

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

[Docket No. IC23-12-000]

COMMISSION INFORMATION COLLECTION ACTIVITIES (FERC-521);
COMMENT REQUEST; EXTENSION

(May 23, 2023)

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 (PRA), the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on FERC-521 (Payments for Benefits from Headwater Improvements).

DATES: Comments on the collection of information are due [**Insert date 60 days after date of publication in the Federal Register**].

ADDRESSES: You may submit comments (identified by Docket No. IC23-12-000) by one of the following methods:

- Electronic Filing (preferred): 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: Federal Energy Regulatory Commission,
Secretary of the Commission, 888 First Street, N.E., Washington, DC
20426.

- o Mail via any other service: Federal Energy Regulatory Commission,
Secretary of the Commission, 12225 Wilkins Avenue, Rockville, MD
20852.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: <https://www.ferc.gov/help/submission-guide.asp>. For user assistance, contact FERC Online Support by e-mail at ferconlinesupport@ferc.gov, or by phone at: (866) 208-3676 (toll-free), or (202) 502-8659 for TTY.

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/docs-filing/docs-filing.asp>.

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-521, Payments for Benefits from Headwater Improvements

OMB Control No.: 1902-0087

Type of Request: Three-year extension of the FERC-521 information collection requirements with no changes to the reporting requirements.

Abstract: The purpose of FERC-521 is to implement information collections pursuant to Section 10(f) of the Federal Power Act (FPA).¹ Under Section 10(f) licensees of unlicensed non-Federal hydroelectric power projects that are directly benefited by a headwater project must pay an equitable portion of the annual costs of interest,

¹ 16 USC 803.

maintenance, and depreciation of the headwater project. This payment is called the headwater benefit payment. The Commission requires basic project information including location and storage capacity to be filed by the owner of any headwater project constructed by the United States, a licensee, or a pre-1920 permittee that is upstream from a non-Federal hydroelectric project.

Type of Respondents: There are two types of entities that respond, Federal and Non-Federal storage and hydropower project owners. The Federal entities that typically respond include the U.S. Army Corps of Engineers and the U.S. Department of Interior Bureau of Reclamation. The Non-Federal entities may consist of any Municipal or Non-Municipal hydropower project owner.

Estimate of Annual Burden² and cost³: The Commission estimates the total Public Reporting Burden for this information collection as:

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² 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 Code of Federal Regulations 1320.3.

³ The estimates for cost per response are derived using the 2022 FERC average salary plus benefits of \$188,922/year (or \$91.00/hour). Commission staff finds that the work done for this information collection is typically done by wage categories similar to those at FERC.

	Number of Respondents (1)	Annual Number of Responses per Respondent (2)	Total Number of Responses (1)*(2)=(3)	Average Burden & Cost Per Response (4)	Total Annual Burden Hours & Total Annual Cost (3)*(4)=(5)	Cost per Respondent (\$) (5)÷(1)
Federal and Non-Federal project owners	3	1	3	40 hrs.; \$3,640	120 hrs.; \$10,920	\$3,640

The total estimated annual cost burden to each respondent is \$3,640 [40 hours * \$91.00/hour = \$3,640].

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.

Kimberly D. Bose,
Secretary.