensing process approved in the Final Rule may electronically file requests to use the expedited licensing process.

### **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 periodically reviews filing requirements concurrent with OMB review or as the Commission deems necessary to eliminate duplicative filing and to minimize the filing burden.

No similar information is available for the FERC-500 and FERC-505; these are case-specific applications for a benefit (e.g., license or permit) and are unique to the applicant and the site for which the filing is made.

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

### **FERC-500**

To reduce the burden on entities for certain smaller capacity, “major” projects, the Commission sets the reporting requirements for major projects with an installed capacity of 5 MW or less to be the same as for minor projects (i.e. projects with an installed capacity of 1.5 MW or less). The Commission requires any license for a project that generates or proposes to generate more than 5 MW of electricity to be covered by FERC-500 reporting requirements.

### **FERC-505**

The FERC-505 reporting requirements are the basic filing requirements pertaining to all applications for a small hydropower project license/relicense, exemption, or determination of a qualifying conduit hydropower facility. The Commission sets forth distinct filing requirements for small hydropower projects. Small hydropower projects have streamlined filing requirements. The Commission is able to expedite the process for small, low-impact hydropower projects in the following ways:

- waiver of some pre-filing consultation requirements (with resource agency cooperation);
- concurrent environmental scoping and pre-filing consultation;
- streamlined public notice requirements;
- shortened comment periods;
- coordination with resource agencies to obtain their final terms and conditions before Commission staff issues an environmental assessment, instead of the customary preliminary and final versions;
- use of a single environmental document (as opposed to using draft and final documents); and
- issuance of the order on the same day as the environmental assessment.

In addition, the Commission reduces the reporting requirements for the duration of small, low-impact hydropower projects. Exemptions are granted in perpetuity, and qualifying conduit hydropower facilities may operate without Commission oversight.

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

### **FERC-500 and FERC-505**

Under the existing information collection requirements under FERC-500 and FERC-505, if the information were not collected, the Commission would not be able to fulfill the requirements of the FPA in ensuring that a project proposal is economically and technically sound (to include requirements to improve and develop waterways). Additionally, the Commission would be unable to ensure environmental concerns were being properly documented and mitigated during approval of any application. The Final Rule in RM19-6-000 offers developers interested in obtaining a license to construct and operate a project at an eligible existing nonpowered dam or a closed-loop pumped storage project the option to participate in an expedited licensing process. Under the expedited licensing process, they would need to comply with the existing information collection requirements under FERC-500 and FERC-505, some of which would be filed earlier

under the expedited process, and in addition, submit a request to use the expedited process which would constitute a new information collection requirement. If an interested applicant chooses to not request to use the expedited process, then the Commission would review the application under one of the Commission's existing licensing processes, and consequently, there would be no change to the existing collection requirements in that instance.

**7. EXPLAIN ANY SPECIAL CIRCUMSTANCES RELATING TO THE INFORMATION COLLECTION**

There are no special circumstances related to these information collections.

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

Each FERC rulemaking (both proposed and final rules) is published in the *Federal Register*, thereby providing the public, including public utilities and licensees, state commissions, and Federal agencies, an opportunity to submit data, views, comments or suggestions concerning the proposed collections of data. In addition, prior to issuing the NOPR, the Commission issued a notice inviting federal agencies, state agencies, and Indian tribes to participate in an interagency task force to coordinate the regulatory processes associated with the authorizations required to construct and operate qualifying facilities at nonpowered dams and closed-loop pumped storage projects. Twenty-eight federal agencies, state agencies, and Indian tribes participated. The NOPR (issued January 31, 2019) was published in the *Federal Register* on February 7, 2019<sup>15</sup> and requested comments from the public on a variety of issues.

The comments received on the NOPR were generally limited to defining closed-loop pumped storage projects, clarifying the commencement of the two-year timeframe, whether or not the expedited process should include the prefiling process, and whether projects that require preparation of an environmental impact statement should be excluded from the expedited process. Additionally, several agencies commented on their own existing obligations related to other federal statutes.

The Commission received no comments concerning the paperwork burden due to the modifications proposed in the NOPR.

The Final Rule (issued April 18, 2019) was published in the *Federal Register* on April 24, 2019.<sup>16</sup>

**9. EXPLAIN ANY PAYMENT OR GIFTS TO RESPONDENTS**

There are no payments or gifts to respondents.

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<sup>15</sup> 84 FR 2469.  
<sup>16</sup> 84 FR 17064.



**10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS**

The Commission does not consider the information collected in filings to be confidential. However, the Commission will consider specific requests for confidential treatment (e.g. Critical Energy/Electric Infrastructure Information [CEII] or non-public) to the extent permitted by law and our regulations.<sup>17</sup> The Commission will review each request for confidential treatment on a case-by-case basis.

**11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDES, RELIGIOUS BELIEFS, AND OTHER MATTERS THAT ARE COMMONLY CONSIDERED PRIVATE.**

There are no questions of a sensitive nature.

**12. ESTIMATED BURDEN OF COLLECTION OF INFORMATION**

The estimated changes to the burden and cost of the information collections affected by this Final Rule follow:

<b>Revisions Due to the Final Rule in Docket No. RM19-6-000</b>					
	<b>No. of Respondents (1)</b>	<b>No. of Responses per Respondent (2)</b>	<b>Total No. of Responses (1)X(2)=(3)</b>	<b>Avg. Burden Hrs. &amp; Cost Per Response<sup>19</sup> (4)</b>	<b>Total Annual Burden Hours &amp; Total Annual Cost (3)X(4)=5</b>
FERC-500	5 <sup>20</sup>	1	5	40 hrs.; \$3,160	200 hrs.; \$15,800
FERC-505	5 <sup>21</sup>	1	5	40 hrs.; \$3,160	200 hrs.; \$15,800
<b>TOTAL</b>			10		400 hrs.; \$31,600

<sup>17</sup> 18 C.F.R. 388.112. More information on the CEII definition, program and requirements is posted at <http://www.ferc.gov/legal/ceii-foia/ceii.asp>.

<sup>18</sup> We consider the filing of an application to be a “response.”

<sup>19</sup> Commission staff assumes that respondents cost (for wages plus benefits) a similar amount to FERC employees. The estimates for cost per response are derived using the following formula: Average Burden Hours per Response \* \$79 per Hour = Average Cost per Response. The hourly cost figure of \$79 is the 2018 average FERC employee wage plus benefits.

<sup>20</sup> After implementation of this rule, we estimate five applications for closed-loop pumped storage projects will be filed, alongside a request to use the expedited licensing process, per year. We estimate that all of these applications will be for projects with more than 5 MW capacity.

<sup>21</sup> After implementation of this rule, we estimate five applications for qualifying facilities at existing nonpowered dams will be filed, alongside a request to use the expedited licensing process, per year. We estimate that all of these applications will be for projects with 5 MW or less capacity.

### 13. ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS

There are no start-up or other non-labor costs.

Total Capital and Start-up cost: \$0

Total Operation, Maintenance, and Purchase of Services: \$0

All of the costs in the information collections are associated with burden hours (labor) and discussed in Questions #12 and #15.

### 14. ESTIMATED ANNUALIZED COST TO FEDERAL GOVERNMENT

#### FERC-500 and FERC-505

The estimate of the cost for “analysis and processing of filings”<sup>22</sup> is based on salaries and benefits for professional and clerical support. This estimated cost represents staff analysis, decision-making, and review of any actual filings submitted in response to the information collections. The estimates for the ‘analysis and processing of filings’ are for the entire FERC-500 and FERC-505, not simply for the areas affected by, or additions due to, the Final Rule in RM19-6-000.

The Paperwork Reduction Act (PRA) Administrative Cost is the average annual FERC cost associated with preparing, issuing, and submitting materials necessary to comply with the PRA for rulemakings, orders, or any other vehicle used to create, modify, extend, or discontinue an information collection. It also includes the cost of publishing the necessary notices in the *Federal Register*.

The estimated annualized cost to the Federal Government follows.

FERC-500	Number of Employees, Full-Time Equivalents (FTEs)	Estimated Annual Federal Cost (rounded)
Analysis and Processing of Filings	18	\$2,966,760
PRA Administrative Cost		\$4,931
<b>Total for FERC-500</b>		<b>\$2,971,691</b>

FERC-505	Number of Employees (FTEs)	Estimated Annual Federal Cost (rounded)
Analysis and Processing of filings	8.5	\$1,400,970
PRA Administrative Cost		\$4,931
<b>Total for FERC-505</b>		<b>\$1,405,901</b>

<sup>22</sup> The estimate uses the FERC’s FY 2018 average annual salary plus benefits of one FERC FTE (full-time equivalent [\$164,820 per year or \$79.00 per hour]). (These estimates were updated in May 2018.)

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

As directed by Congress in the AWIA, the Commission revises its regulations (affecting FERC-500 and FERC-505) to incorporate an expedited licensing process for two types of hydroelectric projects: (1) qualifying facilities at nonpowered dams, and (2) closed-loop pumped storage projects. The expedited licensing process is an optional process that will affect only those entities that file applications with the Commission for these two project types along with a request to use the expedited process. The associated increase in burden is slight (i.e. filing the request to use the expedited licensing process). As noted above, the requirement that an applicant file a request for authorization to use the expedited process concurrently with its license application is necessary for the Commission to carry out its responsibilities under the FPA, as amended by the AWIA. This information will enable the Commission to review the features of the proposed project and make a determination on whether the proposed project meets the statutory criteria enumerated in the AWIA, as well as the early consultation requirements that the Commission has determined will help it seek to ensure that the proposed project’s license application will be acted on no later than two years after the date of application filing.

The following tables show the changes and are based on ROCIS (and reginfo.gov) metadata.

<b>FERC-500</b>	<b>Total Request</b>	<b>Previously Approved</b>	<b>Program Change Due to New Statute</b>	<b>Change Due to Agency Discretion</b>	<b>Change due to Adjustment in Estimate</b>
Annual Number of Responses	520	515	5	0	0
Annual Time Burden (Hr.)	321,922	321,722	200	0	0
Annual Cost Burden (\$)	\$ 0	\$ 0	\$ 0	\$ 0	

<b>FERC-505</b>	<b>Total Request</b>	<b>Previously Approved</b>	<b>Program Change Due to New Statute</b>	<b>Change Due to Agency Discretion</b>	<b>Change due to Adjustment in Estimate</b>
Annual Number of Responses	324	319	5	0	0
Annual Time Burden (Hr.)	24,635	24,435	200	0	0

Annual Cost Burden (\$)	\$ 0	\$ 0	\$ 0	\$ 0	
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**16. TIME SCHEDULE FOR PUBLICATION OF DATA**

There is no publication of data.

**17. DISPLAY OF EXPIRATION DATE**

The expiration dates are posted on ferc.gov at <http://www.ferc.gov/docs-filing/info-collections.asp>

**18. EXCEPTIONS TO THE CERTIFICATION STATEMENT**

There are no exceptions.

## Attachment A

Note that some of the following references cover both major (FERC-500) and minor (FERC-505) hydro project applications and reporting requirements.

**FERC-500** has information collection requirements described in the following sections in 18 C.F.R.:

- 2.19
- 4.201
- 4.202
- 4.301
- 4.303
- 4.35
- 4.38
- 4.40
- 4.41
- 4.50
- 4.51
- 5.11
- 5.13
- 5.16
- 5.17
- 5.18
- 5.2
- 5.20
- 5.21
- 5.27
- 5.4
- 5.5
- 5.6
- 8.1
- 8.2
- 16.10
- 16.11
- 16.12
- 16.14
- 16.19
- 16.20
- 16.26
- 16.4
- 16.6
- 16.7
- 16.8

- 16.9
- 141.15
- 4.36(b)
- 4.36(c)
- 5.15(b)
- 5.15(c)
- 5.15(d)
- 5.15(e)
- 5.15(f)
- 5.18(d)
- 5.23(b)
- 5.3(c)(1)
- 5.3(c)(2)
- 5.3(d)(1)
- 292.208

**FERC-505** has information collection requirements described in the following sections in 18 C.F.R.:

- 2.19
- 4.32
- 4.35
- 4.36 (b) and (c)
- 4.61
- 4.71
- 4.93
- 4.107
- 4.108
- 4.201
- 4.202
- 4.400
- 4.401
- Part 5
- 8.1
- 8.2
- 16.1
- 16.6
- 16.7
- 16.8
- 16.9
- 16.10
- 16.11
- 16.12
- 16.14

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- 16.19
- 16.20
- 16.22
- 292.203
- 292.208