

Under section 203 of the FPA, FERC must review proposed mergers, acquisitions and dispositions of jurisdictional facilities by public utilities, if the value of the facilities exceeds \$10 million, and must approve these transactions if they are consistent with the public interest. One of FERC's overarching goals is to promote competition in wholesale power markets, having determined that

effective competition, as opposed to traditional forms of price regulation, can best protect the interests of ratepayers. Market power, however, can be exercised to the detriment of effective competition and customers, making it necessary for FERC to review and approve or disapprove all jurisdictional mergers, dispositions and acquisitions. The Commission implements these filing requirements in the Code of

Federal Regulations (CFR) under 18 CFR part 33.

**Action:** The Commission is requesting a three-year extension of the current expiration date with no changes to the current reporting requirements.

**Burden Statement:** Public reporting burden for this collection is estimated as:

Number of responses annually	Number of responses per respondent	Average burden hours per response	Total annual burden hours
(1)	(2)	(3)	(1)×(2)×(3)
112	1	395	44,240

The estimated total cost to respondents is \$3,028,143 [44,240 hours/2080 hours<sup>1</sup> per year, times \$142,372<sup>2</sup> equals \$3,028,143]. The cost per respondent annually is \$27,037. This is a decrease from 134 to currently an average of 112 filings annually. The Commission considers this a normal fluctuation due to market activities and filing times chosen. Utilities file periodically; therefore the number of filings is expected to continue to fluctuate from year-to-year.

The reporting burden includes the total time, effort, or financial resources expended to generate, maintain, retain, disclose, or provide the information including: (1) Reviewing instructions; (2) developing, acquiring, installing, using technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) adjusting the existing ways to comply with any previously applicable filing instructions and requirements; (4) training personnel to respond to this collection of information; (5) searching data sources; (6) completing and reviewing the collection of information; and (7) transmitting, or otherwise disclosing the information.

The cost estimate for respondents is based upon salaries for professional and clerical support, as well as direct and indirect overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information technology. Indirect or overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

**Comments are invited on:** (1) Whether the proposed 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 of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology e.g. permitting electronic submission of responses.

Dated: August 29, 2011.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC11-523-001]

#### Commission Information Collection Activities (FERC-523); Comment Request; Submitted for OMB Review

**AGENCY:** Federal Energy Regulatory Commission, Energy.

**ACTION:** Notice.

**SUMMARY:** In compliance with the requirements of section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507, the Federal Energy Regulatory Commission (Commission or FERC) has submitted the information collection described below to the Office

of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission issued a Notice in the **Federal Register** (76 FR 35870, 6/20/2011) requesting public comments. FERC received no comments on the FERC-523 and has made this notation in its submission to OMB.

**DATES:** Comments on the collection of information are due by October 3, 2011.

**ADDRESSES:** Address comments on the collection of information to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Federal Energy Regulatory Commission Desk Officer. Comments to Created by OMB should be filed electronically, c/o [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) and include OMB Control Number 1902-0043 for reference. The Desk Officer may be reached by telephone at 202-395-4638.

A copy of the comments should also be sent to the Federal Energy Regulatory Commission and should refer to Docket No. IC11-523-001. Comments may be filed either electronically or in paper format. Those persons filing electronically do not need to make a paper filing. Documents filed electronically via the Internet must be prepared in an acceptable filing format and in compliance with the Federal Energy Regulatory Commission submission guidelines. Complete filing instructions and acceptable filing formats are available at <http://www.ferc.gov/help/submission-guide.asp>. To file the document electronically, access the Commission's website and click on Documents & Filing, E-Filing (<http://www.ferc.gov/docs-filing/efiling.asp>), and then follow

<sup>1</sup> Number of hours an employee works each year.

<sup>2</sup> Average annual salary per employee (including overhead).

the instructions for each screen. First time users will have to establish a user name and password. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments.

For paper filings, the comments should be submitted to the Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426, and should refer to Docket No. IC11-523-001.

Users interested in receiving automatic notification of activity in FERC Docket Number IC11-523 may do so through eSubscription at <http://www.ferc.gov/docs-filing/esubscription.asp>. All comments may be viewed, printed or downloaded remotely via the Internet through FERC's homepage using the "eLibrary" link. For user assistance, contact [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659.

**FOR FURTHER INFORMATION CONTACT:** Ellen Brown may be reached by e-mail

at [DataClearance@FERC.gov](mailto:DataClearance@FERC.gov), telephone at (202) 502-8663, and fax at (202) 273-0873.

**SUPPLEMENTARY INFORMATION:** The information collection is under the requirements of FERC-523, "Applications for Authorization for Issuance of Securities or the Assumption of Liabilities", OMB Control No. 1902-0043.

Federal Power Act (FPA) section 204, 16 USC 824c, prohibits public utilities and licensees from issuing any security, or assuming any obligation or liability as guarantor, endorser, surety, or otherwise in respect of any security of another person, unless they have submitted an application to the Commission and receive Commission authorization to do so. The Commission issues an order if it finds that the security issue or assumption meets three criteria. First, it is for "lawful object," within the corporate purposes of the applicant and compatible with the public interest. Second it is necessary or appropriate for or consistent with the

proper performance by the applicant as a public utility. Third, it will not impair its ability to perform service, and (b) is reasonably necessary or appropriate to perform service.

The Commission uses the information contained in filings to determine its acceptance and/or rejection of applications for authorization to either issue securities or to assume an obligation or liability by the public utilities and their licensees who make these applications.

The Commission implements this statute through its regulations, which are found at 18 CFR part 34; and 18 CFR 131.43 and 131.50. Part 131 prescribes the required filing format. The information is filed electronically.

**Action:** The Commission is requesting a three-year extension of the current expiration date with no changes to the current reporting requirements.

**Burden Statement:** Public reporting burden for this collection is estimated as:

Number of responses annually	Number of responses per respondent	Average burden hours per response	Total annual burden hours
(1)	(2)	(3)	(1) × (2) × (3)
78	1.7	88	11,669 (Rounded).

The estimated total cost to respondents is \$798,721 [11,669 hours/2080 hours<sup>1</sup> per year, times \$142,372<sup>2</sup> equals \$798,721]. The cost per respondent annually is \$10,240. This is an increase from 60 to currently 78 utilities filing annually. An increase from 1 to 1.7 filings per utility annually was also seen. The Commission considers this a normal fluctuation due to market activities and filing times chosen. Utilities file periodically, therefore the number of filings are expected to continue to fluctuate from year-to-year.

The reporting burden includes the total time, effort, or financial resources expended to generate, maintain, retain, disclose, or provide the information including: (1) Reviewing instructions; (2) developing, acquiring, installing, using technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) adjusting the existing ways to comply with any previously applicable filing instructions and requirements; (4)

training personnel to respond to this collection of information; (5) searching data sources; (6) completing and reviewing the collection of information; and (7) transmitting, or otherwise disclosing the information.

The cost estimate for respondents is based upon salaries for professional and clerical support, as well as direct and indirect overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information technology. Indirect or overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

Comments are invited on: (1) Whether the proposed 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 of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be

collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology e.g. permitting electronic submission of responses.

Dated: August 29, 2011.

**Kimberly D. Bose,**  
Secretary.

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<sup>1</sup> Number of hours an employee works each year.

<sup>2</sup> Average annual salary per employee (including overhead).