

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

[Docket No. IC21-16-000]

COMMISSION INFORMATION COLLECTION ACTIVITIES (FERC-582);
COMMENT REQUEST; EXTENSION

(June 17, 2021)

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on a renewal of currently approved information collection FERC 582 (Electric Fees, Annual Charges, Waivers, and Exemptions), which will be submitted to the Office of Management and Budget (OMB) for review.

DATES: Comments on the collection of information are due **[Insert Date 30 days after date of publication in the Federal Register]**.

ADDRESSES: Send written comments on FERC-582 to OMB through

www.reginfo.gov/public/do/PRAMain. Attention: Federal Energy Regulatory

Commission Desk Officer. Please identify the OMB Control Number (1902-0132) in the subject line of your comments. Comments should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain.

Please submit copies of your comments to the Commission. You may submit copies of your comments (identified by Docket No. IC21-16-000) by one of the following methods:

Electronic filing through <http://www.ferc.gov>, is preferred.

- Electronic Filing: Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.
- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery.
 - Mail via U.S. Postal Service Only: Addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, N.E., Washington, DC 20426.
 - Hand (including courier) delivery: Deliver to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Instructions: OMB submissions must be formatted and filed in accordance with submission guidelines at www.reginfo.gov/public/do/PRAMain. Using the search function under the “Currently Under Review” field, select Federal Energy Regulatory Commission; click “submit,” and select “comment” to the right of the subject collection.

FERC submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov>. For user assistance, contact FERC Online Support by e-mail at ferconlinesupport@ferc.gov, or by phone at: (866) 208-3676 (toll-free).

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <https://www.ferc.gov/ferc-online/overview>.

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by e-mail at DataClearance@FERC.gov, telephone at (202) 502-8663.

SUPPLEMENTARY INFORMATION:

Title: FERC-582, Electric Fees, Annual Charges, Waivers, and Exemptions.

OMB Control No.: 1902-0132

Type of Request: Three-year extension of the FERC-582 information collection requirements with no changes to the current reporting requirements.

Abstract: The information required by FERC-582 is contained in Title 18 Code of Federal Regulations (CFR) Parts 381¹ and 382².

The Commission uses the FERC-582 to implement the statutory provisions of the Independent Offices Appropriation Act of 1952 (IOAA)³ which authorizes the Commission to establish fees for its services. In addition, the Omnibus Budget Reconciliation Act of 1986 (OBRA)⁴ authorizes the Commission to assess and collect fees and annual charges in any fiscal year in amounts equal to all the costs incurred by the Commission in that fiscal year.

To comply with the FERC-582, respondents submit to the Commission the sum of the megawatt-hours (MWh) of all unbundled transmission (including MWh delivered in wheeling transactions and MWh delivered in exchange transactions) and the megawatt-hours of all bundled wholesale power sales (to the extent the bundled wholesale power sales were not separately reported as unbundled transmission). The data collected in the FERC-582 are drawn directly from the FERC Form 1 (Annual Report of

¹ 18 CFR, Sections 381.105, 381.106, 381.108, 381.302, and 381.305

² 18 CFR, Sections 382.102, 382.103, 382.105, 382.106, and 382.201

³ 31 USC 9701

⁴ 42 USC 7178

Major Electric Utilities, Licensees and Others)⁵ transmission data. The Commission sums the costs of its electric regulatory program and subtracts all electric regulatory program filing fee collections to determine the total collectible electric regulatory program costs. Then, the Commission uses the data submitted under FERC-582 to determine the total megawatt-hours of transmission of electric energy in interstate commerce. Respondents (public utilities and power marketers) subject to these annual charges must submit FERC-582 data to the Commission by April 30 of each year⁶. The Commission issues bills for annual charges to respondents. Then, respondents must pay the charges within 45 days of the Commission's issuance of the bill.

Respondents file requests for waivers and exemptions of fees and charges⁷ based on need. The Commission's staff uses the filer's financial information to evaluate the request for a waiver or exemption of the obligation to pay a fee or an annual charge. The 60-day notice published to the Federal Register on April 16, 2021 and received no comments.⁸

⁵ OMB Control No. 1902-0021, described in 18 CFR 141.1

⁶ 18 CFR 382.201

⁷ 18 CFR Parts 381 and 382

⁸ 86 FR 20133

*Estimate of Annual Burden*⁹: The Commission estimates the burden and cost¹⁰ for this information collection as follows.

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No. of Respondents (1)	Annual No. of Responses Per Respondent (2)	Total No. of Responses (1)x(2)=(3)	Average Burden & Cost per Response (4)	Total Annual Burden Hrs. & Cost (3)*(4)=(5)	Cost per Respondent (5)/(1)=(5)
53	1	53	2.39 hrs.; \$198.37	126.67 hrs.; \$10,513.61	\$198.37

Comments: Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

⁹ Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to 5 CFR Part 1320.

¹⁰ The Commission staff estimates that the average respondent for this collection is similarly situated to the Commission, in terms of salary plus benefits. Based on FERC's 2020 annual average of \$172,329 (for salary plus benefits), the average hourly cost is \$83/hour.

¹¹ This includes requirements of 18 CFR 381.105 (methods of payment), 381.106 (waiver), 381.108 (exemption), 381.302 (declaratory order), 381.303 (review of DOE remedial order), 381.304 (DOE denial of adjustment), and 381.305 (OGC interpretation).

Kimberly D. Bose,
Secretary.