

Supporting Statement for  
**FERC-922 (Performance Metrics for ISOs, RTOs and  
Regions Outside ISOs and RTOs),  
as reinstated and revised by Docket No. AD19-16-000**

The Federal Energy Regulatory Commission (Commission or FERC) requests that the Office of Management and Budget (OMB) review and approve the reinstatement and proposed changes to FERC-922 (Performance Metrics for ISOs and RTOs and Regions Outside ISOs and RTOs, OMB Control No. 1902-0262), as discussed in Docket No. AD19-16-000.

This is a reinstatement and modification of an information collection that is done approximately biennially.

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

In September 2008, the United States Government Accountability Office (GAO) issued a report recommending that the Commission, among other actions, work with Regional Transmission Organizations (RTOs), Independent System Operators (ISOs), stakeholders, and other experts to develop standardized metrics to track the performance of RTO/ISO operations and markets and publicly report those metrics.<sup>1</sup> In accordance with the 2008 GAO Report, Commission staff developed a set of standardized metrics (the Common Metrics), sought and received OMB approval to collect information on those metrics from RTOs/ISOs, and later non-RTO/ISO utilities, and ultimately issued five public reports (Common Metrics Reports).<sup>2</sup>

In December 2017, the GAO issued a report on the RTOs/ISOs with centralized capacity markets.<sup>3</sup> Among other recommendations, the GAO found that the Commission should take steps to improve the quality of the data collected for its Common Metrics Reports, such as implementing improved data quality checks and, where feasible, ensuring that RTOs/ISOs report consistent metrics over time by standardizing definitions. Furthermore, the GAO

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<sup>1</sup> U.S. Gov't Accountability Office, GAO-08-987, *Report to the Committee on Homeland Security and Governmental Affairs, U.S. Senate; Electricity Restructuring: FERC Could Take Additional Steps to Analyze Regional Transmission Organizations' Benefits and Performance* (2008), <https://www.gao.gov/assets/290/281312.pdf>.

<sup>2</sup> See Fed. Energy Regulatory Comm'n, *RTO/ISO Performance Metrics* (last updated Aug. 16, 2019), <http://www.ferc.gov/industries/electric/indus-act/rto/rto-iso-performance.asp>.

<sup>3</sup> U.S. Gov't Accountability Office, GAO-18-131, *Electricity Markets: Four Regions Use Capacity Markets to Help Ensure Adequate Resources, but FERC Has Not Fully Assessed Their Performance* (2017), <https://www.gao.gov/assets/690/689293.pdf> (hereinafter 2017 GAO Report).

recommended that the Commission develop and document an approach to regularly identify, assess, and respond to risks that capacity markets face.

In response to the 2017 GAO Report, Commission staff has proposed changes to the Common Metrics information collection. First, Commission staff proposes to improve the data collection process by creating a standardized information collection Input Spreadsheet (i.e., the reporting form) and an updated, more detailed User Guide, which will provide guidance on completing the information collection request, including information about who should respond; the timeline for responses; the metrics being collected, including important definitions and a description of the types of metrics and their structure in the information collection; and how to properly use the reporting form. Also, Commission staff proposes to update the list of Common Metrics to focus on centrally-organized energy markets and capacity markets, which involves adding capacity market metrics.

The update eliminates previously-collected metrics on reliability, RTO/ISO billing controls and customer satisfaction, interconnection and transmission processes, and system lambda. Commission staff proposes eliminating these metrics because they provide limited information, do not significantly help Commission staff or the public draw any conclusions regarding the benefits of an RTO/ISO, and to reduce the reporting burden for respondents. The revised data collection, after additions and deletions, consists of twenty-nine Common Metrics.

In addition to eliminating certain metrics and adding new ones, the Common Metrics are now organized into three groups:

- Group 1 metrics are designed to be collected from all respondents (i.e., RTOs/ISOs and non-RTO/ISO utilities). There are seven Group 1 metrics: Reserve Margins, Average Heat Rates, Fuel Diversity, Capacity Factor by Technology Type, Energy Emergency Alerts (EEA Level 1 or Higher), Performance by Technology Type during EEA Level 1 or Higher, and Resource Availability (Equivalent Forced Outage Rate Demand (EFORd)).
- Group 2 metrics pertain to organized energy markets and, thus, are designed to be collected only from respondents with such energy markets (i.e., all RTOs/ISOs). There are twelve Group 2 metrics: Number and Capacity of Reliability Must-Run Units, Reliability Must-Run Contract Usage, Demand Response Capability, Unit Hours Mitigated, Wholesale Power Costs by Charge Type, Price Cost Markup, Fuel Adjusted Wholesale Energy Price, Energy Market Price Convergence, Congestion Management, Administrative Costs, New Entrant Net Revenues, and Order No. 825<sup>4</sup> Shortage Intervals and Reserve Price Impacts.
- Finally, the new Group 3 metrics pertain to organized capacity markets and, thus, are designed to be collected only from respondents with such capacity markets (i.e., all RTOs/ISOs with capacity markets). There are ten Group 3 metrics: Net Cost of New

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<sup>4</sup> *Settlement Intervals and Shortage Pricing in Mkts. Operated by Reg'l Transmission Orgs. & Indep. Sys. Operators*, Order No. 825, 155 FERC ¶ 61,276 (2016).

Entry (Net CONE) Value, Resource Deliverability, New Capacity (Entry), Capacity Retirement (Exit), Forecasted Demand, Capacity Market Procurement and Prices, Capacity Obligations and Performance Assessment Events, Capacity Over-Performance, Capacity Under-Performance, and Total Capacity Bonus Payments and Penalties.

The updated User Guide for the information collection, as well as the standardized information collection reporting form, are attached to the notice published in Docket No. AD19-16-000. These attachments will not be published in the Federal Register but will be available in the Commission's eLibrary system under Docket No. AD19-16-000.

Commission staff has assured itself, by means of internal review, that there is specific, objective support for the burden estimates associated with the information collection requirements.

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

The common performance metrics for ISOs, RTOs, and Regions Outside of ISOs and RTOs will be used by Commission staff and the public to evaluate performance in markets both within ISOs and RTOs and outside of such regions in areas where ISOs/RTOs and utilities in non-ISO/RTO regions perform identical functions. These metrics would provide information to assist Commission staff and the public in tracking the performance of ISOs and RTOs, as recommended in the 2017 GAO Report referenced above.

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

Commission staff expects to receive the data in this collection via the Commission's electronic filing system (eFiling).<sup>5</sup> By eFiling materials, respondents file the necessary information more efficiently than if they file on paper. Commission staff is able to process the information more efficiently when the filings are submitted electronically versus in paper form. Further, Commission staff has created a new, standardized electronic reporting form (that automatically calculates certain metrics), which should reduce the reporting burden on respondents.

**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**

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<sup>5</sup> More information on the Commission's eFiling system is posted at <https://www.ferc.gov/docs-filing/efiling.asp>. Nearly all filings submitted to the Commission are able to be filed electronically.

While some of the information that will be reported in response to the metrics is available from other sources, the information collection at issue here is not intended to be a rote recitation of previously reported data. Instead, Commission staff expects that those entities that decide to provide data in response to the metrics will provide an analysis of and context for what this information means. For example, where there are aberrations in the data or trends are apparent, Commission staff expects those that decide to report on the metrics will explain what caused these changes and their implications for performance. In this regard, Commission staff anticipates that the metrics will result in a unique work product that would provide information for both Commission staff and the public at large.

Further, some of the data requested may be available from another source for only one or some of ISOs/RTOs and regions outside of RTOs/ISOs, or in a form that is not easily compared across the different regions. This information collection ensures that Commission staff has a complete set of data that allows for comparability.

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

This collection of information is voluntary. Entities that do not want to participate because of the burden of collecting the information and responding to the information collection are not required to do so. Further, Commission staff anticipates that the average burden of approximately 270 hours per response is reasonable. Commission staff doesn't anticipate small entities to respond, because prior respondents have been large RTOs/ISOs and large non-RTO/ISO utilities.

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

Commission staff expects that respondents will submit information on the Common Metrics every two years. Commission staff is requesting a three-year approval from OMB, so the voluntary information collection would happen in Year 1 and Year 3.<sup>6</sup> Less frequent data collection would forestall dissemination of information on industry performance, and delay knowledge of energy market fundamentals to the public.

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

5 C.F.R. 1320.5(d) specifies that an agency should explain when a collection of information calls for any record-keeping requirement beyond three years. This collection does not explicitly require entities to keep data beyond three years, but does ask for data covering a five year

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<sup>6</sup> The OMB approval is for a maximum of three years.

period.<sup>7</sup> Commission staff believes collecting data for a five year long period is not unduly burdensome for respondents, is an appropriate time frame for analyzing the data collected, and conforms well with the requested three-year approval of the data collection from OMB. The full period provides a longer average data period for analysis (smoothing over any anomalies).

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

Commission staff has had informal contact with stakeholders about the proposed revisions to the set of Common Metrics, including the proposed revisions to improve the quality of data collected and to enhance the Common Metrics Report with capacity market metrics. Specifically, Commission staff has contacted representatives of the ISO/RTO Council (IRC), the Edison Electric Institute, American Wind Energy Association, American Public Power Association (APPA), and the Energy Information Administration. Commission staff deliberated internally on the feedback received from these outreach efforts and incorporated changes as applicable.

***PRA Notices and Public Comments.*** The Commission issued a 60-day Notice<sup>8</sup> in accordance with the Paperwork Reduction Act of 1995 (PRA) on July 3, 2019, and published that notice in the Federal Register on July 10, 2019 (84 FR 32,908). The comment period ended on September 9, 2019. The Commission received 8 comments.

*Public Comments and Commission Staff's Responses:* Comments were filed by the public in response to the July 10, 2019 notice published by the Commission in the Federal Register, 84 FR 32,908 (July 10, 2019). Commission staff's responses to those comments are provided below.

*General Comments on Reinstatement and Revision of FERC-922 Information Collection:* In general, commenters, including APPA, California Independent System Operator Corporation

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<sup>7</sup> Public utilities who have not previously submitted performance information may also voluntarily submit data from the 2010-2014 period along with their 2014-2018 submittals, if they believe that such information would be important to this initiative.

<sup>8</sup> The 60-day Notice and its attachments are posted in the Commission's eLibrary as follows:

- Notice at <https://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=15302412>
- Common Metrics Input Spreadsheet (PDF file) at <https://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=15300811>
- Common Metrics Input Spreadsheet (XLS file) at <https://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=15300812>
- User Guide at <https://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=15300813>.

(CAISO), Midcontinent Independent System Operator, Inc. (MISO), the PJM Interconnection, L.L.C. Independent Market Monitor (PJM market monitor), IRC, Transmission Access Policy Study Group (TAPS), and the Competitive Transmission Developers,<sup>9</sup> support Commission staff's efforts to reinstate the FERC-922 information collection and to improve it by adding the Group 3 capacity market metrics, and by providing a new User Guide and Input Spreadsheet. APPA further notes its support of Commission staff's proposal to eliminate the metrics on reliability, RTO/ISO billing controls, interconnection and transmission processes, and system lambda. To further improve the value of the information collection, APPA and the Competitive Transmission Developers comment that the metrics collected should not be limited to information that is already collected and published by RTOs/ISOs. APPA and the Competitive Transmission Developers also comment that Commission staff should increase the quality checks it performs on the data submitted in response to the information collection and undertake critical analysis of the data submitted, including identifying opportunities for comparisons between RTOs/ISOs and non-RTO/ISO utilities. IRC requests a reasonable period to submit information in response to the information collection.

*Commission Staff Response:* Commission staff believes that staff deliberations, combined with significant public outreach, have resulted in the development of twenty-nine Common Metrics, as well as the associated User Guide and Input Spreadsheet, that address many of the concerns raised by the GAO in the 2017 GAO Report, and that will allow for meaningful evaluations of the performance and reliability of RTOs/ISOs and non-RTO/ISO utilities. Commission staff has not limited the information collection to metrics that are already collected and/or published by the RTOs/ISOs or their market monitors. If and when the information collection is approved by OMB, Commission staff will issue a formal request for information, seeking responses to the information collection within ninety days, which staff believes is a reasonable period of time to respond. Once responses are received, Commission staff intends to undertake additional, improved quality checks on the data, as recommended by GAO.

*Comments Requesting Modification of Proposed Metrics and Inclusion of Additional Metrics:* The CAISO Department of Market Monitoring (CAISO market monitor) requests the addition of four additional Group 2 metrics regarding the efficiency of congestion revenue rights (CRR) auctions. APPA requests additional Group 2 and Group 3 metrics, including: (1) a metric addressing transmission costs comprehensively; (2) a metric addressing whether existing capacity is over- or under-recovering its costs in the RTO/ISO-operated markets; (3) a metric addressing the concentration of ownership of capacity resources; and (4) a metric regarding the participation and profitability of financial entities in RTO/ISO-operated markets. APPA also recommends that Commission staff retain the RTO/ISO governance metric it proposed deleting from the information collection. The Competitive Transmission Developers recommend inclusion of a transmission metric on construction costs, comparing initial RTO/ISO cost estimates to actual costs at the time the project went into service, and identifying whether a

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<sup>9</sup> The Competitive Transmission Developers include GridLiance Holdco, LP, LSP Transmission Holdings II, LLC, and BHE U.S. Transmission, LLC.

project was competitive or designated to incumbents. In contrast, IRC does not believe that expansion of the metrics beyond Commission staff's proposal is warranted.

APPA recommends substantive changes to Metrics #13, #16, #18, #22, and #25 on the basis that its proposed changes would increase the accuracy of the metrics, increase comparability, or otherwise add useful data to the information collection. TAPS recommends that sub-part ten of Metric #25 be expanded to include data on generation capacity owned by load serving entities, to allow for greater comparability across markets. The PJM market monitor recommends substantive changes to Metrics #3, #5, #6, #10, #11, #16, #19, #20, and #26, on the basis that its proposed changes would enhance the metrics, better align them with the PJM market monitor's own calculations, or otherwise add useful data to the information collection. The PJM market monitor argues that Metrics #13 and #14 are not useful measures of market performance.

*Commission Staff Response:* Commission staff agrees with IRC that an expansion of these metrics is not warranted at this time. Some of the additional metrics recommended by commenters may be calculated by certain RTOs/ISOs or non-RTO/ISO utilities but not by others, thus losing the commonality and comparability of the Common Metrics desired by Commission staff. In many instances, commenters have requested further granularity of specific metrics – either at a sub-RTO/ISO level, further divisibility of the metric, or for information based on individual resources or resource owners. However, Commission staff notes that the Common Metrics collection is aimed at data applicable at the RTO/ISO-level or non-RTO/ISO utility-level based on data that could be calculated using “common” methodologies and not designed for granularity at the individual resource or resource owner level or further split in a manner that loses the commonality for each region.

Commission staff also believes that adding some of the proposed additional metrics, without allowing significant time for further research, outreach, and refinement, would be premature. However, staff commits to continuing to research and discuss additional metrics of interest to commenters in the ongoing voluntary and collaborative process with participating RTOs/ISOs and non-RTO/ISO utilities, and to consider adding additional metrics to the next iteration of this information collection.

Commission staff does not agree with APPA that the customer satisfaction metric staff proposed to eliminate should be retained. Historically, responses to this metric have not provided meaningful data, and therefore the metric has served only to increase the reporting burden on respondents. Commission staff commits to continuing to research and discuss additional metrics of interest to commenters in the ongoing voluntary and collaborative process, which could include organizational effectiveness.

Commission staff has reviewed the substantive changes recommended by commenters to the proposed metrics and has determined not to make significant modifications to the metrics at this time. Among other considerations, Commission staff believes some of the proposed changes:

(1) would significantly increase the data collection and reporting burden on respondents; (2) would undermine the commonality and comparability of certain metrics across RTOs/ISOs and non-RTO/ISO utilities; and (3) do not support the general purpose of the Common Metrics information collection.<sup>10</sup> Further, Commission staff believes that certain other refinements would be premature to implement at this time, without additional research, outreach, and refinement. However, Commission staff commits to continue discussing ways to improve the metrics and make them more meaningful in the ongoing voluntary and collaborative process with participating RTOs/ISOs and non-RTO/ISO utilities, and to consider additional refinements to the metrics in the next iteration of this information collection.

*Comments Requesting Clarification of Proposed Metrics:* Commenters, including CAISO, MISO, the PJM market monitor, and IRC note that certain respondents may not be able to provide responsive information or data for each metric addressed in the information collection, or may collect data in a manner that deviates from the metric as requested. IRC comments that the wording of Metric #17 implies that the ability of RTOs/ISOs to manage the growth rate of administrative costs will be commensurate with the growth rate of system load—a presumption with which IRC disagrees. APPA and TAPS both recommend certain clarifying edits to the description and calculation of Metric #16. Specifically, with regard to Metric #16, TAPS recommends that Commission staff: (1) clarify the definition of “congestion revenue”; (2) clarify the definition of “congestion charge”; (3) clarify the information to be submitted in sub-part 5 of Metric #16; and (4) clarify that in reporting congestion revenues returned to load, RTOs should take into account all revenues and charges associated with Financial Transmission Rights (FTRs) and Auction Revenue Rights (ARRs). APPA supports TAPS’ comments requesting an improved definition of congestion revenue and congestion charges and also recommends reversing the numerator and denominator of the calculation in sub-part 5 of Metric #16. APPA also recommends that Metric #16 document how the payments for FTRs that are purchased in an auction compare to the revenues paid to the instrument holders. The PJM market monitor recommends that Commission staff clarify: (1) the method of calculating new entrant net revenues in Metric #18; (2) the intent of Metric #19; (3) whether Metric #21 is intended to include aggregate import and exports limits for the RTO/ISO as a whole; and (4) whether Metric #24 should be calculated for each Locational Deliverability Area that price separates in PJM and for PJM as a whole.

*Commission Staff Response:* Commission staff acknowledges that not all respondents will have responsive information for all of the metrics, and that some respondents may calculate certain

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<sup>10</sup> Commission staff notes that individual RTOs/ISOs, non-RTO/ISO utilities, and market monitors may consider developing more granular metrics specific to their markets for their own reporting purposes. The Common Metrics information collection is not meant to be a comprehensive information collection for all RTOs/ISOs and non-RTO/ISO utilities. Rather, it is meant to focus on metrics that are “common” and comparable across the different regions. Staff believes that earlier outreach efforts and extensive internal staff deliberations have resulted in meaningful “common” metrics that meet this objective.



data responsive to a metric in a way that deviates from that requested due to administrative and/or structural differences across the different RTOs/ISOs and non-RTO/ISO utilities. Commission staff will request that respondents respond as comprehensively and as close to the form requested as possible and simply note and explain in the “Explanatory Text” field for each metric any deviations or omissions.

Commission staff did not intend for the wording of Metric #17 to imply that administrative costs will always be commensurate with the system load growth; therefore, Commission staff has revised Metric #17 to read: the ability of RTOs/ISOs to manage the growth rate of administrative costs as the growth rate of system load changes.

Commission staff agrees with APPA and TAPS that enhancing the definitions of “congestion charges” and “congestion revenue” in Metric #16 would ensure consistent reporting across RTOs/ISOs, and Commission staff has updated the User Guide and Input Spreadsheet accordingly. Commission staff also agrees that adding a line omitted from the original Input Spreadsheet and reversing the numerator and denominator of sub-part 5 of Metric #16 will improve the metric’s clarity, and Commission staff has updated the Input Spreadsheet accordingly. Commission staff does not agree that Metric #16 should examine how payments for FTRs that are purchased in an auction compare to the revenues paid to the instrument holders because the Commission does not generally assess the effectiveness of a market by examining how well specific types of market participants are profiting from participation in the market. Commission staff also does not agree that congestion charges should be reported separately for the day-ahead and balancing markets because only day-ahead congestion is associated with FTRs.

Commission staff recognizes there are varying methodologies for calculating new entrant net revenues in Metric #18 and requests that respondents explain in the “Explanatory Text” field any clarifications they wish to provide. The intent of Metric #19 is to measure the impact that shortage events will have on reserve market clearing prices. If respondents would like to provide more granular data or improvements to the methodology, these can be submitted in the Input Spreadsheet and described in the “Explanatory Text” field provided. The intent of Metric #21 is to measure the maximum importable external capacity into a capacity zone for the purpose of resource deliverability in the capacity auction and should therefore focus on imports by zone. Commission staff confirms Metric #24 should be calculated both by zone and for the RTO as a whole.

Finally, Commission staff notes that this information collection is a voluntary, collaborative process. To the extent respondents have outstanding or additional questions about the twenty-nine Common Metrics, including the relevant definitions and calculations, Commission staff is available to provide guidance.

FERC also published a 30-day Notice in the Federal Register to provide the public with another opportunity to comment (85 FR 5418). The comment period for the 30-day notice ended on March 2, 2020. The Commission received 1 comment. We thank the commenter for supporting the proposed collection of information. We appreciate learning that the suggested changes which were incorporated for Metric No. 16, Congestion Management, have clarified the metric and will provide useful information on congestion. We reiterate our commitment to continue discussing ways to improve the metrics, and to consider additional refinements in the next iteration of this information collection. See 30-day notice, 85 FR at 5422.

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

There are no payments or gifts to respondents.

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

Commission staff generally does not consider the data provided in response to this information collection to be confidential. If any of the data are considered non-public or Critical Energy/Electric Infrastructure Information (CEII), the respondent may request treatment as such according to 18 CFR 388.112.

## **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 that are considered private.

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

There is no currently approved burden for the FERC-922 information collection. This is a request for reinstatement of the FERC-922 information collection, as proposed for revision in Docket No. AD19-16-000. The collection has not been conducted since it was last approved by OMB.

The estimated burden and cost due to the information collection proposed in FERC-922 follow. (The estimates are annual averages. The collection is made every two years. OMB approval can be for no more than 3 years. FERC-922 would be collected in Years 1 and 3 of that 3-year OMB approval cycle [if approved].)

The following table sets forth the estimated annual burden and cost<sup>11</sup> for this information collection:

FERC-922--Metrics Category and Function	No. of Respondents (1)	No. of Responses in Yrs. 1 & 2 (2)	Annual Frequency of Filing (3)	Total No. of Annual Responses (2)*(3)=(4)	Estimated Burden Hrs. Per Response (5)	Estimated Cost (\$) Per Response (6)	Estimated Total Annual Burden Hrs. (4)*(5)=(7)	Estimated Total Annual Cost (\$) (4)*(6)=(8)
<b>Category 1 Metrics for All Respondents</b>								
Metrics Data Collection					65	\$ 5,391	701	\$ 57,796
Write Performance Analysis					17	\$ 1,393	181	\$ 14,929
Management Review					14	\$ 2,274	155	\$ 24,374
<b>Sub-Total for Category 1</b>	<b>11</b>	<b>16</b>	<b>0.67</b>	<b>10.72</b>	<b>97</b>	<b>\$ 9,058</b>	<b>1,038</b>	<b>\$ 97,098</b>
<b>Category 2 Metrics for Respondents with Energy Markets (who also Complete Category 1 Metrics [listed separately])</b>								
Metrics Data Collection					112	\$ 9,242	451	\$ 37,154
Write Performance Analysis					29	\$ 2,387	116	\$ 9,597
Management Review					25	\$ 3,898	100	\$ 15,669
<b>Sub-Total for Category 2</b>	<b>6</b>	<b>6</b>	<b>0.67</b>	<b>4.02</b>	<b>166</b>	<b>\$ 15,527</b>	<b>667</b>	<b>\$ 62,420</b>
<b>Category 3 Metrics for Respondents with Capacity Markets (who also Complete Categories 1 and 2 Metrics [listed separately])</b>								
Metrics Data Collection					93	\$ 7,702	250	\$ 20,641
Write Performance Analysis					24	\$ 1,989	65	\$ 5,332
Management Review					21	\$ 3,248	55	\$ 8,705
<b>Sub-Total for Category 3</b>	<b>4</b>	<b>4</b>	<b>0.67</b>	<b>2.68</b>	<b>138</b>	<b>\$ 12,940</b>	<b>371</b>	<b>\$ 34,678</b>
<b>Possible New Respondent (We assume they complete only Category 1 Metrics.)</b>								
Metrics Data Collection					70	\$ 5,741	47	\$ 3,846
Write Performance Analysis					18	\$ 1,483	12	\$ 994
Management Review					15	\$ 2,421	10	\$ 1,622
<b>Sub-Total for Possible New Respondent</b>	<b>1</b>	<b>1</b>	<b>0.67</b>	<b>0.67</b>	<b>103</b>	<b>\$ 9,645</b>	<b>69</b>	<b>\$ 6,462</b>
<b>Estimated Total Annual Burden Hrs. &amp; Cost (\$)</b>							<b>2,144</b>	<b>\$ 200,658</b>

Explanation of the Table<sup>12</sup>:

<sup>11</sup> See generally Bureau of Labor Statistics (BLS), Occupational Employment and Wages, May 2018 (last modified Mar. 29, 2019), available at: Computer Systems Analysts (15-1121) <https://www.bls.gov/oes/current/oes151121.htm>; Lawyers (23-1011) <https://www.bls.gov/oes/current/oes231011.htm>; Electrical Engineers (17-2071) <https://www.bls.gov/oes/current/oes172071.htm>; Economists (19-3011) <https://www.bls.gov/oes/current/oes193011.htm>; Chief Executives (11-1011) <https://www.bls.gov/oes/current/oes111011.htm>. See Bureau of Labor Statistics, *Employer Costs for Employee Compensation*, News Release USDL-19-2195 (Dec. 18, 2019), available at <https://www.bls.gov/news.release/ecec.nr0.htm>. Those estimated average hourly wages (plus benefits) are: \$82.42 for the Metrics Data Collection and Write Performance Analysis categories, and \$156.99 for the Management Review component (which is solely based on the Chief Executive wage rates).

<sup>12</sup> The total estimated cost in this table (\$200,658) is the same as in the 30-day notice that was published on January 30, 2020 (see 85 FR 5420). However, the total burden hours in this table (2,144) differs from the estimate in the 30-day notice. In the 30-day notice, we erred by adding all of the burden hours together, rather than calculating a sub-total for each category of response, and then adding the sub-totals to obtain a total. In addition, the 30-day notice erroneously shows the same burden hours per response for each category of response. This table

The Number of Respondents (1) in the first column varies by Group because all respondents do not provide information on each of the twenty-nine Common Metrics.

Commission staff has estimated the number of respondents for the first three Groups based on the assumption that the six jurisdictional RTOs/ISOs and the five non-RTO/ISO utilities (eleven total respondents) that previously responded to the FERC-922 information collection will provide responses to this revised FERC-922 information collection. Therefore, the estimated number of respondents in Group 1 is eleven, because all respondents can report on the Group 1 metrics. The estimated number of respondents for Group 2 is six because only the jurisdictional RTOs/ISOs with energy markets can respond to the Group 2 metrics. Likewise, the estimated number of respondents in Group 3 is four because only the jurisdictional RTOs/ISOs with capacity markets can respond to the Group 3 metrics. Finally, the table includes a burden estimate for potential new respondents. Since all the jurisdictional RTOs/ISOs previously responded to FERC-922, any potential new respondent would be a non-RTO/ISO utility and, thus, would only submit responses to the Group 1 metrics. The burden estimate for new respondents reflects the fact that a potential new respondent would be submitting for the first time, therefore requiring more hours and cost per new response. Commission staff conservatively estimates that one new non-RTO/ISO utility may respond to this revised FERC-922 information collection.

The second column (2), Number of Responses in Years 1 & 3, is characterized by the number of Balancing Authority Areas (BAAs) each respondent would be reporting on, as the respondent would provide a response to each metric for each of its BAAs. Each RTO/ISO is a single BAA and, therefore, will only provide responses to each metric for one BAA, but non-RTO/ISO utilities may report for multiple BAAs. Therefore, the estimated number of responses for Group 1 (all RTOs/ISOs and non-RTO/ISO utilities) is the number of BAAs in the RTOs/ISOs (i.e., six), plus the number of non-RTO/ISO BAAs (i.e., ten), which equals sixteen total responses. The estimated number of responses for Group 2 (all RTOs/ISOs with energy markets) is the same as the number of respondents (i.e., six), as only the RTOs/ISOs respond and they each have only one BAA. The estimated number of responses for Group 3 (all RTOs/ISOs with capacity markets) is the same as the number of respondents (i.e., four), as only the four RTOs/ISOs with capacity markets can respond and they each have only one BAA. Finally, there is only estimated to be one non-RTO/ISO utility as a potential new respondent, which would only respond to the Group 1 metrics that apply to all respondents.

The Annual Frequency of Filings (3) is 0.67 for all groups. This fraction reflects that there will be two information collections, one each during Year 1 and Year 3 of the three-year OMB authorization period. Therefore,  $2/3$  or 0.67 is the adjustment to reflect an average yearly value for the burden.

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correctly shows that the burden hours per response differ among the three categories of response.

The Total Number of Annual Responses (4) is the product of the second column, Number of Responses in Years 1 and 3 (2), multiplied by the third column, the Annual Frequency of Filings (3). Thus, for the first group of respondents, this value is  $16 \times 0.67$ , or 10.72.

The Estimated Burden Hours per Response (5) reflects the total number of estimated burden hours, separated into the three reporting categories (collect, write, review) for each group of respondents. The total estimated burden hours for the first 3 groups of respondents are the same (401 hours) as determined in the previous FERC-922 information collection burden estimates. The number of hours in each reporting category has been adjusted in this collection, as compared to the previous FERC-922 collection burden estimate, to reflect less emphasis on the writing category, as Commission staff has developed a structured data collection tool that will decrease the amount of written text that respondents will provide in the information collection.<sup>13</sup>

The Estimated Cost per Response (6) is the product of the following three variables: the Estimated Burden Hours per Response (5) for a category, multiplied by the labor rate (wages plus benefits) for each category (which is not shown in the table), multiplied by the proportion of total hours attributable to a given Group that reports on a category, e.g., the number of metrics in that Group divided by the total number of metrics (also not shown in table). An example in the first row is that for Group 1, Metrics Data Collection category, the \$7,039 is the product of 271 hours in column (5) multiplied by the weighted average labor rate for that category (\$107.61) multiplied by 0.242 (the ratio of metrics in Group 1, 7, to the total number of metrics, 29 or  $7 \div 29$ ). This fraction is not displayed in the table.<sup>14</sup>

The Estimated Total Annual Burden Hours (7) is the product of the Total Number of Annual Responses (4) times the Estimated Burden Hours per Response (5). For the first row of the first group of respondents, this value is 2,905 hours (or  $10.72 \times 271$  hours).

Finally, the Estimated Total Annual Cost (8) reflects the total burden to the industry and is calculated by multiplying the Total Number of Annual Responses (4) times the Estimated Cost per Response (6) for each category for all groups and produces an estimated total cost in the last row of the table. The wage rates utilized in this burden estimate have been updated to recent Bureau of Labor Statistics estimates for the same categories as used in the prior burden estimates for the FERC-922 information collection (i.e., Computer Systems Analysts, Lawyers,

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<sup>13</sup> The estimated hours per response has increased for: (a) “Metrics Data Collection” component to 271 hours (from 229 hours), and (b) “Management Review” component to 60 hours (from 33 hours). The estimated hours per response for “Write Performance Analysis” has decreased to 70 hours (from 139 hours).

<sup>14</sup> The fraction for Group 1 and the Potential New Respondents is 0.242 (the seven metrics in Group 1 divided by the total number of metrics, twenty-nine); for Group 2 the fraction is 0.414 (twelve divided by twenty-nine); for Group 3 the fraction is 0.345 (ten divided by twenty-nine).

Electrical Engineers, Economists, and the category Chief Executive) in the Electric Power Generation, Transmission, and Distribution industry. Wage estimates use the hourly mean wage from the Bureau of Labor Statistics data, adjusted upward for the private industry benefits of 29.9 percent, and are an average of those categories.

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

There are no non-labor start-up costs. All costs relate to burden hours and are discussed in Questions 12 and 15.

### 14. ESTIMATED ANNUALIZED COST TO FEDERAL GOVERNMENT

The estimate of the cost for “analysis and processing of filings” is based on wages 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 collection.

The 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 for FERC-922 is shown below:

	<b>Number of Hours or FTEs</b>	<b>Estimated Annual Federal Cost (\$)</b>
PRA Administration Cost		\$4,832
Data Processing and Analysis <sup>15</sup>	0.45 FTEs	\$75,191
<b>FERC Total</b>		<b>\$80,023</b>

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

The following table shows the total burden of the re-instituted and revised collection of information.<sup>16</sup> The format, labels, and definitions of the table follow the ROCIS submission system’s “Information Collection Request Summary of Burden” for the metadata.

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<sup>15</sup> The FY2019 average Commission cost (for wages plus benefits) per FTE (Full-Time Equivalent) is \$167,091 (or \$80/hour).

<sup>16</sup> The previous FERC-922 was discontinued 8/2018 at FERC’s request. The collection at that time showed annual estimates of 16 responses and 3,275 burden hours.

	<b>Total Request</b>	<b>Previously Approved</b>	<b>Change due to Adjustment in Estimate</b>	<b>Change Due to Agency Discretion</b>
Annual Number of Responses	18	0		18.09
Annual Time Burden (Hr.)	2,144	0	0	2,144
Annual Cost Burden (\$)	\$0	\$0	\$0	\$0

The collection is done biennially (in Years 1 and 3 of this upcoming 3-year OMB clearance cycle). Burden estimates and the number of responses are annual averages over Years 1-3. The annual time burden is expected to decrease due to the introduction of the standardized input spreadsheet.

**16. TIME SCHEDULE FOR PUBLICATION OF DATA**

The filings are posted in FERC’s eLibrary. Periodically Commission staff prepares a report on their findings based on analysis of the filed data. The most recent Commission staff report was issued in Docket AD14-15-000 on 8/3/2017.<sup>17</sup>

**17. DISPLAY OF EXPIRATION DATE**

The expiration dates are displayed on [ferc.gov](http://www.ferc.gov) with links to the updated table from <http://www.ferc.gov/docs-filing/info-collections.asp>.

**18. EXCEPTIONS TO THE CERTIFICATION STATEMENT**

This information collection is a voluntary survey.

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<sup>17</sup> See <https://www.ferc.gov/industries/electric/indus-act/rto/rto-iso-performance.asp>.