

Supporting Statement for
FERC-585, Reporting of Electric Shortages and Contingency Plans Under PURPA¹
Section 206
(Three-year extension requested)

The Federal Energy Regulatory Commission (Commission or FERC) requests that the Office of Management and Budget (OMB) review and renew the information collection requirements in FERC-585, Reporting of Electric Shortages and Contingency Plans Under PURPA 206, under OMB Control No. 1902-0138, for a three year period. The reporting requirements for the FERC-585 information collection are contained in Commission's regulations at 18 CFR 294.101 and remain unchanged.

1. CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY

The Commission uses the data within the FERC-585 information collection to implement the statutory provisions of Section 206 of the Public Utility Regulatory Policies Act of 1979 (PURPA)². Section 206 of PURPA amended the Federal Power Act (FPA) by adding a subsection to Section 202 under which the Commission (by rule) requires each public utility to:

- report to the Commission and appropriate state regulatory authorities of any anticipated shortages of electric energy or capacity which would affect the utility's capability to serve its wholesale customers; and
- report to the Commission and any appropriate state regulatory authority with contingency plan that would outline what circumstances might give rise to such occurrences.

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

The information collected by the Commission on FERC-585 is used to evaluate and formulate an appropriate option for action in the event of an unanticipated electrical shortage. Without this information, the Commission and state agencies would be unable to:

- examine and approve or modify utility actions;
- prepare a response to anticipated shortages in electric energy; and
- ensure equitable treatment of all public utility customers under the shortage situations.

¹ Public Utility Regulatory Policies Act of 1979

² Pub. L. 95-617, 92 Stat. 3117

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

The Commission allows the option of filing all documents in proceedings through the eFiling interface

With eFiling, the Commission has expanded its ability to receive electronic filings through its eFiling and eLibrary systems and now includes these self-certification filings. Submission guidelines can be found here:

<http://www.ferc.gov/docs-filing/efiling/filing.pdf>.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION AND SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN INSTRUCTION NO. 2

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

The Commission is unaware of any other source of information similar to the additional requirements.

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

The Commission permits the option of filing all documents in proceedings through the eFiling interface as a means of reducing burden for respondents including small entities. The burden will vary among applicants, since the information should be specific for each applicant and site.

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

It is not possible to collect this data less frequently. If the collection were conducted less frequently, the Commission would be unable to perform its mandated oversight and review responsibilities specified within the statutory provisions of 16 U.S. Code Chapter 12 – Federal Regulation and Development of Power.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES RELATING TO THE INFORMATION COLLECTION

There are no special circumstances related to this collection.

**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 notice³ and a 30-day notice⁴ to the public regarding this information collection. Within the public notices, the Commission noted that it would be requesting a three-year extension of the public reporting burden with no change to the existing requirements concerning the collection of data. No comments were received in the 60-day notice.

9. EXPLAIN ANY PAYMENT OR GIFTS TO RESPONDENTS

There are no payments or gifts to respondents associated with FERC-585.

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

The Commission does not consider the information collected in FERC-585 filings to be confidential.

However, the Commission will consider specific requests for confidential treatment to the extent permitted by law and pursuant to FER's regulations⁵. The Commission will review each request for confidential treatment on a case-by-case basis.

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

There are no questions of s sensitive nature that are considered private in the FERC-585 information collection.

12. ESTIMATED BURDEN OF COLLECTION OF INFORMATION

The estimated annual public reporting burden for FERC-585 has not changed from the last estimate reported.

³ 86 FR 24395, 5/06/2021

⁴ 86 FR 38704, 7/22/2021

⁵ 18 CFR 388.112(a)(1)

FERC-585 (Reporting of Electric Shortages and Contingency Plans Under PURPA Section 206)						
	Number of Respondents (1)	Annual Number of Responses per Respondent (2)	Total Number of Responses (1)*(2)=(3)	Average Burden & Cost Per Response⁶ (4)	Total Annual Burden Hours & Total Annual Cost (3)*(4)=(5)	Cost per Respondent (\$) (5)÷(1)
Contingency Plan	1	1	1	1 hrs.; \$83.00	1 hrs.; \$83.00	\$83.00
Capacity Shortage	1	1	1	1 hrs.; \$83.00	1 hrs.; \$83.00	\$83.00
TOTAL					2 hrs.; \$166.00	

The burden amounts presented are for the FERC-585 renewal are detailed in the response to Question #15 below.

13. ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS

There are no non-labor costs currently associated with the FERC-585 information collection.

All of the costs in this collection are associated with burden hours (labor) and described in either Question #12 or Question #15.

14. ESTIMATED ANNUALIZED COST TO FEDERAL GOVERNMENT

⁶ The estimates for cost per response are derived using the following formula: Average Burden Hours per Response * 83.00 per Hour = Average Cost per Response. This is Based upon FERC's 2020 FTE average salary plus benefits. Commission staff believes that any industry effort applied to FERC-585 would be compensated similarly to FERC's average salary.

The estimated annualized cost to the Federal Government for FERC-585 as related to information collection requirements follows:

	Number of Employees (FTE)	Estimated Annual Federal Cost
FERC-585 Analysis and Processing of filings ⁷	0.5	\$86,164.50
PRA ⁸ Administrative Cost ⁹		\$6,475
FERC Total		\$92,639.50

The Commission bases its estimate of the ‘Analysis and Processing of filings’ cost to the Federal Government on salaries and benefits for professional and clerical support. This estimated cost represents staff analysis, decision making, and review of any actual filings made 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, and other changes to the collection.

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

There are no program changes or changes to reporting requirements for the FERC-585 information collection. The program has decided to reduce the amount of annual burden hours due to not receiving the form The program is currently not planning to discontinue this collection at this time.

The Commission currently estimates the annual public reporting burden for the information collection as:

FERC-585	Total Request	Previously	Change due to	Change Due
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⁷ Based upon FERC’s 2020 FTE average salary plus benefits (\$172,329)

⁸ Paperwork Reduction Act of 1995 (PRA)

⁹ 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, and other changes to the collection.

		Approved	Adjustment in Estimate	to Agency Discretion
Annual Number of Responses	1	1	0	0
Annual Time Burden (Hr)	2	73	-71	0
Annual Cost Burden (\$)	0	0	0	0

16. TIME SCHEDULE FOR THE PUBLICATION OF DATA

There is no publication of data associated with FERC-585.

17. DISPLAY OF THE EXPIRATION DATE

The expiration date is displayed at <https://www.ferc.gov/enforcement-legal/legal/information-collections>.

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT

There are no exceptions for FERC-585.