

Section I	Policy Reference
1. Authority	Every public utility must file the EQR every quarter using the EQR Submission Software.
	<p>1.1. Electric Quarterly Reports must be prepared in conformance with the Commission's software and guidance posted and available for downloading from the FERC web site (<a href="http://www.ferc.gov">www.ferc.gov</a>.) (<i>Source</i>: 18 CFR 35 § 35.10b.)</p> <p>1.2. [S]ection 205(c) of the FPA requires that "every public utility shall file with the Commission, within such time and in such form as the Commission may designate, and shall keep open in convenient form and place for public inspection schedules showing all rates and charges for any transmission or sale subject to the jurisdiction of the Commission, and the classification, practices, and regulations affecting such rates and charges. . . ." (<i>Source</i>: Docket No. RM01-8-000, Order No. 2001, Final Rule, Revised Public Utility Filing Requirements, April 25, 2002, Paragraph 260.) Hereinafter, Final Rule.</p> <p>1.3. Public utilities shall file Electric Quarterly Reports using the new Electric Quarterly Report System on or before January 31, 2003, and each quarter thereafter, in accordance with Order No. 2001. (<i>Source</i>: Docket No. RM01-8-003, Order 2001-C, Order Directing Filing of List of Conforming Contracts Currently on File in Tariffs and Providing Details on Accessing the Software to be Used for Electric Quarterly Reports to be Filed On or Before January 31, 2003 and Thereafter, December 19, 2002, Item (B).)</p> <p>1.4. [S]o long as FERC has approved a tariff within the scope of its FPA authority, it has broad discretion to establish effective reporting requirements for administration of the tariff. (<i>Source</i>: US Court of Appeals for the Ninth Circuit, No. 02-73093, No. FERC-EL02-71-000, Filed September 9, 2004, page 13134).</p>
2. Disclosure	EQR data shall be made public and are not protected from disclosure.
	<p>2.1. FPA section 205(c) requires public utilities to disclose their rates and contracts for all transmission and sales subject to the jurisdiction of the Commission. As a result, these rate elements as well as the data public utilities currently file are not protected from disclosure under Exemption 4 of the FOIA or by the Trade Secrets Act. Although the Commission has discretion to determine the time and form for disclosure, the underlying decision to disclose rate and contract information was made by Congress. (<i>Source</i>: Final Rule, Paragraph 92.)</p> <p>2.2. Our decision to disclose rate information is consistent with judicial directives to focus on the needs of the overall market, rather than focusing on protecting the interests of individual competitors within the market. (<i>Source</i>: Final Rule, Paragraph 96.)</p>

	<p>2.3. The FPA section 205(c) requirement that pertinent information on rates and contracts must be made publicly available does not exclude long-term market-based rate contracts or spot market sales. (<i>Source:</i> Docket No. RM01-8-001 – Order 2001-A, Order Denying Requests for Rehearing, Requests for Stay and Request for Extension, and Providing Clarification, July 18, 2002, Paragraph 14.)</p>
<p>3. Who must file</p>	<p>Every holder of a FERC tariff or rate schedule permitting the sale or transmission of electricity is considered to be a public utility. All public utilities, including Power Marketers, are required to electronically file Electric Quarterly Reports.</p>
	<p>3.1. [T]here should be consistent reporting requirements for both power marketers and traditional utilities. We will apply equal filing requirements for both traditional utilities and power marketers. These filing requirements will provide information consistent with the requirements of FPA section 205(c.) The public interest in the disclosure of the information to be reported is the same regardless of whether the agreements and power sales at issue are made by power marketers or traditional utilities. (<i>Source:</i> Final Rule, Paragraph 134.)</p> <p>3.2. Each public utility as defined in section 201(e) of the Federal Power Act, 16 U.S.C. 824 (e) and subject to Part 35 of the Commission’s regulations must comply with the requirement to file the Electric Quarterly Reports. (<i>Source:</i> Docket No. RM01-8-000. Order Issuing Instruction Manual for Public Utilities to Use to File their Electric Quarterly Reports, May 31, 2002, Attachment, Paragraph II.)</p> <p>3.3. Every utility with a tariff on file with the Commission pursuant to Part 35 of the Commission's regulations must file the Electric Quarterly Report, even if there are no contracts under any of a utility's tariffs or rate schedules, or no sales were made during the quarter. Respondents without sales should leave the transaction template blank (<i>Source:</i> Docket No. RM01-8-000 – Notice, Revised Public Utility Filing Requirements, October 21, 2002, Paragraph 3.)</p>
<p>4. Consequences of Non-Compliance</p>	<p>A non-compliant public utility may have its market-based rate authority revoked.</p>
	<p>4.1. Electric Quarterly Reports are intended to satisfy the FPA section 205(c) filing requirements. If utilities are found to have violated the requirements of the Commission's regulations, the Commission will not hesitate to impose remedies, as appropriate. If a public utility has not received approval for a cost-based rate transaction and neglects to include in its Electric Quarterly Report relevant contract data, the Commission may determine that the agreement was not on file and adjust the rate in that agreement as appropriate. If a public utility fails to file a Electric Quarterly Report (without an appropriate request for extension), or fails to report an agreement in a report, that public utility may forfeit its market-based rate authority and may be required to file a new application for market-based rate authority if it wishes to resume making sales at market-based rates. (<i>Source:</i> Final Rule, Paragraph 222.)</p>

	<p>4.2. The Electric Quarterly Reports are designed to satisfy the FPA section 205(c) requirements. For power marketers, the Electric Quarterly Report is intended to replace the current filing of Quarterly Transaction Reports summarizing their market-based rate transactions and the filing of long-term agreements. Electric Quarterly Reports are also intended to replace the Quarterly Transaction Reports and rate filings required of traditional utilities with market-based rate authority. Once this rule becomes effective, the requirement to comply with this rule will supersede the conditions in public utilities' market-based rate authorizations and failure to comply with the requirements of this rule will subject public utilities to the same consequences they would face for not satisfying the conditions in their rate authorizations, including possible revocation of their authority to make wholesale power sales at market-based rates. (<i>Source</i>: Final Rule, Paragraph 223.)</p>
<p>5. When to File</p>	<p>EQRs should be filed within a month after the end of a calendar quarter. If the last day of the month falls on a weekend, the filing date becomes the next business day.</p>
	<p>5.1. 35.10b <u>Electric Quarterly Reports</u>. Each public utility shall file an updated Electric Quarterly Report with the Commission covering all services it provides pursuant to this Part, for each of the four calendar quarters of each year, in accordance with the following schedule: for the period from January 1 through March 31, file by April 30; for the period from April 1 through June 30, file by July 31; for the period July 1 through September 30, file by October 31; and for the period October 1 through December 31, file by January 31. (<i>Source</i>: Final Rule, Paragraph 7.)</p>
<p>6. Data Revision, Billing Adjustments, and Refiling</p>	<p>A utility must file a revised Electric Quarterly Report if more complete information is obtained or errors are found in its Electric Quarterly Report.</p>
	<p>6.1. Some structured markets do not give prices/revenues to sellers until after 30 or more days, so the pricing data will not be available by the report date. Utilities should enter the transaction quantities and nothing for the unknown prices, and file revised reports when the information becomes available. (<i>Source</i>: Notice of October 21, 2002, Paragraph 31. )</p> <p>6.2. The Commission desires to strike a balance between having timely, accurate data and reducing the burden on filing entities. We recognize that many users do not have complete, final data for the full quarter by the EQR filing deadlines. This is particularly true for certain sales to ISOs. This situation has been discussed at length by FERC staff with the EQR Users Group members. As a result, the Commission is requiring that any additions or changes to an EQR filing must be made by the end of the following quarter, at which time, the public utility is expected to file the best available new data. Thereafter, the utility shall file only material changes, either as a full refiling or as a transaction with the class name "Billing Adjustment." The public utility shall add any billing adjustment</p>

	<p>transaction to the prior quarter in which the change is applicable and then, refile for that quarter. (<i>Source</i>: Order 2001-E, Paragraph 9.)</p> <p>6.3. After the filing deadline for the next EQR, only material changes in data need to be reported. This can be accomplished one of two ways: either as a detailed data change (as required for the first quarter after the original filing deadline) or as a line (or lines) added to the transaction portion of the EQR labeled in the Class Name field as “BA” for Billing Adjustment. A Billing Adjustment is an incremental positive or negative change that will correct the previously filed EQR totals. Enter the billing adjustment in the quarter in which the transaction occurred. Whether the material change is entered in detail or as a billing adjustment, you must then refile the EQR for the effected quarter by selecting “Submit Filing to FERC” and following the instructions on screen. ... The Billing Adjustment must be entered in the quarter to which the adjustment applies. The software will not allow you to put a prior period adjustment in the current period because the date ranges will not work. (For example, in your current filing, you cannot add a billing adjustment related to a sale made in a previous period.) By using the period that the adjustment actually applies to, our master database will more accurately reflect power sales amounts and prices during the proper period. (<i>Source</i>: Implementation Guidelines for Order 2001-E.)</p>
<p>7. What to Report</p>	<p>At a minimum every holder of an electric tariff must report EQR Filer Identification data every quarter even if they have no contracts or sales. Contractual terms and conditions must be summarized for all jurisdictional services. Contracts, and contract products, and service agreements are reported when sales against them begin and remain on the EQR until they are terminated. Sales of wholesale electricity are reported each quarter. Transmission sales that are part of power sales are reported. Pure transmission sales are not reported. Merchant transmission companies with a negotiated rate tariff must report their sales.</p> <p>All information in contracts and/or agreements pertinent to EQR fields must be reported.</p>
	<p>7.1. In this final rule, the Federal Energy Regulatory Commission is amending its filing requirements for public utilities under the Federal Power Act (FPA) to require public utilities to electronically file Electric Quarterly Reports summarizing the contractual terms and conditions in their agreement for all jurisdictional services (including market-based power sales, cost-based power sales, and transmission service) and transaction information for short-term and long-term market-based power sales and cost-based power sales during the most recent calendar quarter. (<i>Source</i>: Final Rule, Summary, page i.)</p> <p>7.2. [W]e clarify that under this rule, the requirement to file contract data and transaction data begins with the first Electric Quarterly Report filed after service commences under an agreement, and continues until the Electric Quarterly Report filed after the agreement expires or by order of the Commission. We reject Edison</p>

	<p>Mission's suggestion that contract data should be reported only in the quarter when the agreement is entered. Removing information about agreements that are still in effect does not adequately comply with the requirements of FPA section 205(c.) Moreover, once the data are entered into an Electric Quarterly Report, it takes no work to retain this information in subsequent Electric Quarterly Reports. (<i>Source: Final Rule, Paragraph 216.</i>)</p> <p>7.3. [A]s a general matter, the Commission typically requires parties to file arrangements involving, among other matters, “a public utility selling or exchanging wholesale power in interstate commerce.” (<i>Source: Final Rule, Paragraph 284.</i>)</p> <p>7.4. [C]ustomers need (and FPA section 205(c) provides) information about contracts and transactions so that they can identify and seek remedies for undue preference or undue discrimination. (<i>Source: Order No. 2001-A, Paragraph 16.</i>)</p> <p>7.5. [A]ny contract that terminated <u>before</u> the date on which service under the contract is due to start need not be reported in Electric Quarterly Reports. (<i>Source: Order No. 2001-F, Paragraph 15.</i>)</p>
<p>8. Aggregation</p>	<p>Transaction data may not be aggregated. If the price changes a new line of transaction data must be reported; the prices cannot be averaged. For example, if the price changes hourly, the data must be reported hourly for each price point.</p>
	<p>8.1. Aggregated data have never been allowed by the Commission for power marketers' Quarterly Transactions Reports. (<i>Source: Final Rule, Paragraph 124.</i>)</p> <p>8.2 The Commission also rejected the use of aggregated data in Commonwealth Electric Company, 78 FERC ¶ 61,191 (1997). In this order, the Commission directed the reporting of prices for short-term transactions and the reporting of separate prices for wholesale generation, transmission and ancillary services in the quarterly reports. Pursuant to Order Nos. 888 and 888-A, the Commission stated: [a]ccordingly, we will direct the Applicants to revise their market-based power sales tariffs to state explicitly separate prices for generation, transmission and ancillary services. (<i>Source: Final Rule, Paragraph 127.</i>)</p> <p>8.3. (C)onsistent with our rulings in <u>Citizens Power</u>, -- we directed information about wholesale power sales to be made on a disaggregated basis. (<i>Source: Final Rule, Paragraph 294.</i>)</p> <p>8.4. Aggregated data do not provide sufficient disclosure of rates to the public. Further, market power is possible not just over a market area. It can also be exercised over individual customers. Aggregated data would prevent customers from detecting (and filing a complaint with the Commission about) improper conduct and would be less helpful in promoting competition. We conclude that section 205(c) does not allow the aggregation of this information. (<i>Source: Order No. 2001-A, Paragraph 20.</i>)</p>

9. DUNS Numbers	DUNS numbers are required for every Respondent, Seller and Customer.
	9.1. The Commission will now also require DUNS numbers for all customers and sellers reported in Electric Quarterly Reports. This puts both the power sale and the transmission reporting requirements on the same basis. The Commission is using public utility DUNS numbers to reduce possible confusion among similarly named, but different, providers of service. DUNS are available at no cost. ( <i>Source: Final Rule, Paragraphs 89-90.</i> )
10. Service Agreement and Contract Data	All service agreements and contracts are required to be reported once sales under them begin. They remain on the EQR from quarter to quarter, until they are terminated. All contracts must have at least one product.
	10.1. Conforming Service Agreements
	10.1.1. [P]ublic utilities that have standard forms of agreements in their transmission, cost-based power sales tariffs, or tariffs for other generally applicable services will no longer file conforming agreements with the Commission. The filing requirements of FPA section 205(c) will be satisfied by the standard forms of agreements and by the electronic filing of Electric Quarterly Reports. Electric Quarterly Reports will be filed with the Commission, and the Commission will post them on FERC's Internet web site. ( <i>Source: Final Rule, Paragraph 18.</i> )
	10.2. Market-based Rate Service Agreements
	10.2.1. [T]he standard forms of service agreements are not applicable to market based rate agreements. Public utilities will continue to file requests for market-based rate authority on a case-by-case basis, and agreements under the umbrella tariffs approved in these cases need not be filed with the Commission. However, public utilities (both traditional utilities and power marketers) will include data about their market-based power sales in their Electric Quarterly Reports. ( <i>Source: Final Rule, Paragraph 20.</i> )
	10.3. Unexecuted and Nonstandard Non-Market-Based Rate Agreements
	10.3.1. All Unexecuted and Nonstandard Non-Market-Based Rate Agreements are nonconforming agreements and must be filed with the Commission for approval. ( <i>Source: Final Rule, Paragraph 188.</i> )

	<p>10.3.2. [I]f an agreement does not precisely match the applicable standard form of service agreement, or if the agreement is unexecuted, it is necessarily nonconforming and must be filed individually for Commission approval. (<i>Source</i>: Final Rule, Paragraph 196.)</p> <p>10.3.3. There is nothing in this proceeding proposing any change on how the Commission will process, analyze and review unexecuted and/or nonconforming agreements. The regulation specifically requires that utilities must continue to file unexecuted and nonconforming agreements with the Commission under the existing and otherwise unchanged filing requirements of Part 35. (<i>Source</i>: Final Rule, Paragraph 198.)</p> <p>10.3.4. [A]greements for transmission, cost-based power sales, and other generally applicable services that do not conform to an applicable standard form of agreement in a public utility's tariff, including agreements with individualized terms and conditions or unexecuted agreements for any service, must continue to be filed with the Commission for approval before going into effect. (<i>Source</i>: Final Rule, Paragraph 19.)</p>
	<p>10.4. Electric Power Futures Contracts</p>
	<p>10.4.1. [E]lectric power futures contracts that do not contain any delivery terms need not be reported in Electric Quarterly Reports. (<i>Source</i>: Order No. 2001-F, Paragraph 2.)</p>
<p>11. Procedures for Canceling Expiring Agreements</p>	<p>Service agreements that were identified on a utility's list of conforming service agreements (as required in Order 2001-C) or that were never filed on paper with the Commission because they became effective after Order 2001 was implemented do not require a notice of termination and cancellation sheet to be filed when the agreement terminated of its own terms. The date the agreement terminated should be listed in the Actual Termination Date field and removed from the EQR submittal in the subsequent quarter.</p>
	<p>11.1. The actual termination date to be reported in Electric Quarterly Reports refers to the dates when public utilities' agreements terminate. As proposed in the NOPR, reporting this data element in Electric Quarterly Reports replaces the existing requirement that public utilities file notices of termination requesting approval to terminate their agreements and a cancellation sheet. (<i>Source</i>: Final Rule, Paragraph 181.)</p> <p>11.2. Under this rule, agreements that conform to approved standard forms of service agreement and market-based rate agreements may terminate by their own terms without the need for the public utility to file a notice of cancellation or cancellation tariff sheet with the Commission. The public utility simply removes the agreement from its Electric Quarterly Report the quarter after it terminates. For</p>

	<p>agreements that remain in public utilities' Commission-maintained tariffs after the implementation date of this rule (basically non-conforming agreements), public utilities also must comply with the requirements to file a notice of cancellation and a cancellation tariff sheet. All proposals to change terms of an agreement without the consent of the customer must be filed with the Commission. Additionally, if an agreement terminates on a date other than the original agreement termination date (for instance, due to extension provisions being executed or termination by mutual agreement), the utility must enter the actual termination date in the subsequent Electric Quarterly Report, regardless of whether that agreement is a conforming agreement, a non-conforming agreement, or a market-based rate agreement. (<i>Source</i>: Final Rule, Paragraph 249.)</p> <p>11.3. If an agreement terminates on a date within the reporting quarter, the utility must enter the actual termination date in the Electric Quarterly Report for that calendar quarter, and remove the agreement from the subsequent Electric Quarterly Report. (<i>Source</i>: Final Rule, Paragraph 250.)</p> <p>11.4. When an agreement expires, the actual termination date will be entered into the contract data ... Signatories to an agreement will receive notice pursuant to the terms of the agreement, and cancellations without the other parties' consent must be individually filed with the Commission for approval. (<i>Source</i>: Final Rule, Paragraph 321.)</p>
12. Transaction Data	All sales of wholesale electricity are reported each quarter. Transmission sales that are part of power sales are reported. Pure transmission sales are not reported unless the seller is a merchant transmission company with a negotiated rate tariff.
	12.1. All Power Sales
	12.1.1. The transaction data will provide information about all the power sales the public utility made during the reporting period. ( <i>Source</i> : Final Rule, Paragraph 21.)
	12.2. Border Agreements, Exchanges and ISO day-ahead sales
	12.2.1. "Border Agreement" energy sales, exchanges as part of a Rate Schedule, emergency sales or other sales/exchanges under an Interconnection Agreement, line loss adjustments, and ISO day-ahead trades are reportable, just as any other trade or sale is. ( <i>Source</i> : Notice of October 21, 2002, Paragraph 27.)
	12.3. Options
	12.3.1. [O]ptions to purchase power in the future at specified prices -- would be purely financial transactions that would not be reported in Electric Quarterly Reports. In a purely financial transaction, the buyer does not make a power purchase; the buyer merely acquires the right to make a power purchase at a future



	<p>time at a specified price. (<i>Source</i>: Order No. 2001-A, Paragraph 25.)</p> <p>12.3.2. Options that go to delivery should be reported at the strike price. Revenue from the sale of the option should not be reported. (<i>Source</i>: Notice of October 21, 2002, Paragraph 30.)</p>
	<p>12.4. Purely Financial Transactions. Purely financial transactions, including virtual transactions, are not reported in the EQR.</p>
	<p>12.4.1. In a purely financial transaction, the buyer does not make a power purchase; the buyer merely acquires the right to make a power purchase at a future time at a specified price. (<i>Source</i>: Order No. 2001-A, Paragraph 25.)</p> <p>12.4.2. Consistent with our prior precedent, contract data and transaction data on any wholesale power sales contract that provides for physical delivery must be reported by public utilities in Electric Quarterly Reports, either as delivered power or as a bookout. By contrast, “purely financial transactions” need not be reported in Electric Quarterly Reports. (<i>Source</i>: Order No. 2001-F, Paragraph 15.)</p> <p>12.4.3. Applying these principles to power sales cleared by a CFTC-approved DCO, when a power sales contract provides for physical delivery and has not been terminated prior to the commencement of service under the contract, transactions under the contract are to be reported in Electric Quarterly Reports. If such a contract is novated and replaced by a contract that does not provide for physical delivery of the power, consistent with our precedent on this issue, the novated contract is purely financial and need not be reported in Electric Quarterly Reports. If the financial contract is re-novated to a contract that does provide for physical delivery, then transactions under the re-novated contract must be reported in Electric Quarterly Reports. Since a book out is a means to avoid physical delivery under a contract when a party appears twice in a delivery chain, <u>see n.2 <i>supra</i></u>, it differs from a novation where a forward physical contract is terminated and replaced by a financial contract. (<i>Source</i>: Order No. 2001-F, Paragraph 16.)</p>
	<p>12.5. Booked Out Power</p>
	<p>12.5.1. In this final rule, in response to comments on this issue, we further clarify the book out information that must be reported,... (<i>Source</i>: Final Rule, Paragraph 23.)</p> <p>12.5.2. [A] "book out" is the offsetting of opposing buy-sell transactions. (<i>Source</i>: Final Rule, Paragraph 279.)</p> <p>12.5.3. BOOKED OUT POWER. Energy or capacity contractually committed bilaterally for delivery but not actually delivered due to some offsetting or countervailing trade. (<i>Source</i>: Docket No. RM01-8, Order 2001-E, Order Refining Electric Quarterly Report Filing Requirements of December 23, 2003,</p>

	<p>Appendix D.)</p> <p>12.5.4. (U)nder FPA Section 205(c), we find that the power sales transactions that make up book out transactions must be reported to us in Electric Quarterly Reports. (<i>Source</i>: Final Rule, Paragraph 285.)</p> <p>12.5.5. Report book outs on a disaggregated basis. (<i>Source</i>: Final Rule, Paragraph 292.)</p> <p>12.5.6. Order No. 2001 requires the reporting of "book out" transactions. Order No. 2001 defines book outs as the offsetting of opposing buy-sell transactions at the same time and place and gives examples of transactions that must be reported in Electric Quarterly Reports. For example, if A sells 50MW of power to B, and for the same time period and location B sells 50MW of power back to A, the transactions would be booked out in their entirety and no transmission would be required. Nonetheless, the transactions must both be reported in Electric Quarterly Reports. Likewise, using the example given in Order No. 2001, if A sells 50MW to B and, for the same time period and location B sells 60MW back to A, then all of these separate transactions must be reported in Electric Quarterly Reports even though only 10MW would be transmitted to A. A would report a 50MW power sale to B, and B would report a 60MW power sale to A. By contrast, an option to purchase power in the future at a specified price would be a purely financial transaction that would not be reported. (<i>Source</i>: Order No. 2001-A, Paragraph 22.)</p> <p>12.5.7. Booked Out Power should never be reported in the contracts portion of the EQR. (<i>Source</i>: EQR webpage Filing News &amp; Help, Order No. 2001-E, Implementation Guidelines for Quarter 1, 2004 EQR Filings and Beyond, March 26, 2004, Paragraph 4.)</p> <p>12.5.8. Booked-out transactions are required to be reported on a disaggregated basis and identified as "Booked Out Power" sales.</p>
	<p>12.6. Power Sales Agreements to or through an RTO</p>
	<p>12.6.1. Public utilities making power sales to an RTO, or though (sic) [through] an RTO's power market, must report their power sales agreements and transaction data pursuant to subpart 35.10b. (<i>Source</i>: Final Rule, Paragraph 336.)</p>
	<p>12.7. RTOs and Power Sale Transaction Data</p>
	<p>12.7.1. To the extent that an RTO makes wholesale power sales or transmission sales, these sales are subject to the same reporting requirements that would be applicable to any other public utility. To the extent that an RTO facilitates transactions by its members but title to the power never passes to or from the RTO, these transactions would be reported by the parties making the sales and not by the</p>

	RTO itself. ( <i>Source</i> : Final Rule, Paragraph 335.)
	12.8. Tolling and Barter Transactions
	<p>12.8.1. Tolling transactions are energy conversion services (i.e., converting gas/oil/coal into MW.) Some contracts provide for barter payments (a portion of the fuel or output.) These are reportable as a sale of electricity under a utility's MBR tariff. Barter transactions should be converted to a monetary basis in the same manner used by the utility in its SEC and IRS filings, and reported on the Electric Quarterly Report. (<i>Source</i>: Notice of October 21, 2002, Paragraph 23.)</p> <p>12.8.2. Tolling energy. Energy sold from a plant whereby the buyer provides fuel to a generator (seller) and receives power in return for pre-established fees.</p>
	12.9. Bundled Service
	<p>12.9.1. If power is sold at a "delivered price" at a specified point (and transmission and ancillary services are not separately delineated), only the delivered price should be reported on the Electric Quarterly Report as the price of power. (<i>Source</i>: Notice of October 21, 2002, Paragraph 24a.)</p> <p>12.9.2. If the power is purchased at one location and, as part of the sale, it is transmitted to another location, the transmission and any other related charges should be reported separately for market-based prices. For grandfathered cost-based rates bundled with transmission, a product name will be added ("grandfathered bundled") that identifies the transaction as a grandfathered rate. Grandfathered services are those that provided for bundled transmission, ancillary and energy prior to the effectiveness of Order No. 888's OATTs. For Grandfathered transactions, report the Commission-approved bundled rate without separating the rate into transmission and energy components. (<i>Source</i>: Notice of October 21, 2002, Paragraph 24b.)</p> <p>12.9.3. The Electric Quarterly Report has a column for the transmission component of energy sales. However, many different services in addition to transmission are associated with energy sales (ancillary services most common). The Commission needs to understand the derivation of the total commodity price. To the extent that there are services delineated in the contract that are part of the total sale, they should be listed on separate lines and priced separately (other than the exception detailed above for Grandfathered rates). (<i>Source</i>: Notice of October 21, 2002, Paragraph 24c.)</p>
	12.10. Ancillary Services
	12.10.1. Ancillary services are reported if they are part of a power sale; they need not be reported if they are associated with a transmission sale.

	<p>12.10.2. [A]ncillary service transaction data associated with transmission need not be reported when the transmission services are provided on an unbundled basis. (<i>Source</i>: Final Rule, Paragraph 271.)</p> <p>12.10.3. [A]ncillary service transaction data associated with power sales are – required to be filed – and the requirement to file these data is retained in this rule. (<i>Source</i>: Final Rule, Paragraph 272.)</p> <p>12.10.4. Reactive power will be reported as an ancillary service. If reactive power is rendered, required contract data summarizing the terms and conditions applicable to this service should be provided. (<i>Source</i>: Final Rule, Paragraph 266.)</p>
	12.11. Power Sales in Cleared or Uncleared Transactions
	12.11.1. [P]ower sales in cleared or uncleared Transactions under contracts that provide for physical delivery of the power must be reported in the Electric Quarterly Reports filed by the public utilities that make these sales. ( <i>Source</i> : Order No. 2001-F, Paragraph 2.)
	12.12. Qualifying Facility (QF)Energy Transactions
	12.12.1. In general, QF energy transactions are not reportable, as they have "exempt" status. However, some utilities with a QF exemption have a Part 35 tariff on file with the Commission, in which case transactions under that tariff are reportable. ( <i>Source</i> : Notice of October 21, 2002, Paragraph 28.)
	12.12.2. Specifically, QFs that have market-based rate authority have Part 35 tariffs on file with the Commission and must file an EQR. However, contracts and transactions undertaken while a QF do not have to be included in the filing.
	12.12.3. A QF is subject to the reporting requirements of Section 205 of the FPA, including having to file the EQR, if it (a) is between 30MW and 80MW, (b) is not geothermal or a cogenerator (c) filed for certification after 12/31/94 or (d) begun after 12/31/99.
	12.13. Marketing Fees
	12.13.1. Marketing fees (the fee a marketer charges the utility with a tariff for marketing the energy) should not be included in the Electric Quarterly Report if they are included in the price of the energy. However, if the marketing fee is assessed separately to the buyer in addition to the price of the energy, the fee should be broken out and shown on a separate line. ( <i>Source</i> : Notice of October 21, 2002, Paragraph 29.)
13. Records Retention	Contracts must be retained and be available upon request.

	<p>13.1. The existing requirements for public utilities to retain copies of their contracts and other data are unchanged by this rule. (<i>Source</i>: Final Rule, Paragraph 244.)</p> <p>13.2. Contracts are to be retained for the later of 4 years after they expire, or until all proceedings or disputes are concluded. (<i>Source</i>: 18 CFR 125.3.)</p>
<p>14. Request for Waiver</p>	<p>Any utility may request a waiver of the obligation to file the EQR. Approvals will be considered for those companies meeting specific criteria.</p>
	<p>14.1. While we do not foresee that the rule will have a significant economic impact on a substantial number of small entities, as most entities subject to the rule would not be small entities within the meaning of the Regulatory Flexibility Act (RFA), we will consider granting waivers in appropriate circumstances. (<i>Source</i>: Final Rule, Paragraph 362.)</p> <p>14.2. Order No. 2001 provided for the availability of waivers where appropriate for small entities. The applicants are small, non-profit cooperatives primarily engaged in providing distribution services to retail customers. [The Commission found] under the circumstances presented that waiver is appropriate because: (1) each applicant is a small entity within the meaning of the RFA and has qualified for a waiver under Order Nos. 888 and 889, serves a load of 45 MW or less, and has four or fewer employees engaged in accounting, billing, and regulatory activities; (2) none makes, or has authority to make, wholesale power sales at market-based rates; (3) each applicant makes all of its sales under a small number of cost-based rate agreements (four or fewer) that are all on file with the Commission; (4) each is obligated to file for Commission approval any new contracts or revisions to its existing contracts; and (5) each applicant's transmission system is essentially radial in nature and primarily used for distribution to its member-owners. (<i>Source</i>: Docket No. RM01-8-000, Order Granting Requests for Waiver of Order No. 2001 Filing Requirements, November 1, 2002, Paragraph 9.)</p>
<p>15. Request for Extension</p>	<p>Any utility may request an extension to file the EQR using either mail, delivery services or eFiling. It must be received by FERC prior to the EQR filing deadline and be identified by docket number ER02-2001-000. Approvals will be considered for those companies meeting those criteria.</p>
	<p>15.1. If a public utility fails to file a Electric Quarterly Report (without an appropriate request for extension), or fails to report an agreement in a report, that public utility may forfeit its market-based rate authority and may be required to file a new application for market-based rate authority if it wishes to resume making sales at market-based rates. (<i>Source</i>: Final Rule, Paragraph 222.)</p> <p>15.2. Official communications to FERC on a specific EQR extension must be: Sent to the Secretary, FERC, 888 First Street, NE, Washington, DC 20426; Filed using either mail or delivery services; Received by FERC prior to the EQR</p>

	<p>filing deadline; and Identified by docket number ER02-2001-000. Prepare a letter of request for extension including the current date, the docket number, the name of the company requesting an extension, a contact name and telephone number, the specific reason for the extension, and the proposed date by which the company will submit the EQR. (<i>Source:</i> EQR - Questions and Answers, EQR website, <a href="http://www.ferc.gov/docs-filing/eqr/news-help/quest-ans/gen-fil-reqs.asp">http://www.ferc.gov/docs-filing/eqr/news-help/quest-ans/gen-fil-reqs.asp</a>.)</p> <p>15.3. File a request for extension (a Procedural Motion) by using eFiling. <a href="http://www.ferc.gov/docs-filing/efiling.asp">http://www.ferc.gov/docs-filing/efiling.asp</a> eFiling procedures can be found at: <a href="http://www.ferc.gov/docs-filing/efiling/user-guide.asp">http://www.ferc.gov/docs-filing/efiling/user-guide.asp</a>.</p> <p>15.4. Electric Quarterly Reports must be filed using the EQR submission software. See Authority section above. eFiling is not used for submission of the EQR.</p>
<p>Section II</p>	<p>EQR Data Elements</p>
<p>16. Filer Information - General</p>	<p>The holder of a valid tariff authorizing wholesale power sales must, at a minimum, complete and submit the EQR Filer Identification Data portion every quarter, even if there were no sales.</p> <p>The Filer Identification Data is used by FERC to contact EQR filers for a variety of official purposes including: changes in software; problems with or questions about data submitted; notification of policy updates and User Group meetings; and distribution of EQR Summary Reports.</p> <p>For specific preparation and submission procedures see the EQR Users Guide.</p>
	<p>16.1. The agent is the party that physically makes the filing. (<i>Source:</i> Notice of October 21, 2002, Paragraph 8a.)</p> <p>16.2. The respondent is the company taking responsibility for making the filing. In many cases, the filing is on behalf of a single seller, and the respondent and seller are the same. Other possibilities include a parent company making the filing for subsidiary companies listed as sellers, a service company making a filing on behalf of affiliated sellers, or an RTO/ISO making a filing on behalf of its member utilities. (<i>Source:</i> Notice of October 21, 2002, Paragraph 8b.)</p> <p>16.3. Sellers are public utilities that have tariffs and/or rate schedules on file at FERC. (<i>Source:</i> Notice of October 21, 2002, Paragraph 8c.)</p> <p>16.4. To identify the respondent, seller and customer, use of the unique Data Universal Numbering System (D-U-N-S) Number assigned by the Dunn &amp; Bradstreet Corporation is a mandatory field. The DUNS number is optional for identifying the filing agent. (<i>Source:</i> Order Issuing Instruction Manual,</p>

	<p>Attachment.)</p> <p>16.5. Contact name and address information is mandatory for the respondent, but may also be entered for the agent and/or seller.</p> <p>16.6. The contact title is optional and not required for respondent, seller or agent.</p> <p>16.7. The filing quarter is the calendar year and quarter for which the EQR is being submitted.</p>
17. Contract and Contract Product Information	<p>Effective contracts must be reported on the EQR. Contracts that became effective before April of 2002 and have not been terminated must be reported on the EQR.</p> <p>A contract product is a commodity or service offered for sale by the company. Every contract has one or more contract products.</p>
	<p>17.1. The Seller Company Name must be the same as the name on the applicable FERC Tariff. It must match the Seller Company Name in the ID Data and Transactions portions of the EQR.</p> <p>17.2. The Customer Company Name is the potential buyer/purchaser of the contract products, commodities and services. The Customer Company Name must be listed exactly as it is in the Transactions portion of the EQR.</p> <p>17.3. Customer DUNS number is a required field, as stated in the final rule. Filings that are missing DUNS numbers are incomplete. (<i>Source:</i> Notice of October 21, 2002, Paragraph 10.)</p>
	17.4. Contract Affiliate
	<p>17.4.1. An affiliate is a Customer that “controls, is controlled by or is under common control with the Seller.” (<i>Source:</i> 18 CFR 358.3.)</p> <p>17.4.2. If the Seller and Customer are owned by the same parent company or are related in any way, the answer to the Contract Affiliate question must be Y for Yes.</p>
	<p>17.5. The FERC Tariff Reference is the authority applied for and granted to a Seller which specifies terms and conditions under which the Seller can make power sales. The designation can be found on the authorization sent in writing to the Seller. An example is: FERC Electric Rate Schedule No. 1. The FERC tariff reference is <u>not</u> a Docket Number.</p> <p>17.6. Contract Service Agreement ID is a unique designation for each service agreement. It may be the number assigned by FERC for those service agreements that have been filed and approved by the Commission, or it can be an internal numbering system. The filer must be able to readily identify and produce a contract</p>

	<p>based on the Contract Service Agreement ID. (<i>Source: Notice of October 21, 2002, Paragraph 12.</i>)</p> <p>17.7. The Contract Execution Date is the date that the contract was signed or agreed to by the Seller and the Customer.</p> <p>17.8. The Contract Commencement Date is the date the contract became effective; the date that sales under the contract began.</p> <p>17.9. The Contract Termination date is a projected date, specified in the contract, on which the contract is to end. If the contract is silent on the matter, leave the field blank.</p> <p>17.10. Actual Termination Date is the date the contract actually terminates. This could be the contract termination date, or any other date the parties agree to. This date will only be filled out after the contract has been terminated. (<i>Source: Notice of October 21, 2002, Paragraph 14d.</i>)</p> <p>17.11. The Extension Provision is a descriptor specified in the contract. If the contract is silent on the matter, enter the term NONE in this required field.</p>
	17.12. Class Name. See the Users Guide for a list of valid values.
	17.13. Term Name
	<p>17.13.1. Power sales contracts with a duration greater than one year are Long-Term. Power sales contracts with a duration of one year or less are Short Term.</p> <p>17.13.2. Transmission contracts with a duration of one year or greater are Long-Term. Transmission contracts of less than one year are Short-Term.</p> <p>17.13.3. See the Users Guide for a list of valid values.</p>
	17.14. Increment Name. See the Users Guide for a list of valid values.
	17.15. Increment Peaking Name
	<p>17.15.1. Increment Peaking Names are defined regionally. Use the definition of Peak/Off-peak periods appropriate to the region where the contract product is sold.</p> <p>17.15.2. See the Users Guide for a list of valid values.</p>
	17.16. Product Name



	<p>17.16.1. A description of the commodity or service available for sale, or being sold, a type of service or standard agreement.</p> <p>17.16.2. If a contract includes multiple products, each has to be reported separately.</p> <p>17.16.3. Booked out power is not reported as a product in the Contracts portion of the EQR.</p> <p>17.16.4. See the Users Guide for a list of valid values.</p>
	<p>17.17. Quantity. See the Users Guide for a list of valid values.</p> <p>17.18. Units. See the Users Guide for a list of valid values.</p>
	17.19. Rate, Rate Minimum, Rate Maximum, and Rate Description
	<p>17.19.1. As a regulatory requirement, every piece of information about the rate that is specified in the contract must be provided to FERC. If the contract is silent about rate specifics and the rate is market-based, enter the term Market-Based in the Rate Description field. If the contract is market-based, but a rate (or rates) has been negotiated (e.g., an index price), that rate must be entered in the Contracts Products Rate field.</p> <p>17.19.2. At least one of the four rate fields (rate, rate minimum, rate maximum, rate description) must be filled out. For example, most market-based rates should state "Market-Based Rate" in the Rate Description Field. If the service does not have a rate, NA should be entered in the rate description field. (<i>Source:</i> Docket No. RM01-8, Notice of Revised Public Utility Filing Requirements, October 21, 2002, Paragraph 15.)</p>
	17.20. Rate Units
	<p>17.20.1. Rate Units should match product names. For example, \$/MW or \$/KW cannot be used with Energy or Booked Out Power. \$/MWh or \$/KWh cannot be used with Capacity.</p> <p>17.20.2. See the Users Guide for a list of valid values.</p>
	17.21. Point of Receipt Control Area, Point of Receipt Specific Location, Point of Delivery Control Area and Point of Delivery Specific Location
	<p>17.21.1. Point_of_receipt_control_area and point_of_receipt_specific_loc will be used for contract data only. (<i>Source:</i> Final Rule, Paragraph 354.)</p> <p>17.21.2. Points of Delivery (PODs) will be reported at the level of detail specified</p>

	<p>in the agreement. (<i>Source</i>: Final Rule, Paragraph 79.)</p> <p>17.21.3. Beginning with the 2004 first quarter filing (due April 30, 2004), EQR filers shall use the registered control area abbreviations used in OASIS Data Applications in the Control Area fields (PORCA and PODCA) for both contracts and transactions. ... The list is kept current as part of the Transmission Services Information Network (TSIN) by the North American Electric Reliability Council (NERC.) The TSIN list of Control Area abbreviations was deemed by the EQR Users Group members as the best source of information. It is available on the TSIN web site at <a href="http://www.nerc.net/tsin/registry/Active/CA_Registry.csv">http://www.nerc.net/tsin/registry/Active/CA_Registry.csv</a>. A link to that web site will be included on the EQR web page to ensure that EQR filers have easy access to the latest information. (<i>Source</i>: Order 2001-E, Paragraph 4.)</p> <p>17.21.4. If there is receipt or delivery location information in the contract, the PODCA and PORCA data in the contracts portion of the EQR must be consistent with the NERC standard Control Area abbreviations. For deliveries and receipts to multiple locations, multiple PODCA and PORCA entries may be used. If a contract does not have locational information, the location fields may be left blank. (<i>Source</i>: Order 2001-E, Paragraph 5.)</p> <p>17.21.5. [A]s North American Electric Reliability Council recognizes new control areas, the list of allowable control area names will be modified to reflect the changes. (<i>Source</i>: Docket Nos. RM01-8-005 and ER02-2001-000, Order Providing for Future Changes to Electric Quarterly Report Filing Requirements, March 25, 2004, Paragraph 2.)</p> <p>17.21.6. While the software does not require the PODCA, PODSL, PORCA and PORSL fields to be filled out in the contracts section, if that information is contained in the contract it is required to be entered per Order 2001. (<i>Source</i>: Implementation Guidelines for Order 2001-E.)</p> <p>17.21.7. [I]f the power sale takes place at a standard trading hub, the word “Hub” should be entered in the PODCA field, and the particular hub name (using our standardized spellings in the list attached as Appendix B) should be entered in the PODSL field. (<i>Source</i>: Implementation Guidelines for Order 2001-E.)</p> <p>17.21.8. It is not our intent to have every sale in certain control areas be called Hub sales – just sales that truly are Hub sales. Hub sales are frequently done through brokers or on exchanges, and are often booked out. Hub names are to be used only when a sale occurs at a designated hub location, and should not be used instead of specific PODCA/PODSL locations when that information is available. For example, a delivery to Commonwealth Edison that is not sold on an “Into Comed” basis should use the “CE” PODCA and the appropriate PODSL, if available (not “Hub” and “Comed (into)”). (<i>Source</i>: Implementation Guidelines for Order 2001-E.)</p>
	<p>17.22. Begin Date and End Date</p>

	<p>17.22.1. Begin and End Dates apply to contract products, rather than the whole contract, and are to be used when there are multiple time frames addressed in the contract. If all products listed in the contract begin and end on the same dates as the contract does, there is no need to list dates in these Begin and End Date fields. Therefore, in most cases, these fields will be left blank. An example of when and how these fields should be used is this: in a five-year power sales contract with a different quantity and price specified for each year, the product (power) would be listed on five lines. Each listing would have a unique begin and end date and the price assigned for each year would be listed on the appropriate line. Another example is a transmission contract with several ancillary services. The transmission service and each of the ancillary services could have different begin and end dates. (<i>Source:</i> Notice of October 21, 2002, Paragraph 14e.)</p> <p>17.22.2. The Begin and End dates are not simply a duplication of the Contract Commencement, Execution or Termination dates.</p>
	<p>17.23. The Time Zone in which the sales will be made. Include the information if it is in the contract. Otherwise enter NA.</p>
<p>18. Transaction Information</p>	<p>Transaction data should be filed for all power sales pursuant to Part 35 tariffs on file with the Commission. This includes cost-based and market-based rate sales. (<i>Source:</i> Notice of October 21, 2002, Paragraph 17.)</p> <p>Pure transmission transactions unrelated to any power sale are not required to be filed, unless they are merchant transmission negotiated rate transactions. Transmission transactions related to power sales must be reported.</p> <p>Resales of transmission are not required to be reported.</p>
	<p>18.1. The Seller Company Name must be exactly as listed on the Filer and Contract templates. (<i>Source:</i> Notice of October 21, 2002, Paragraph 18.)</p> <p>18.2. The Customer Company Name is the buyer/purchaser of the contract products, commodities and services. The customer company name must be listed exactly as it is in the Contract portions of the EQR. (<i>Source:</i> Notice of October 21, 2002, Paragraph 19.)</p> <p>18.3. The Customer DUNS number must be reported. In the rate instance of a customer entity that does not have a DUNS number, a zero can be entered.</p> <p>18.4. The FERC Tariff Reference is the authority applied for and granted to the Seller to make sales. The designation can be found on the authorization sent in writing to the Seller. The entry must be listed exactly as entered in the Contracts portion of the EQR. The FERC tariff reference is <u>not</u> a Docket Number.</p>

	<p>18.5. The Contract Service Agreement ID is designated by the utility or may have been assigned by FERC. The entry must be listed exactly as entered in the Contracts portion of the EQR.</p> <p>18.6. The Transaction Unique Identifier is a company selected designation that relates multiple rows of data to a single transaction. For example, if a single transaction included capacity and energy, the Transaction Unique Identifier would be same for both lines of data.</p> <p>18.7. The Transaction Begin Date must be prior to the end of the reporting quarter and no earlier than the beginning of the reporting quarter. (<i>Source:</i> Order 2001-A, Paragraph 9.)</p> <p>18.8. The Transaction End Date and time must be after the beginning of the reporting quarter and no later than the end of the reporting quarter. The Transaction End Date and time must be later than the transaction begin date and time.</p> <p>18.9. The Time Zone reported is relative to the area in which the transaction took place. If the transaction involves more than one time zone, use the time zone that relates to the time listed for the transaction.</p>
	<p>18.10. Point of Delivery Control Area (PODCA) and Point of Delivery Specific Location (PODSL) relate to the location where title to the power transfers (or would have transferred in the case of Booked Out Power).</p>
	<p>18.10.1. The NERC Control Area or specific location at which a power sale takes place.</p> <p>18.10.2. If the term HUB is used in the PODCA, you must use a valid value in the PODSL field. If a NERC Control Area was used in the PODCA, the PODSL is a free form text field.</p> <p>18.10.3. Beginning with the 2004 first quarter filing (due April 30, 2004), EQR filers shall use the registered control area abbreviations used in OASIS Data Applications in the Control Area fields (PORCA and PODCA) for both contracts and transactions. A copy of these Control Area names and their registered abbreviations list is attached as Appendix A (to Order No. 2001-E.) The list is kept current as part of the Transmission Services Information Network (TSIN) by the North American Electric Reliability Council (NERC.) The TSIN list of Control Area abbreviations was deemed by the EQR Users Group members as the best source of information. It is available on the TSIN web site at <a href="http://www.nerc.net/tsin/registry/Active/CA_Registry.csv">http://www.nerc.net/tsin/registry/Active/CA_Registry.csv</a>. A link to that web site will be included on the EQR web page to ensure that EQR filers have easy access to the latest information. (<i>Source:</i> Order 2001-E, Paragraph 4.)</p> <p>18.10.4. Under the May 31, 2002 order, filers are required to file PODCA and/or</p>

	<p>PODSL in their Transaction data, but not necessarily both. In future filings, beginning with the 2004 first quarter filing, the Commission will require that the PODCA field be completed for the transaction portion of the report. Where there is specific delivery point information available, that information should be entered into the PODSL field. (<i>Source: Order 2001-E, Paragraph 6.</i>)</p> <p>18.10.5. The values to be allowed for both contracts and transactions in the Point of Delivery Control Area (PODCA) and Point of Delivery Specific Location (PODSL) fields...were detailed in attachments to Order No. 2001-E. However, as North American Electric Reliability Council recognizes new control areas, the list of allowable control area names will be modified to reflect the changes. (<i>Source: Docket Nos. RM01-8-005 and ER02-2001-000, Order Providing for Future Changes to Electric Quarterly Report Filing Requirements, March 25, 2004, Paragraph 2.</i>)</p> <p>18.10.6. [W]ith Order 2001-E, the PODCA field describing transactions has become a required field. (<i>Source: Implementation Guidelines for Order 2001-E.</i>)</p> <p>18.10.7 PODSL data is required in the Transactions section if it is available, and we are not aware of a situation where it wouldn't be available. (<i>Source: Implementation Guidelines for Order 2001-E.</i>)</p> <p>18.10.8. If the power sale takes place at a standard trading hub, the word "Hub" should be entered in the PODCA field, and the particular hub name (using our standardized spellings in the list attached as Appendix B (to Order No. 2001-E)) should be entered in the PODSL field. ... Some confusion has been expressed about the definition of the word "Hub," and if, in fact, the values shown as Trading Hubs in Order 2001-E are true hubs. The definition we are working with is: a standardized location where power sales are made. The hub names in the list were taken from ICE <i>10x</i> and <i>Megawatt Daily</i> indexes. ... Hub names are to be used only when a sale occurs at a designated hub location, and should not be used instead of specific PODCA/PODSL locations when that information is available. For example, a delivery to Commonwealth Edison that is not sold on an "Into Comed" basis should use the "CE" PODCA and the appropriate PODSL, if available (not "Hub" and "Comed (into).) ... A few of the hub names are rather lengthy. If sales are entered manually into the software, the entire name will appear for selection in a dropdown list. For those importing data, we are allowing some flexibility. For instance, for the Mid-Columbia (Mid-C) hub, users can put Mid-Columbia, Mid-C, or Mid-Columbia (Mid-C) in their data import, and the software will "force" (translate) Mid-C to appear. The list attached as Appendix C (to Order No. 2001-E) includes values that are acceptable as synonyms for the specific hub names listed in the order. (<i>Source: Implementation Guidelines for Order 2001-E.</i>)</p> <p>18.10.9. See the Users Guide for a list of valid values.</p>
	<p>18.11. Class Name</p>

	<p>18.11.1. Class Name designates whether the Product was provided on a Firm or Non-Firm basis. It may further define a transaction as a Billing Adjustment or a Unit Power Sale as described below.</p> <p>18.11.2. [T]he Commission is requiring that any additions or changes to an EQR filing must be made by the end of the following quarter, at which time, the public utility is expected to file the best available new data. Thereafter, the utility shall file only material changes, either as a full refiling or as a transaction with the class name “Billing Adjustment.” (Source: Order 2001-E, Paragraph 9.)</p> <p>18.11.3. The billing adjustment data must be entered in the quarter in which the transaction originally occurred.</p> <p>18.11.4. A prior period Billing Adjustment cannot be detailed in a current quarter because the date ranges will not work. By making adjustments to the applicable quarter, FERC’s EQR database will more accurately reflect power sales amounts and prices during the proper period.</p> <p>18.11.5. Unit Power Sale is a Class Name, not a Product Name because the products being sold are energy and capacity.</p> <p>18.11.6. See the Users Guide for a list of valid values.</p>
	18.12. Term Name.
	<p>18.12.1. Power sales transactions with a duration greater than one year are Long-Term. Power sales transactions with a duration of one year or less are Short Term.</p> <p>18.12.2. See the Users Guide for a list of valid values.</p>
	18.13. Increment Name.
	<p>18.13.1. Increment Name should reflect the duration of the underlying commitment for which the transaction occurs. If the Seller can choose which hour to sell power, the Increment Name will be “H.” If the Seller has committed to sell power over a number of hours for a coming day, the Increment Name is “D.”</p> <p>18.13.2. See the Users Guide for a list of valid values.</p>
	18.14. Increment Peaking Name.
	<p>18.14.1. Increment Peaking Names are defined regionally. Use the definition of Peak/Off-peak periods appropriate to the region where the contract product is sold.</p> <p>18.14.2. See the Users Guide for a list of valid values.</p>

	18.15. Product Name
	<p>18.15.1. A description of the power commodity or service sold.</p> <p>18.15.2. Since a transaction can be composed of numerous transaction products (power, ancillary services, etc.), each transaction is given a unique Transaction Identifier (TR1, TR2, TR3, etc..) Each transaction product should be listed separately on its own line with the unique specifications detailed. All transaction products sold under a single transaction should have the same Transaction Identifier as the rest of the transaction components. (<i>Source: Order Issuing Instruction Manual, Attachment.</i>)</p> <p>18.15.3. See the Users Guide for a list of valid values.</p>
	18.16. Transaction Quantity. The quantity of the product in [a] transaction. This could be a whole number or it could include decimals. ( <i>Source: Final Rule, Attachment C.</i> )
	18.17. Price or Rate
	<p>18.17.1. The Commission concludes that the reporting requirements adopted in this final rule are consistent with public utilities' filing obligations under FPA section 205(c.) These requirements will provide transparency of prices and other information for both market-based and cost-based transactions. (<i>Source: Final Rule, Paragraph 44.</i>)</p> <p>18.17.2. [W]e conclude that the transparent price data required by section 205 (c) and as reflected in this rule will better help the Commission in monitoring the reasonableness of prices and undue discrimination in the marketplace and also assist the public in filing complaints. (<i>Source: Final Rule, Paragraph 46.</i>)</p> <p>18.17.3. Public Utilities Will Report Actual Prices for All Transactions, Including Those Lasting Less than One Day. (<i>Source: Final Rule, Paragraph 254.</i>)</p> <p>18.17.4. When a transaction price changes during a sale, a new row of data reflecting that change must be reported in the EQR.</p> <p>18.17.5. Transaction prices are actual and are not averaged.</p> <p>18.17.6. Rate design: Many services do not have one-part commodity rates/prices for energy sales. Utilities should use different lines for listing the different components of the rate/price (such as reservation fee, commodity price, etc.) in the Contract and Transaction Templates. (<i>Source: Notice of October 21, 2002, Paragraph 25.</i>)</p>

	<p>18.17.7. The software allows up to four digits to the right of the decimal point. If a rate/KWH has more decimal places, convert the price to cents/KWH or \$/MWH rate units to allow more digits.</p> <p>18.17.8. [The Commission] directed information about wholesale power sales to be made on a disaggregated basis. (<i>Source</i>: Final Rule, Paragraph 294).</p>
	18.18. Rate Units
	<p>18.18.1. Rate Units should match product names. For example, \$/MW or \$/KW cannot be used with Energy or Booked Out Power. \$/MWh or \$/KWh cannot be used with Capacity.</p> <p>18.18.2. See the Users Guide for a list of valid values.</p>
	18.19. Total Transmission Charge
	<p>18.19.1. Report any transmission charge related to the sale of power.</p> <p>18.19.2. Pure transmission sales are not reported with the exception of merchant transmission sales required by the Commission to be reported quarterly.</p>
	18.20. Transaction Charge
	<p>18.20.1. The dollars and cents total of a transaction row.</p> <p>18.20.2. The Transaction Charge is the price times the quantity plus any applicable power related transmission charge.</p> <p>18.20.3. Every row of a transaction must result in a total. Do not repeat a grand total on each row of a multi-row transaction.</p>

DOCUMENTS REVIEWED:

1. 99 FERC 61,107 -- Docket No. RM01-8-000 – Order No. 2001, Final Rule, Revised Public Utility Filing Requirements (April 25, 2002). Final Rule.
2. 99 FERC 61,238 -- Docket No. RM01-8-000 – Order Issuing Instruction Manual for Public Utilities to Use to File their Electric Quarterly Reports (May 31, 2002)
2. Docket No. RM01-8-000 -- Errata Notice (June 14, 2002)
3. 100 FERC 61,074 -- Docket No. RM01-8-001 – Order 2001-A, Order Denying Requests for Rehearing, Requests for Stay and Request for Extension, and Providing Clarification, (July 18, 2002)
4. 100 FERC 61,342 -- Docket No. RM-8-001 and RM01-8-002 – Order 2001-B, Order on Motion to Vacate and Request for Rehearing of Errata Notice and Motion for Reconsideration and Request for Clarification of Order No. 2001 (September 26, 2002)



5. 101 FERC 61,067 -- Docket No. RM01-8-000 – Notice, Revised Public Utility Filing Requirements (October 21, 2002)
6. 101 FERC 61,146 -- Docket No. RM01-8-000 – Order Granting Requests for Waiver of Order No. 2001 Filing Requirements (November 1, 2002)
7. 106 FERC 61,314 -- Docket No. RM01-8-003 – Order 2001-C, Order Directing Filing of Conforming Contracts Currently on File in Tariffs and Providing Details on Accessing the Software to be Used for Electric Quarterly Reports to be Filed on or Before January 31, 2003 and Thereafter (December 19, 2002.)
8. 67 FR 79077 -- Docket No. RM01-8-000 -- Notice Providing Detail on Electric Quarterly Reports Software Availability and Announcing Schedule for Software Demonstrations (December 20, 2002)
9. 102 FERC 61,334 -- Docket No. RM01-8-003 and Docket No. ER02-2001-000 – Order No. 2001-D, Order Directing the Review and Refiling (If Necessary) of Fourth Quarter 2002 Electric Quarterly Reports (March 28, 2003)
10. 105 FERC 61,352 -- Docket Nos. RM01-8-000 and ER02-2001-000 – Order No. 2001-E, Order Refining Electric Quarterly Report Filing Requirements (December 23, 2003)
11. 106 FERC 61,060 -- Docket No. RM01-8-004, Order No. 2001-F, Order Granting in Part and Denying in Part Request for Clarification of Order No. 2001 (January 28, 2004)
12. 106 FERC 61,281 -- Docket Nos. RM01-8-005 and ER02-2001-000 – Order Providing for Future Changes to Electric Quarterly Report Filing Requirements (March 25, 2004)
13. EQR webpage Filing News & Help, Order No. 2001-E Implementation Guidelines for Quarter 1, 2004 EQR Filings and Beyond (March 26, 2004)
14. Electric Quarterly Report Users Guide
15. US Court of Appeals for the Ninth Circuit, No. 02-73093, No. FERC-EL02-71-000, Filed September 9, 2004