
Coordination of Federal Authorizations for Electric Transmission Facilities

Part A: Justification

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Introduction

This information collection is being used to meet the requirements of section 216(h) of the Federal Power Act. Information collected will be used by DOE to carry out its obligation to coordinate the permitting of electric transmission facilities requiring multiple Federal Authorizations and is consistent with the regulations that have been promulgated to carry out section 216(h).

The Department of Energy is seeking to renew this collection request. DOE published a 60-day notice in the Federal Register Vol. 85, No. 187 on September 25, 2020 seeking comment on the proposed extension of the three-year information collection.

A.1. Legal Justification

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the information collection.

Section 216(h) of the Federal Power Act, as implemented by a 2009 Memorandum of Understanding (available at: <https://obamawhitehouse.archives.gov/files/documents/ceq/Transmission%20Siting%20on%20Federal%20Lands%20MOU.pdf>), requires the Department of Energy (DOE) to issue regulations governing the coordination of Federal authorizations for proposed interstate electric transmission facilities. The regulations allow applicants to request information on the completeness of an application for authorization or permit, as well as the likelihood of project approval based on early submission, compilation, and documentation of information needed to identify potential siting constraints or opportunities discussed in the proposed process (section 900.4), which is required by section 216(h)(4)(C). The regulations also allow applicants to request DOE coordination assistance for projects other than qualifying projects (section 900.2), as authorized by section 216(h)(3). This information collection package accounts for the requirements of these regulatory provisions.

A.2. Needs and Uses of Data

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection

Section 900.4 allows an applicant, or prospective applicant, for a Federal authorization to request information from a permitting or potential permitting entity concerning the likelihood of approval for a potential facility and key issues of concern to the agency and public. Any request for information filed under this section must specify the information sought from the permitting entity in sufficient detail for the permitting entity to provide the requested information. DOE and the permitting or potential permitting entity will use the information to provide a response to the applicant. Information sought will support an Initiation Request necessary to begin DOE's coordination assistance and must include, based on best available information, a Summary of Qualifying Project, Affected Environmental Resources and Impacts Summary, associated Maps, Geospatial Information, Studies (provided in electronic format), and a Summary of Early Identification of Project Issues. The Initiation Request serves as the foundation of information to support discussions as a part of an Initial Meeting and is

supplemented with any available updated information (where applicable) as a part of the information request supporting the process Close-out Request and Close-out Meeting Discussions. The regulations require that a permitting entity shall provide, to the extent permissible under existing law, information addressing the request to the applicant, or prospective applicant, and to the Assistant Secretary of DOE's Office of Electricity Delivery and Energy Reliability (OE-1).

Section 900.2 allows persons seeking DOE assistance in the Federal authorization process for projects other than qualifying projects, as defined in the regulations, to file a request for coordination with OE-1. The requirements of such a request are set forth in that section including the legal name of the project sponsor, the proposed project details, and the list of Federal and non-federal entities involved in the project. DOE will use the information provided to determine whether it is appropriate to provide coordination assistance to the applicant.

To date, there have been no collections made under either of these sections.

A.3. Use of Technology

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

DOE encourages the electronic submission of information under both sections 900.2 and 900.4. We provide an email address in the regulatory text and state that electronic submission is DOE's preferred method of submission and that DOE will utilize electronic technologies to assist in the notification, submission, and sharing of information, as well as for participation in the initial and final meetings required as provided for in the regulation.

To date, there have been no collections under either section.

A.4. Efforts to Identify Duplication

Describe efforts to identify duplication.

This information is collected only in the regulations implementing section 216(h). Because requests for coordination for other projects (section 900.2) and for the pre-application process (section 900.4) are: (1) voluntary; and (2) provided for only under these regulations, applicants would not provide this information to DOE other than as provided for in these regulations.

A.5. Provisions for Reducing Burden on Small Businesses

If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This collection of information does not impact small businesses or other small entities.

A.6. Consequences of Less-Frequent Reporting

Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If the information under section 900.2 is not collected, applicants for projects other than qualifying projects will not be able to request coordination assistance from DOE, as authorized by section 216(h)(3). If the information under section 900.4 is not collected, permitting entities or potential permitting entities will not be able to provide applicants with information on the completeness of their application(s) for authorizations and subsequent likelihood of permit approval, as required by section 216(h)(4)(C).

A.7. Compliance with 5 CFR 1320.5

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines. (a) requiring respondents to report information to the agency more often than quarterly; (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; (c) requiring respondents to submit more than an original and two copies of any document; (d) requiring respondents to retain records, other than health, medical government contract, grant-in-aid, or tax records, for more than three years; (e) in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study; (f) requiring the use of statistical data classification that has not been reviewed and approved by OMB; (g) that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; (h) requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

The data are being collected in accordance with all OMB guidelines set forth in 5 C.F.R. 1320.5.

A.8. Summary of Consultations Outside of the Agency

If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5CFR 320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken in response to the comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside DOE to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or report.

DOE published a 60-day notice in the Federal Register Vol. 85, No. 187 on September 25, 2020 seeking comment on the proposed extension of the three-year information collection. No comments were received.

No other efforts were made to contact persons outside of DOE to obtain their views on the instrument.

A.9. Payments or Gifts to Respondents

Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There are no provisions for payments to respondents.

A.10. Provisions for Protection of Information

Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

DOE will protect the confidentiality of any information submitted consistent with its Freedom of Information Act regulations at 10 CFR Part 1004.

A.11. Justification for Sensitive Questions

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. This justification should include the reasons why DOE considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature in these data collections.

A.12A. Estimate of Respondent Burden Hours

Provide estimates of the hour burden of the collection of information. The statement should indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, DOE should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample fewer than 10 potential respondents is desirable.

The response times below include not only the time necessary to provide the requested information, but also the time needed to search data sources, gather the information, and review the information for both the Initiation Request and supplementation of any new information necessary as a part of the Close-out Meeting Request. Section 900.4 estimates also account for time spent discussing information during the two meetings. The burden was estimated based on DOE’s understanding of how long it would take to complete the tasks listed above.

Table A1. Estimated Respondent Hour Burden

Form Number/Title (and/or other Collection Instrument name)	Type of Respondents	Number of Respondents	Annual Number of Responses	Burden Hours Per Response	Total Annual Burden Hours	Annual Reporting Frequency
Section 900.2	Private Sector	5	5	1	5	1
Section 900.4	Private Sector	5	10	5	50	2
TOTAL		10	15		55	

A.12B. Estimate of Annual Cost to Respondent for Burden Hours

Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under ‘Annual Cost to Federal Government’.

Section 900.2 – Using DOE’s assumption that it takes 1 hour to complete the information requested under section 900.2 and the time value is fully burdened at \$56.60/hour, assuming the median salary for a project manager (\$35.38¹ multiplied by 1.6 to include benefits) or filer with similar skills completing the request, the total cost for this activity is \$283.00.

Section 900.4 – Using DOE’s assumption that it takes 5 hours to complete the information requested per filing under section 900.4 and the time value is fully burdened at \$56.60/hour, assuming the median salary for a project manager (\$35.38² multiplied by 1.6 to include benefits) or filer with similar skills completing the request, the total cost for this activity is \$2830.00.

Table A2. Estimated Respondent Cost Burden

Type of Respondents	Total Annual Burden Hours	Hourly Wage Rate	Total Respondent Costs
Government or Private Sector	55	\$56.60	\$3,113.00
TOTAL	55		\$3,113.00

A.13. Other Estimated Annual Cost to Respondents

Provide an estimate for the total annual cost burden to respondents or record-keepers resulting from the collection of information.

No other annual costs.

A.14. Annual Cost to the Federal Government

Provide estimates of annualized cost to the Federal government.

DOE will incur costs under section 900.2 in reviewing the information provided by applicants and determining whether to provide coordination assistance. The Federal government will incur costs under section 900.4 in reviewing the information provided by respondents and providing information (whether written or oral) on the likelihood of project approval based on the identification of potential siting constraints or opportunities, data gaps, or other considerations that could affect the likelihood of approval of the application. These reviews, however, are expected to be conducted by existing Federal staff. Under both sections 900.2 and 900.4, DOE assumes that its review of requested information

¹ <https://www.bls.gov/oes/current/oes131111.htm>

² <https://www.bls.gov/oes/current/oes131111.htm>

would be performed by an employee at a GS-13 Step 1 pay scale fully burdened at 68.87³ (\$49.19/hour multiplied by 1.4).

Section 900.2

5 responses, 3 hours to review each response = 15 hours

15 hours multiplied by \$68.87 (GS-13, step 1 fully burdened rate)

Total annual cost to Federal Government for this section - \$1,033.05

Section 900.4

10 responses, 24 hours to review each = 240 hours

240 hours multiplied by \$68.87 (GS-13, step 1 fully burdened rate)

Total annual cost to Federal Government for this section - \$16,528.80

Therefore, the estimated annualized cost to review the total maximum anticipated responses under both sections 900.2 and 900.4 of the rule is estimated to be **\$17,561.85**

A.15. Reasons for Changes in Burden

Explain the reasons for any program changes or adjustments reported in Items 12, 13 (or 14) of OMB Form 83-I.

There have been no changes in the estimated hours required from this form to the previous form. The total time burden was incorrectly entered during the last submission, so the difference shown is inaccurate.

The change in cost to the Federal government is due to the addition of a multiplier used to originate a fully burdened wage rate.

Table A3. ICR Summary of Burden

	Requested	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Previously Approved
Total Number of Responses	15		0	15
Total Time Burden (Hr.)	55		-75	130
Total Respondent Cost Burden	\$3,113		+\$3,113	\$0
Cost to the Federal Government	\$17,561.85		+\$8,629.85	\$8,932

³ <https://www.bls.gov/oes/current/oes131111.htm>

A.16. Collection, Tabulation, and Publication Plans

For collections whose results will be published, outline the plans for tabulation and publication.

Results of this information collection will not be published.

A.17. OMB Number and Expiration Date

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

The expiration date will be included on the forms.

A.18. Certification Statement

Explain each exception to the certification statement identified in Item 19 of OMB Form 83-I.

There are no exceptions to the Certification Statement.