

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

[Docket No. IC25-1-000]

COMMISSION INFORMATION COLLECTION ACTIVITIES (FERC-519, FERC-520,
FERC-546, and FERC-580)
COMMENT REQUEST; EXTENSION

(November 25, 2024)

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, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC-519, (Application under Federal Power Act Section 203); FERC-520, (Application for Authority to Hold interlocking Directorate positions; FERC-546, (Certification of Qualifying Facility (QF) Status for a Small Power Production or Cogeneration Facility); FERC-580, (Interrogatory on Fuel and Energy Purchase Practices). The above four collections are a part of a combined notice only and are not being combined into one OMB Collection number.

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 copies of your comments (identified by Docket No. IC25-1-000) by one of the following methods:

Electronic filing through <https://www.ferc.gov>, is preferred.

- Electronic Filing: 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:
 - o Mail via U.S. Postal Service Only: Addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, N.E., Washington, DC 20426.
 - o Hand (including courier) delivery: Deliver to: Federal Energy Regulatory 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>. For user assistance, contact FERC Online Support by e-mail at ferconlinesupport@ferc.gov, or by phone at (866) 208-3676 (toll-free).

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>.

FOR FURTHER INFORMATION: Kayla Williams may be reached by e-mail at DataClearance@FERC.gov, telephone at (202) 502-6468.

SUPPLEMENTARY INFORMATION:

1. FERC-519

Title: FERC-519, Application under Federal Power Act Section 203¹

OMB Control No.: 1902-0082

¹ 16 USC 824b

Type of Request: Three-year extension of the FERC-519 information collection requirements with no changes to the current reporting requirements.

Abstract: The Commission requires that public utility officers must seek authorization under amended section 203(a)(1)(B) of the Federal Power Act (FPA) to merge or consolidate, directly or indirectly, its facilities subject to the jurisdiction of the Commission, or any part thereof, with the facilities of any other person, or any part thereof, that are subject to the jurisdiction of the Commission and have a value in excess of \$10 million, by any means whatsoever. In addition, as required by the Act, the Commission establishes a requirement to submit a notification filing for mergers or consolidations by a public utility if the facilities to be acquired have a value in excess of \$1 million and such public utility is not required to secure Commission authorization under amended section 203(a)(1)(B). The information collected under the FERC-519 enables the Commission to meet its statutory responsibilities regarding public utility disposition, merger, consolidation of facilities, purchase, or acquisition oversight and enforcement in accordance with the FPA as referenced above. Without this information, FERC would be unable to meet these responsibilities. The required information includes descriptions of corporate attributes of the party or parties to the proposed transaction (e.g. a sale, lease, or other disposition, merger, or consolidation of facilities, or purchase of other acquisition of the securities of a public utility and the facilities or other property involved in the transaction), statements about effect of the transaction, and the applicant's proof that the transaction will be consistent with the public interest. It will enable the Commission to meet its statutory responsibilities regarding its FPA section 203 oversight

of public utility dispositions, mergers, or consolidation of facilities, and associated oversight and enforcement responsibilities under the FPA as referenced above. The required information to be collected in the notification filing (established by the addition of 18 CFR Part 33.12) for certain transactions includes descriptions of corporate attributes of the party or parties to the transaction and the facilities involved. FPA section 203 requires a filing on the occasion that a public utility proposes to dispose of jurisdictional facilities, merge such facilities, or acquire the securities of another public utility. Public Utilities consist of:

- Corporate;
- Information Technology Management;
- General Accounting;
- Personnel and Payroll;
- Transportation;
- Tariffs and Rates;
- Insurance;
- Operations and Maintenance;
- Plant and Depreciation;
- Purchase and Stores;
- Revenue Accounting and Collection;
- Tax;
- Treasury; and
- Miscellaneous.

Type of Respondents: Public utility officers regulated by the FPA

*Estimate of Annual Burden:*² The Commission estimates the total annual burden and cost³ for this information collection as follows:

FERC-519: Application under Federal Power Act Section 203						
	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)
FERC-519 (FPA Section 203 Filings) ⁴	134	1	134	324.43 hr. ⁵ ; \$32,443	43,473.62 hrs.; \$4,347,362	\$32,443

² “Burden” is 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 Title 5 Code of Federal Regulations 1320.3.

³ Commission staff estimates that the industry’s skill set and cost (for wages and benefits) for FERC-520 are approximately the same as the Commission’s average cost. The FERC 2024 average salary plus benefits for one FERC full-time equivalent (FTE) is \$207,786/year (or \$100/hour).

⁴ Commission staff estimates that approximately 26 section 203 filings will change from full section 203 filings to the notification filing described above and will take one burden hour to complete. The number of respondents and responses is based on Commission staff’s estimate that 13 percent of the approximately 200 section 203 filings received will be affected. This represents a significant reduction in burden hours.

⁵ With this amendment each of the 26 affected entities and their related filings (i.e., the entities that now only have to file the section 203 notification filings) is reduced to 1 hour

2. FERC-520

Title: FERC-520, Application for Authority to Hold Interlocking Directorate Positions

OMB Control No.: 1902-0083

Type of Request: Three-year extension of the FERC-520 information collection requirements with no changes to the current reporting requirements.

Abstract: FERC Form No. 520 is an application requesting FERC authorization for officers and directors of regulated public utilities to simultaneously hold positions of officers and directors of certain other entities. Section 305(b)(1) of the Federal Power Act (FPA)⁶ prohibits the holding of specific interlocking positions unless the Commission has authorized the holding of such interlocks upon a determination that neither public nor private interests will be adversely affected.

FERC-520 consists of three information collection activities. A “full application,” in accordance with 18 CFR 45.8, provides detailed information about the positions for which authorization is sought, including a description of duties. Submission of a more streamlined “informational report,” in accordance with 18 CFR 45.9, is a condition for an automatic grant of authorization to hold interlocking directorates. This automatic authorization is available only to certain types of officers and directors. Finally, a “notice of change,” in accordance with 18 CFR 45.5, is required within 60 days after an officer or director resigns or withdraws from Commission-authorized interlocked positions or if the applicant is not re-elected or reappointed to the interlocked position. However, no notice of change is required if the only change is: (1) a resignation or withdrawal from fewer

⁶ 16 U.S.C 825d(b)(1).

than all position held between or among affiliated public utilities; (2) a reelection or reappointment to a position that was previously authorized; or (3) holding a different or additional interlocking position that would qualify for automatic authorization under 18 CFR 45.9.

Type of Respondents: Officers and directors of public utilities seeking authorization to hold interlocking directorates.

*Estimate of Annual Burden:*⁷ The Commission estimates the total annual burden and cost⁸ for this information collection as follows:

FERC-520: Application for Authority to Hold Interlocking Directorate Positions						
	A. Number of Respondents	B. Annual Number of Responses per Respondent	C. Total Number of Responses (Column A x Column B)	D. Average Burden & Cost Per Response	E. Total Annual Burden Hours & Total Annual Cost (Column C x Column D)	F. Cost per Respondent (Column E ÷ Column A)
Full Application	16	1	16	50 hrs.; \$4,350	800 hrs.; \$69,600	\$4,350

⁷ “Burden” is 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 Title 5 Code of Federal Regulations 1320.3.

⁸ Commission staff estimates that the industry’s skill set and cost (for wages and benefits) for FERC-520 are approximately the same as the Commission’s average cost. The FERC 2024 average salary plus benefits for one FERC full-time equivalent (FTE) is \$207,786/year (or \$100/hour).

Information al Report	500	1	500	8 hrs.; \$696	4,000 hrs.; \$348,00 0	\$696
Notice of Change	100	1	100	0.25 hrs.; \$21.75	25 hrs.; \$2,175	\$21.75
Totals	616	N/A	616	N/A	4,825 hrs.; \$419,77 5	N/A

3. FERC-546

Title: FERC-546, Certificated Rate Filings: Gas Pipeline Rates

OMB Control No.: 1902-0155

Type of Request: Three-year extension of the FERC-546 information collection requirements with no changes to the current reporting requirements.

Abstract: The Commission reviews the FERC-546 materials to decide whether to approve rates and tariff changes associated with an application for a certificate under Natural Gas Act (NGA) section 7(c) (15 U.S.C. 717). Additionally, FERC reviews FERC-546 materials in NGA section 4(f) (15 U.S.C. 717), storage applications, to evaluate an applicant's market power and determine whether to grant market-based rate authority to the applicant. The Commission uses the information in FERC-546 to monitor jurisdictional transportation, natural gas storage, and unbundled sales activities of interstate natural gas pipelines and Hinshaw⁹ pipelines. In addition to fulfilling the

⁹ Hinshaw pipelines are those that receive all out-of-state gas from entities within or at the boundary of a state if all the natural gas so received is ultimately consumed within the state in which it is received, 15 U.S.C. § 717(c). Congress concluded that Hinshaw pipelines are "matters primarily of local concern," and so are more appropriately regulated by pertinent state agencies rather than by FERC. The Natural Gas Act section

Commission's obligations under the NGA, the FERC-546 enables the Commission to monitor the activities and evaluate transactions of the natural gas industry, ensure competitiveness, and improve efficiency of the industry's operations. In summary, the Commission uses the information to:

- ensure adequate customer protections under NGA section 4(f);
- review rate and tariff changes filed under NGA section 7(c) for certification of natural gas pipeline transportation and storage services;
- provide general industry oversight; and
- supplement documentation during the pipeline audits process.

Failure to collect this information would prevent the Commission from monitoring and evaluating transactions and operations of jurisdictional pipelines and performing its regulatory functions.

Type of Respondents: Jurisdictional pipeline companies and storage operators

*Estimate of Annual Burden:*¹⁰ The Commission estimates the burden and cost for this information collection as follows:

FERC-546 (Certificated Rate Filings: Gas Pipeline Rates)

1(c) exempts Hinshaw pipelines from FERC jurisdiction. A Hinshaw pipeline, however, may apply for a FERC certificate to transport gas outside of state lines.

¹⁰ "Burden" is 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 Title 5 Code of Federal Regulations 1320.3.

	Annual Number of Respon dents (1)	Annual Number of Response s per Responde nt (2)	Total Number of Response s (rounded) (1)*(2)=(3)	Average Burden & Cost Per Respos e (rounde d) (4)	Total Annual Burden Hours & Total Annual Cost (rounded) (3)*(4)=(5)	Cost per Responde nt (\$) (rounded) (5)÷(1)
Pipeline Certificat e Filings and Storage Applicati ons	48	1 ¹¹	48	500 hrs.; \$50,000	24,000 hrs.; \$2,400,000	\$50,000
Project Area Labor Wage ¹²	16	1	16	15 hrs; \$1,500	240 hrs; \$24,000	15 hrs; \$1,500

4. FERC-580

Title: FERC Form 580: Interrogatory on Fuel and Energy Purchase Practices Pursuant to Section 205 of the Federal Power Act

OMB Control No.: 1902-0137

Type of Request: Three-year extension of the FERC Form 580 with no substantive changes to the current reporting requirements. Administrative changes to update the form are being made, as described below.

¹¹ This figure was calculated by dividing the total number of responses (111) by the total number of respondents (83). The resulting figure was then rounded to the nearest thousandth place.

¹² Project-Area Wage Standards in the Labor Cost Component of Cost-of-Service Rates under Docket No. PL24-1-000 was issued on March 21, 2024, which allows jurisdictional entities to include wages consistent with project-area standards in cost-of-service rates filed with the Commission where the record supports that outcome.

Abstract: The Commission collects FERC Form 580 information every other year as required under Section 205(f)(2) of the FPA,¹³ which provides that the Commission must review, “not less frequently than every 2 years,” practices under automatic adjustment clauses (AACs).¹⁴ As required by FPA section 205(f)(2), the Commission uses the information collected through the FERC Form 580 interrogatory to review utility purchase and cost recovery practices under AACs in order to ensure efficient use of resources.¹⁵ The Commission uses the information to evaluate costs in individual rate filings and to supplement periodic utility audits. The public also uses the information in this manner. Without the FERC Form 580 interrogatory, the Commission would not have the requisite information available to conduct the necessary review the FPA mandates.

Type of Respondents: The filing must be submitted by all FERC-jurisdictional utilities owning and/or operating at least one steam-electric generating station of 50 MW or greater capacity or having a majority ownership interest in a jointly-owned steam-electric generating station of at least 50 MW. A jurisdictional utility without a cost-based tariff on file with the Commission is not required to file the form.

¹³ 16 U.S.C. 824d

¹⁴ An automatic adjustment clause is a provision of a rate schedule which provides for increases or decreases (or both), without prior hearing, in rates reflecting increases or decreases (or both) in costs incurred by an electric utility.

For additional information on AACs, see the Frequently Asked Questions (FAQs) and Desk Reference for FERC Form 580 on the Commission’s website.

¹⁵ By using the data in FERC Form 580, the Commission is able to review utility purchase and cost recovery practices and ensure the resources are in compliance with Commission regulations in 18 CFR 35.14

Estimate of Annual Burden: The Commission estimates the annual¹⁶ public reporting burden¹⁷ and cost¹⁸ for the information collection as:

FERC Form 580 (Interrogatory on Fuel and Energy Purchase Practices Pursuant to Section 205 of the Federal Power Act)						
	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)	Annual Cost per Respondent (\$) (5)÷(1)
Respondents with FAC ¹⁹ s	24	0.5	12	103 hrs.; \$10,300	1,236 hrs.; \$123,600	\$5,150
Respondents with AACs, but no FACs	12	0.5	6	20 hrs.; \$2,000	120.0 hrs.; \$12,000	\$1,000
Respondents with no AACs and no FACs	4	0.5	2	2 hrs.; \$200	4.0 hrs.; \$400	\$100
TOTAL			20		1,360.0 hrs.; \$136,000	

¹⁶ The FERC Form 580 interrogatory is conducted every two years.

¹⁷ 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. See 5 CFR 1320 for additional information on the definition of information collection burden.

¹⁸ Commission staff estimates that the industry's skill set and cost (for wages and benefits) for FERC-520 are approximately the same as the Commission's average cost. The FERC 2024 average salary plus benefits for one FERC full-time equivalent (FTE) is \$207,786/year (or \$100/hour).

¹⁹ Fuel Adjustment Clause (FAC)

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.

Debbie-Anne A. Reese,
Acting Secretary.