

Supporting Statement for
FERC-729, Electric Transmission Facilities

The Federal Energy Regulatory Commission (Commission or FERC) requests that the Office of Management and Budget (OMB) review and approve FERC-729, Electric Transmission Facilities, for a three-year period. FERC-729 (OMB Control No. 1902-0238) is an existing information collection under 18 Code of Federal Regulations (CFR) part 50.¹

1. CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY

The purpose of FERC-729 is to implement the information collection under part 50 of the Commission's regulations. This information collection consists of the filing requirements for entities seeking to construct electric transmission facilities pursuant to the Commission's authority under section 216 of the Federal Power Act (FPA).² Specifically, section 216(b) of the FPA authorizes the Commission, under certain circumstances, to issue permits for the construction of electric transmission facilities within national interest electric transmission corridors designated by the Secretary of Energy.

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

The purpose of the Commission's part 50 regulations is to provide for efficient and timely review of requests for permits for the siting of proposed electric transmission facilities under section 216 of the FPA. The regulations include filing requirements associated with the Commission's pre-filing and application review processes. For the Commission's pre-filing process, the regulations require applicants to file a pre-filing request³ and subsequent information after the commencement of the pre-filing process,⁴ including a finalized Project Participation Plan, a summary of project alternatives, draft resource reports, and monthly status reports. After the conclusion of the pre-filing process, the regulations require applicants to file an application consisting of general project information⁵ and ten exhibits,⁶ including project maps, an environmental report, engineering data, and system analysis data.

This information collection cannot be discontinued nor collected less frequently because

¹ 18 CFR pt. 50.

² 16 USC 824p.

³ 18 CFR 50(c).

⁴ 18 CFR 50(e).

⁵ 18 CFR 50.6.

⁶ 18 CFR 50.7.

of statutory requirements. Without this information, the Commission would be unable to fulfill its statutory obligations under the FPA and National Environmental Policy Act of 1969 (NEPA).⁷

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

There is an ongoing effort to determine the potential for improved information technology to reduce burden, and the Commission encourages the use of electronic filing. As posted at: <https://www.ferc.gov/sites/default/files/2020-05/filing.pdf>, the FERC-729 information may be electronically filed through the Commission's eFiling system.

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

To identify duplication, Commission staff periodically review filing requirements before the expiration of the information collection and as the Commission may deem necessary in carrying out its statutory responsibilities. There is no other source of this information.

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

The Commission expects entities seeking to construct electric transmission facilities pursuant to the Commission's authority under section 216 of the FPA to be major developers capable of financing complex and expensive projects. Therefore, the Commission does not anticipate that these information collection requirements would impose a burden on small entities. Additionally, all applicants have the option of filing information electronically through the Commission's eFiling system.

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

This information collection is triggered by an applicant filing for a permit to construct electric transmission facilities under section 216 of the FPA. Without this information, the Commission would be unable to fulfill its statutory obligations under the FPA and NEPA.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES RELATING TO THE INFORMATION

⁷ 42 USC 4321-4370j.

FERC-729 meets OMB's section 1320.5 requirements with the exception of 1320.5(d)(2)(iii).⁸ Specifically, section 50.3(b)⁹ of the Commission's regulations requires an original and seven conformed copies of the information to be submitted for the Commission to conduct its review.

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

In accordance with OMB requirements,¹⁰ the Commission published a 60-day notice¹¹ in the Federal Register for this information collection on April 15, 2022, and a 30-day notice on July 5, 2022.¹² These public notices state that the Commission is requesting a three-year extension of the information collection with no change to the existing requirements. No comments were received on the 60-day notice.

9. EXPLAIN ANY PAYMENT OR GIFTS TO RESPONDENTS

There are no payments or gifts to FERC-729 respondents.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS

The Commission does not consider the information collected in FERC-729 filings to be confidential. Filers may request privileged or Critical Energy Infrastructure Information treatment of a filing that may contain information the applicant deems harmful if released to the general public.¹³

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 in this information collection.

12. ESTIMATED BURDEN OF COLLECTION OF INFORMATION

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

⁸ 5 CFR 1320.5 (d)(2)(iii)

⁹ 18 CFR 50.3(b)

¹⁰ 5 CFR 1320.8(d).

¹¹ 87 FR 22524.

¹² 87 FR 39814

¹³ 18 CFR 388.112.

FERC-729 (OMB Control No. 1902-0238): Electric Transmission Facilities					
	Number of Respondents (1)	Annual Number of Responses per Respondent (2)	Total Number of Responses (1)*(2)=(3)	Average Burden & Cost Per Response¹⁴ (4)	Total Annual Burden Hours & Total Annual Cost (3)*(4)=(5)
Electric Transmission Facilities	1	1	1	9,600 \$835,200	9,600 \$835,200

13. ESTIMATE OF TOTAL ANNUAL COST OF BURDEN TO RESPONDENTS

All of the costs are associated with burden hours (labor) and addressed in questions #12 and #15.

14. ESTIMATED ANNUALIZED COST TO FEDERAL GOVERNMENT

The Commission estimates the annualized cost to the federal government for this information collection as:

	Number of Employees (FTEs)	Estimated Annual Federal Cost
PRA ¹⁵ Administration Cost ¹⁶	-	\$8,279
Analysis and Processing of Filings ¹⁷	0.3	\$54,211
FERC Total		\$62,490

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.

¹⁴ FERC staff estimates that industry costs for salary plus benefits are similar to Commission costs. The cost figure is the FY2021 FERC average annual salary plus benefits (\$180,702/year or \$87/hour).

¹⁵ The Paperwork Reduction Act of 1995 (PRA).

¹⁶ The PRA Administration Cost includes preparing supporting statements, notices, and other activities associated with PRA compliance.

¹⁷ The cost figure is the FY2021 FERC average annual salary plus benefits (\$180,703/year or \$87/hour).

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

There are currently no proposed projects in the Commission’s pre-filing or application review processes. There is no change to the burden request for FERC-729.

The following table shows the total burden for the collection of information. The format, labels, and definitions of the table follow the ROCIS submission system’s “Information Collection Request Summary of Burden” for the metadata.

FERC-729	Total Request	Previously Approved	Change Due to Adjustment in Estimate	Change Due to Agency Discretion
Annual Number of Responses	1	1	0	0
Annual Time Burden (Hours)	9,600	9,600	0	0
Annual Cost Burden (\$)	0	0	0	0

16. TIME SCHEDULE FOR PUBLICATION OF DATA

The Commission does not publish any data associated with this information collection.

17. DISPLAY OF EXPIRATION DATE

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

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT

There are no exceptions.