

## 18 CFR 46.3 Purchaser list.

(a)

(1) **Compilation and filing list.** On or before January 31 of each year, except as provided below, each public utility shall compile a list of the purchasers described in [paragraph \(b\)](#) of this section, and subject to [paragraph \(a\)\(5\)](#) of this section, shall identify each purchaser by name and principal business address. The public utility must submit the list to the Secretary of the Commission in accordance with filing procedures posted on the Commission's Web site at <http://www.ferc.gov> and make the list publicly available through its principal business office.

(2) Notwithstanding [paragraph \(a\)\(1\)](#) of this section, public utilities that are defined as Regional Transmission Organizations, as defined in [§ 35.34\(b\)\(1\) of this chapter](#), and public utilities that are defined as Independent System Operators, as defined in [§ 35.46\(d\) of this chapter](#), are exempt from the requirement to file.

(3) Notwithstanding [paragraph \(a\)\(1\)](#) of this section, public utilities that meet the criteria for exempt wholesale generators, as defined in [§ 366.1 of this chapter](#), and are certified as such pursuant to [§ 366.7 of this chapter](#), are exempt from the requirement to file.

(4) Notwithstanding [paragraph \(a\)\(1\)](#) of this section, public utilities that have either no reportable sales as defined in paragraph (b) or only sales for resale in any of the three preceding years are exempt from the requirement to file.

(5) Notwithstanding [paragraph \(a\)\(1\)](#) of this section, individual residential customers on the list should be identified as "Residential Customer," and with a zip code in lieu of an address.

(b) **Largest purchasers.** The list required under [paragraph \(a\)](#) of this section shall include each purchaser who, during any of the three (3) preceding calendar years, purchased (for purposes other than resale) from a public utility one of the twenty (20) largest amounts of electric energy measured in kilowatt hours sold (for purposes other than resale) by such utility during such year.

(c) **Special rules.** If data for actual annual sales (for purposes other than resale) are not available in the records of the public utility, the utility may use estimates based on actual data available to it. If one purchaser maintains several billing accounts with the public utility, the kilowatt hours purchased in each account of that purchaser shall be aggregated to arrive at the total for that purchaser.

(d) **Revision of the list.** Each public utility relying upon any estimates for its January 31st filing, shall revise the list compiled under [paragraph \(b\)](#) of this section no later than March 1 of the year in which the list was originally filed to reflect actual data not available to the utility prior to that time. Any revised list shall be filed with the Commission and made publicly available through the utility's principal business office no later than March 1. A utility filing a revised list shall indicate thereon the changes made to the list previously filed under [paragraph \(b\)](#) of this section. On or before the filing and publication of the revised list, the public utility shall notify the newly-listed purchasers and any purchasers whose names were removed from the list.

[Order 67, [45 FR 3569](#), Jan. 18, 1980; [45 FR 6377](#), Jan. 28, 1980, as amended by Order 737, [75 FR 43404](#), July 26, 2010; [80 FR 43624](#), July 23, 2015]

