

Supporting Statement for  
**FERC-516 (Electric Rate Schedules and Tariff Filings)**

The Federal Energy Regulatory Commission (Commission or FERC) requests that the Office of Management and Budget (OMB) review and approve the information collection requirements in FERC-516, Electric Rate Schedules and Tariff Filings, for a three-year period. FERC-516 is an existing Commission information collection.

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

On August 8, 2005, The Electricity Modernization Act of 2005, which is Title XII of the Energy Policy Act of 2005 (EPAct 2005)<sup>1</sup>, was enacted into law.

**FPA Sections 205 & 206**

Section 205(c) of the Federal Power Act (FPA) requires that every public utility have all its jurisdictional rates and tariffs on file with the Commission and make them available for public inspection, within such time and in such form as the Commission may designate. Section 205(d) of the FPA requires that every public utility must provide notice to FERC and the public of any changes to its jurisdictional rates and tariffs, file such changes with FERC, and make them available for public inspection, in such manner as directed by the Commission. In addition, FPA section 206 requires the Commission, upon complaint or its own motion, to modify existing rates or services that are found to be unjust, unreasonable, unduly discriminatory or preferential.

**FPA Section 219**

Prior to 2005, the Commission considered requests for certain transmission incentives pursuant to Federal Power Act (FPA) section 205.<sup>2</sup> In 2005, Congress amended the FPA to, as relevant here, add a new section 219.<sup>3</sup> FPA section 219(a) directed the Commission to promulgate a rule providing incentive-based rates for electric transmission for the purpose of benefitting consumers by ensuring reliability and reducing the cost of delivered power by reducing transmission congestion. FPA section 219(b) included a number of specific directives in the required rulemaking, including that the rule shall:

- promote reliable and economically efficient transmission and generation of electricity by promoting capital investment in the enlargement, improvement, maintenance, and operation of all facilities for the transmission of electric energy in interstate commerce, regardless of the ownership of the facilities;<sup>4</sup>
- provide a return on equity that attracts new investment in transmission facilities, includ-

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<sup>1</sup> Energy Policy Act of 2005, Pub. L. No. 109-58, sec. 1241, 119 Stat. 594 (2005).

<sup>2</sup> 16 U.S.C. 824d; *see also Me. Pub. Utils. Comm'n v. FERC*, 454 F.3d 278, 287 (D.C. Cir. 2006).

<sup>3</sup> Energy Policy Act of 2005, Pub. L. No. 109-58, sec. 1241.

<sup>4</sup> 16 U.S.C. 824s(b)(1).

ing related transmission technologies;<sup>5</sup>

- encourage deployment of transmission technologies and other measures to increase the capacity and efficiency of existing transmission facilities and improve the operation of the facilities;<sup>6</sup> and
- allow the recovery of all prudently incurred costs necessary to comply with mandatory reliability standards issued pursuant to FPA section 215,<sup>7</sup> and all prudently incurred costs related to transmission infrastructure development pursuant to FPA section 216.<sup>8</sup>

FPA section 219(c) states that the Commission shall, to the extent within its jurisdiction, provide for incentives to each transmitting utility or electric utility that joins a Transmission Organization and ensure that any costs recoverable pursuant to this subsection may be recovered by such transmitting utility or electric utility through the transmission rates charged by such transmitting utility or electric utility or through the transmission rates charged by the Transmission Organization that provides transmission service to such transmitting utility or electric utility.<sup>9</sup>

Finally, FPA section 219(d) provides that rates approved pursuant to a rulemaking adopted pursuant to section 219 are subject to the requirements in FPA sections 205 and 206<sup>10</sup> that all rates, charges, terms, and conditions be just and reasonable and not unduly discriminatory or preferential.

### **Recent Rulemakings related to FERC-516**

On March 20, 2020, the Commission issued a Notice of Proposed Rulemaking (NOPR) in Docket No. RM20-10-000 the Commission proposed to revise its existing transmission incentives policy and corresponding regulations (Transmission Incentives Regulations)<sup>11</sup> in light of changes in transmission development and planning in the last few years. After the enactment of the Energy Policy Act of 2005, which added section 219 to the FPA the Commission promulgated Order No. 679<sup>12</sup> pursuant to FPA section 219.

After Order No. 679, the Commission last reviewed its transmission incentives policy in its 2012 Policy Statement.<sup>13</sup> Even since then, the energy industry has undergone a transformation. The

<sup>5</sup> *Id.* at 824s(b)(2).

<sup>6</sup> *Id.* at 824s(b)(3).

<sup>7</sup> FPA section 215 addresses the Commission's role in ensuring electric reliability of the bulk power system. *Id.* at 824o.

<sup>8</sup> *Id.* at 824s(b)(4). FPA section 216 addresses designation of and siting of transmission facilities within National Interest Electric Transmission Corridors. *Id.* at 824p.

<sup>9</sup> *Id.* at 824s(c).

<sup>10</sup> *Id.* at 824e.

<sup>11</sup> 18 CFR 35.35.

<sup>12</sup> *Promoting Transmission Investment through Pricing Reform*, Order No. 679, 116 FERC ¶ 61,057, *order on reh'g*, Order No. 679-A, 117 FERC ¶ 61,345 (2006), *order on reh'g* 119 FERC ¶ 61,062 (2007).

<sup>13</sup> *Promoting Transmission Investment through Pricing Reform*, 141 FERC ¶ 61,129 (2012) (2012 Policy Statement).

landscape for planning, developing, operating, and maintaining transmission infrastructure has changed considerably. Those changes include an evolution in the resource mix and an increase in the number of new resources seeking transmission service, shifts in load patterns, the impact of the implementation of the Commission's major rulemaking on transmission planning and cost allocation (Order No. 1000)<sup>14</sup>, and new challenges to maintaining the reliability of transmission infrastructure.

As a result of these changes and the Commission's greater experience evaluating transmission incentive applications made pursuant to Order No. 679 and their relationship to the objectives of FPA section 219, FERC proposed to revise the Commission's transmission incentives policy to more closely align it with the statutory language of FPA section 219. On August 12, 2020 OMB concluded "comment and continue" indicating that FERC would consider public comments to maximize practical utility of FERC-516 while minimizing burden. FERC issued a Supplemental NOPR in Docket RM20-10-000 on April 15, 2021 and OMB concluded "comment and continue" on June 29, 2021 (ICR Ref. No. 202104-1902-001). The supplemental NOPR will not be discussed further in this supporting statement.<sup>15</sup>

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

FERC-516 includes 11 components listed in the table in Question 12.<sup>16</sup> Several rulemakings related to this information collection and its components have been summarized below.

1. In Order No. 745 (in **Docket No. RM10-17-000**), the Commission amended its regulations under the Federal Power Act (FPA). That amendment sought to ensure that when a demand response resource participating in an organized wholesale energy market administered by a Regional Transmission Organization (RTO) or Independent System Operator (ISO) has to demonstrate by a compliance filing that it has the capability to balance supply and demand as an alternative to a generation resource, and when dispatch of that demand response resource is cost-effective as determined by the net benefits test described in the final rule, that demand response resource must be compensated for the service it provides to the energy market at the market price for energy, referred to as the locational marginal price (LMP). This approach for compensating demand response resources helps to ensure the competitiveness of organized wholesale energy markets and remove barriers to the participation of demand response resources, thus ensuring just and reasonable wholesale rates.
2. In Order 845 (in **Docket No. RM11-7-000**), the Commission revised its regulations to remedy undue discrimination in the procurement of frequency regulation in the organized

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<sup>14</sup> *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000, 136 FERC ¶ 61,051 (2011), *order on reh'g*, Order No. 1000-A, 139 FERC ¶ 61,132, *order on reh'g and clarification*, Order No. 1000-B, 141 FERC ¶ 61,044 (2012), *aff'd sub nom. S.C. Pub. Serv. Auth. v. FERC*, 762 F.3d 41 (D.C. Cir. 2014).

<sup>15</sup> The Supplementary NOPR is available on FERC's eLibrary system (<https://elibrary.ferc.gov/eLibrary/search>) by searching Docket No. RM20-10.

<sup>16</sup> Nine of the eleven information collections are discussed in Question #1 in detail. The remaining one-time burdens that have been completed are further discussed in Question #15.

wholesale electric markets and ensure that providers of frequency regulation receive just and reasonable and not unduly discriminatory or preferential rates. To remedy this undue discrimination, the Commission found that it is just and reasonable to require all RTOs and ISOs to modify their tariffs to provide for a two-part payment to frequency regulation resources. The compensation methods for regulation service in RTO and ISO markets failed to acknowledge the inherently greater amount of frequency regulation service being provided by faster-ramping resources. In addition, certain practices of some RTOs and ISOs resulted in economically inefficient economic dispatch of frequency regulation resources. By remedying these issues, the Commission removed unduly discriminatory and preferential practices from RTO and ISO tariffs and required the setting of just and reasonable rates. It specifically required RTOs and ISOs to compensate frequency regulation resources based on the actual service provided, including a capacity payment that includes the marginal unit's opportunity costs and a payment for performance that reflects the quantity of frequency regulation service provided by a resource when the resource is accurately following the dispatch signal.

3. Order No. 764 (in **Docket No. RM10-11-000**), the Commission amended the pro forma Open Access Transmission Tariff (OATT) to remove unduly discriminatory practices and to ensure just and reasonable rates for Commission-jurisdictional services. Specifically, the Commission removed barriers to the integration of variable energy resources by requiring each public utility transmission provider to: (1) offer intra-hourly transmission scheduling; and, (2) incorporate provisions into the pro forma Large Generator Interconnection Agreement requiring interconnection customers whose generating facilities are variable energy resources to provide meteorological and forced outage data to the public utility transmission provider for the purpose of power production forecasting.
4. In Order 676-G (in Docket No. **RM05-5-020**), the Commission amended its regulations at 18 C.F.R. § 38.2 (which establish standards for business practices and electronic communications for public utilities) to incorporate by reference updated business practice standards adopted by the Wholesale Electric Quadrant (WEQ) of the North American Energy Standards Board (NAESB) to categorize various products and services for demand response and energy efficiency and to support the measurement and verification of these products and services in organized wholesale electric markets. These standards provided common definitions and processes regarding demand response and energy efficiency products in organized wholesale electric markets where such products are offered. The standards also required each RTO and ISO to address in the RTO or ISO's governing documents the performance evaluation methods to be used for demand response and energy efficiency products. The standards facilitated the ability of demand response and energy efficiency providers to participate in organized wholesale electric markets, reducing transaction costs and providing an opportunity for more customers to participate in these programs, especially for customers that operate in more than one organized market.
5. In Order No. 676-H (in **Docket No. RM05-5-022**), the Commission revised its regulations to incorporate by reference, with certain enumerated exceptions, Version 003 of the Standards for Business Practices and Communication Protocols for Public Utilities adopted by the WEQ of NAESB as mandatory enforceable requirements. These standards updated NAESB's WEQ Version 002 and Version 002.1 Standards to reflect policy determinations made by the Commission in the Order Nos. 890, 890-A, 890-B and 890-C. In addition, the Commission listed informationally, as guidance, NAESB's Smart

Grid Standards (WEQ-016 through WEQ-020) in Part 2 of the Commission's regulations. The Commission required public utilities and those entities with reciprocity tariffs to modify their open access transmission tariffs (OATTs) to include the WEQ standards that were incorporated by making a compliance filing.

6. In Order No. 819 (in **Docket No. RM15-2-000**), the Commission revised its regulations to foster competition in the sale of primary frequency response service. Specifically, the Commission amended its regulations governing market-based rates for public utilities pursuant to the FPA to permit the sale of primary frequency response service at market-based rates by sellers with market-based rate authority for sales of energy and capacity. The Commission found that a seller that already has market-based rate authority as of the effective date of the Final Rule is authorized as of that date to make sales of primary frequency response service at market-based rates. Such a seller was required to revise the third-party provider ancillary services provision of its market-based rate tariff to reflect that it wished to make sales of primary frequency response service at market-based rates. In order to reduce their administrative burden, the Commission permitted such sellers to wait to file this tariff revision until the next time they made a market-based rate filing with the Commission, such as a notice of change in status filing or a triennial update.
7. In Order No. 842 (in **Docket No. RM16-6-000**), the Commission revised its regulations to require newly interconnecting large and small generating facilities, both synchronous and non-synchronous, to install, maintain, and operate equipment capable of providing primary frequency response as a condition of interconnection. To implement these requirements, the Commission modified the pro forma Large Generator Interconnection Agreement (LGIA) and the pro forma Small Generator Interconnection Agreement (SGIA). These changes were designed to address the potential reliability impact of the evolving generation resource mix, and to ensure that the relevant provisions of the pro forma LGIA and pro forma SGIA are just, reasonable, and not unduly discriminatory or preferential. Section 35.28(f)(1) of the Commission's regulations requires every public utility with a non-discriminatory OATT on file to also have a pro forma LGIA and pro forma SGIA on file with the Commission. Each public utility transmission provider that has a pro forma LGIA and/or pro forma SGIA within its OATT was required to submit a compliance filing that demonstrates that it meets the requirements set forth in the Final Rule within Docket No. RM16-6-000.
8. In Order 845 (in **Docket No. RM17-8-000**), the Commission amended the pro forma Large Generator Interconnection Procedures and the pro forma LGIA to improve certainty, promote more informed interconnection, and enhance interconnection processes. The reforms were intended to ensure that the generator interconnection process is just and reasonable and not unduly discriminatory or preferential. The Commission required all public utility transmission providers to submit compliance filings to adopt the requirements of the Final Rule (in Docket No. RM17-8), as revisions to the LGIP and LGIA in their OATTs.
9. In Order 864 (in **Docket No. RM19-5-000**), the Commission required public utility transmission providers with transmission formula rates under an OATT, a transmission owner tariff, or a rate schedule to revise those transmission formula rates to account for changes caused by the Tax Cuts and Jobs Act of 2017. The Commission required public utilities with transmission formula rates to include a mechanism in those transmission formula rates to deduct any excess accumulated deferred income taxes (ADIT) from or add any

deficient ADIT to their rate bases. Public utilities with transmission formula rates were also required to incorporate a mechanism to decrease or increase their income tax allowances by any amortized excess or deficient ADIT, respectively. Finally, the Commission required public utilities with transmission to update their formula rates through a compliance filing to incorporate a new permanent worksheet into their transmission formula rates that will annually track information related to excess or deficient ADIT.

**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 all FERC-516 filings via eTariff. (eTariff is described at <https://www.ferc.gov/ferc-online/etariff>.) In 2010, the Commission fully implemented its eTariff system for the electronic filing of tariffs.

**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 filings and to minimize the filing burden. The Commission is unaware of any other source of this information that is readily available. Therefore, no duplicate information is available that would serve as a substitute for this information and for performing oversight and review responsibilities under applicable legislation specific to Electric Rate Schedules and Tariff Filings.

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

There are no special methods used to minimize the burden of the collection of information on small entities. According to SBA guidance, the determination of significance of impact “should be seen as relative to the size of the business, the size of the competitor’s business, and the impact the regulation has on larger competitors.”<sup>17</sup>

- In Docket Nos. RM17-8-000, RM11-7-000, RM05-05-020, and RM10-17-000, the six RTOs/ISOs (SPP, MISO, PJM, ISO New England, NYISO, and CAISO) each employed more than 500 employees and are not considered small entities.
- In Docket No. RM19-5-000, the Commission estimated that the total number of public utility transmission providers with formula rates affected by the Final Rule is 106. Of these, the Commission estimated that approximately 43 percent (approximately 46 entities) are small entities.
- For the ongoing requirements in Docket No. RM17-8-000, the Commission estimated that the total number of transmission providers, both public and non-public, affected by the Final Rule is 132. Of these, the Commission estimates that approximately 43 percent

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<sup>17</sup>U.S. Small Business Administration, *A Guide for Government Agencies How to Comply with the Regulatory Flexibility Act*, at 18 (May 2012), [https://www.sba.gov/sites/default/files/advocacy/rfaguide\\_0512\\_0.pdf](https://www.sba.gov/sites/default/files/advocacy/rfaguide_0512_0.pdf).

(approximately 57 entities) are small entities. The Commission makes no specific concession with regard to entity size and requisite reporting requirements.

- In Docket No. RM15-2-000, the applicable entities have a size threshold ranging from 250 employees to 750 employees. For the analysis in the Final Rule, the Commission is using the threshold of 750 employees for all categories. FERC anticipates that a maximum of 82 percent of the entities potentially affected by this Final Rule are small.
- In Docket No. RM16-6-000, the Commission estimated that the total number of public utility transmission providers that would have to modified the LGIAs and SGIAs within then effective Open Access Transmission Tariff (OATTs) is 74. Of these, the Commission estimated that approximately 27.5 percent are small entities. The Commission estimated the average cost to each of these entities would be minimal.
- In Docket No. RM05-05-022, the Commission estimates that the total number of public utilities is 132. Of the 132, 26 are small public utilities applicable under the Final Rule, or 19.5% of the 132 affected entities. The Commission considered waivers for small entities, which served as an option for small entities to reduce their burden. The Commission grants these waivers on a case-by-case basis.
- In Docket No. RM10-17-000, the Commission estimated that all of the Variable Energy Resources (VERs) and ten of the transmission providers are small entities. The Commission accepted waivers from transmission providers for the requirements in the final rule. The criteria for waiver applied under this rulemaking for small entities was unchanged from that used to evaluate requests for waiver under Order Nos. 888, 889, and 890. The Commission does not contemplate any methods to reduce the burden on the VERs. However, the costs incurred by VERs due to the Final Rule may be offset by an expected reduction in energy imbalance penalties that will be assessed to VERs in the future due to improved forecasting and reduced uncertainty across 15-minute scheduling periods compared to hour-long scheduling periods.

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

To conduct these filings less frequently (i.e., not conducting them at all), the Commission would be unable to fulfill its statutory obligation to ensure that rates are just and reasonable and not unduly discriminatory or preferential. Further, without collecting this information, the Commission would not be in compliance with the Congressional mandates of FPA section 219, which requires the Commission to establish incentive-based rate treatments for the transmission of electric energy in interstate commerce by public utilities for the purpose of benefitting consumers by ensuring reliability and reducing the cost of delivered power by reducing transmission congestion. The information will help to ensure just and reasonable incentive-based rates by enabling the Commission to determine the appropriate incentives have been received for the proper duration.

In reference to the NAESB Version 003 standards, the Commission promotes an open transmission system through its policies and regulations. The NAESB WEQ Version 003 standards were developed and vetted through an industry consensus process. If the information collection components of the standards were conducted less frequently, then the standards would not fully achieve their purpose of promoting efficiency in the wholesale electric industry.

Without tariffs, FERC and the public would not be able to properly evaluate rates.

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

FERC-516 has no special circumstances.

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

In accordance with OMB requirements, the Commission published a 60-day notice (86 FR 22402) and a 30-day notice (86 FR 35786) to the public regarding this information collection on 4/28/2021 and 7/7/2021 respectively. Within the public notices, the Commission noted that it would be requesting a three-year extension of the public reporting burden.

The Commission received no comments in response to the 60-day notice.

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

The Commission makes no payments or gifts to respondents as part of this collection.

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

In general, for all submittals to the Commission, filers may submit specific requests for confidential treatment to the extent permitted by law, as set forth in 18 CFR section 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**

The collection does not contain any questions of a sensitive nature.

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

The currently approved information collection burden is:

Number of responses: 6,510

Hourly Burden: 503,486

The burden is explained in further detail in the following table, which includes agency adjustments to number of respondents and hourly burden (as described in question 15):

<b>FERC-516, Electric Rate Schedules and Tariff Filings</b>						
	<b>No. of Respondents</b>	<b>Annual No. of Responses Per Respondent</b>	<b>Total No. of Responses (1)x(2)=(3)</b>	<b>Average Burden Hrs. &amp; Cost<sup>18</sup> (\$)</b>	<b>Total Annual Burden Hrs. &amp; Cost(\$)</b>	<b>Cost (\$ per Respondent)</b>
					<b>(3)*(4)=(5)</b>	



Requirements	(1)	(2)		per Response (4)	(Hours are rounded)	(5)/ (1)=(5)
<b>Electric Rates Schedules and Tariff Filings</b>	1,230	3.633	4,469	103.2696 hrs.; \$8,571.41	461,512 hrs.; \$38,305,63.3	\$31,142.79
<b>Demand Response, RM10-17 (one-time and monthly filings)</b>	6	12	72	108.333 hrs.; \$8,991.63	7,800 hrs.; \$647,397.36	\$107,899.56
<b>Frequency Regulation, RM11-7 (one-time tariff filing and system modification)<sup>19</sup></b>	1	1	1	366.66 hrs.; \$30,432.78	367 hrs.; \$30,432.78	\$30,432.78
<b>Variable Energy Resource Integration Rule (RM10-11), Voluntary Burden</b>	142	2.113	300	29.946 hrs.; \$2,485.85	8,984 hrs.; \$745,755	\$5,251.80
<b>Variable Energy Resource Integration Rule, (RM10-11) Mandatory Burden</b>	294	1.9116	562	30.91 hrs.; \$2,565.53	17,372 hrs.; \$1,441,827.86	\$4,904.18

<sup>18</sup> 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.

<sup>19</sup> One response for one new transmission organization is being used as a placeholder (described further in question 15) for a possible application from such a new transmission organization with an organized electricity market.

<b>Tariff Filings in RM05-5-020 (one-time)<sup>19</sup></b>	1	1	1	5 hrs.; \$415	5 hrs.; \$415	\$415
<b>Standards for Business Practices and Communication Protocols for Public Utilities Tariff Filings in RM05-5-022 (one-time)</b>	162	1	162	6 hrs.; \$498	972 hrs.; \$80,676	\$498
<b>Tariff Filings to Reflect Primary Frequency Response Services in MBR (Final Rule in RM15-2)</b>	1,585	0.1634	259	6 hrs.; \$498	1,554 hrs.; \$128,982	\$81.38
<b>Essential Reliability Services and the Evolving Bulk-Power System—Primary Frequency Response in RM16-6</b>	74	1	74	10 hrs.; \$830	740 hrs.; \$61,420	\$830
<b>Reform of Generator Interconnection Procedures and Agreements in RM17-8 (ongoing)</b>	162	2.666	432	4 hrs.; \$322	1,728 hrs.; \$139,104	\$856.68

<b>Reform of Generator Interconnection Procedures and Agreements in RM17-8 (one-time)<sup>19</sup></b>	1	1	1	49.41 hrs.; \$4,101.03	49 hrs.; \$4,101.03	\$4,101.0 3
<b>Public Utility Transmission Rate Changes to Address Accumulated Deferred Income Taxes in RM19-5, one-time and ongoing</b>	106	1.666	177	13.5744 hrs.; \$1,126.67	2,403 hrs.; \$199,421.51	\$1,881.2 4
<b>Total Burden for FERC-516</b>			6,510		503,486 hrs.; \$41,784,429.1 8	

**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 associated with burden hours (labor) are described in Questions #12 and #15 in this supporting statement.

**14. ESTIMATED ANNUALIZED COST TO FEDERAL GOVERNMENT**

The estimates of the cost for analysis and processing of filings are based on salaries and benefits for professional and clerical support. The 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 a Federal Cost associated with preparing, issuing, and submitting materials necessary to comply with the Paperwork Reduction Act (PRA) for rulemakings, orders, or any other vehicle used to create, modify, extend, or discontinue an information collection. This average annual cost includes requests for extensions, all associated rulemakings, other changes to the collection, and publications in the Federal Register.

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Since there are one-time filings and periodical filings; this is our best approximation based on the amount of FTEs specified in all 11 final rules.

	<b>Number of Employees (Full-Time Equivalents [FTE])</b>	<b>Estimated Annual Federal Cost</b>
Analysis and Processing of FERC-516 <sup>20</sup>	20 <sup>21</sup>	\$3,446,580
PRA <sup>22</sup> Administrative Cost		\$6,475
FERC Total		\$3,453,055

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

**Program Decreases.** The one-time filings required in Order 845 (in Docket No. RM17-8), Order 755 (in Docket No. RM11-7), and Order 676-G (in Docket No. RM05-05-020) are complete and *reduce the total number of respondents and hourly burden.*<sup>23</sup> Because Order Nos. 845, 755, and 676-G remain a one-time filing requirement for transmission organizations, the burden associated with this data collections will result only if a new transmission organization enters FERC jurisdiction. One response for one new transmission organization is being used as a placeholder (in the table on question 12) for a possible application from such a new transmission organization with an organized electricity market.<sup>24</sup> This results in a program change (decrease) of 450 responses, 23,212 burden hours.

**Agency Adjustment.** The number of respondents from RM05-5-022 and RM17-8 filings (in the table above) increased the total burden by changing the number of respondents from 132 to 162. This change is based on the increased number of companies subject to compliance and changes

<sup>20</sup> Based upon 2020 FERC FTE average annual salary plus benefits (\$172,329/year), or \$83/hour.

<sup>21</sup> The number of FTE's is the agency's best estimate for all information collection activities of FERC-516. This includes the cost of analysis and processing for all items listed in the burden table in question 12. FERC will reassess the number of FTE's at the time of the next renewal.

<sup>22</sup> Paperwork Reduction Act of 1995 (PRA).

<sup>23</sup> The following currently approved one-time filings for FERC-516 are complete.

- The one-time total burden for Electric Rate Schedules and Tariffs in Docket No. RM17-8 was a total of 65,220 hours that was averaged over three years ( $65,220 \div 3 = 21,740$  hours/year over three years).
- The one-time total burden for Electric Rate Schedules and Tariffs in Docket No. RM11-7 was a total of 5,500 hours that was averaged over three years ( $5,500 \div 3 = 1,833$  hours/year over three years).

The one-time total burden for Electric Rate Schedules and Tariffs in Docket No. RM05-05-020 was a total of 60 hours.

<sup>24</sup> If a new RTO/ISO is formed, their tariff filings would be required by Order 845 (in Docket No. RM17-8), Order 755 (in Docket No. RM11-7), and Order 676-G (in Docket No. RM05-05-020).

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in the last few years, as identified by the NERC registry, as of April 28, 2020. This results in a agency adjustment (increase) of 110 responses, 500 burden hours.

<b>FERC-516</b>	<b>Total Re- quest</b>	<b>Previously Approved</b>	<b>Change due to Agency Adjust- ment in Esti- mate</b>	<b>Change Due to Agency Discretion</b>
<b>FERC-516</b>				
Annual Number of Re- sponses	6,510	6,850	110	-450
Annual Time Burden (Hours)	503,486	526,198	500	-23,212
Annual Cost Burden (\$)	\$0	\$0	\$0	\$0

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

There are no publication plans for the collection of information.

#### **17. DISPLAY OF THE EXPIRATION DATE**

The OMB expiration dates are posted on <https://www.ferc.gov/enforcement-legal/legal/information-collections>

#### **18. EXCEPTIONS TO THE CERTIFICATION STATEMENT**

There are no exceptions.