

124 FERC ¶ 61,244
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Sudeen G. Kelly, Marc Spitzer,
Philip D. Moeller, and Jon Wellinghoff.

Revised Public Utility Filing Requirements
for Electric Quarterly Reports

Docket No. RM01-8-011

NOTICE PROVIDING GUIDANCE ON THE FILING OF INFORMATION ON
TRANSMISSION CAPACITY REASSIGNMENTS IN ELECTRIC QUARTERLY
REPORTS

(September 18, 2008)

1. In this notice, the Commission provides public utilities filing Electric Quarterly Reports (EQRs) with guidance on reporting in their EQRs the transmission capacity reassignment agreements they have entered and the transactions they have made during the reporting period pursuant to those agreements. This guidance is necessitated by the new requirements that the Commission established in Order No. 890, as clarified in Order Nos. 890-A, and 890-B, regarding the reassignment of transmission capacity.¹ Specifically, in Order Nos. 890, 890-A, and 890-B, the Commission adopted certain reporting conventions so that transmission capacity reassignments could be reported within the existing EQR structure.

¹ *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, 72 Fed. Reg. 12,266 (March 15, 2007), FERC Stats. & Regs. ¶ 31,241 (2007) (Order No. 890), *order on reh'g*, Order No. 890-A, 73 Fed. Reg. 2984 (Jan. 16, 2008), FERC Stats. & Regs. ¶ 31,261 (2007) (Order No. 890-A), *order on reh'g*, Order No. 890-B, 73 Fed. Reg. 39,091 (July 8, 2008), 123 FERC ¶ 61,299 (2008) (Order No. 890-B).

I. Background

A. EQR Guidance

2. On April 25, 2002, the Commission issued Order No. 2001, a final rule establishing revised public utility filing requirements. This rule requires public utilities to electronically file quarterly reports (EQRs) summarizing specified pertinent data about their currently effective contracts (contract data) and data about wholesale power sales they made during the reporting period (transaction data).² The requirement to file EQRs replaced the requirement to file quarterly transaction reports summarizing a utility's market-based rate transactions and sales agreements that conformed to the utility's tariff.

3. In Order No. 2001, the Commission also adopted a new section in its regulations, 18 CFR § 35.10b, which requires that the EQRs are to be prepared in conformance with the Commission's software and guidance posted and available from the Commission website. This obviates the need to revise section 35.10b to implement revisions to the software and guidance. Since the issuance of Order No. 2001, as need has arisen, the Commission has issued orders to resolve questions raised by EQR users and has also directed Staff to issue guidance on how to report certain transactions.³

B. Reporting in EQR of Reassigned Transmission Capacity

4. Sales by transmission providers of reassigned transmission capacity must be made in accordance with the terms and conditions of the transmission provider's Open Access Transmission Tariff (OATT).⁴ In Order No. 890, the Commission determined that a transmission provider must have a transmission capacity reassignment agreement with each assignee receiving capacity.⁵ In addition, the Commission determined that this agreement and the transmission capacity reassignments under it must be reported in the

² *Revised Public Utility Filing Requirements*, Order No. 2001, 67 Fed. Reg. 31,043, FERC Stats. & Regs. ¶ 31,127 (2002), *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074 (2002), *reh'g denied*, Order No. 2001-B, 100 FERC ¶ 61,342 (2002).

³ *Revised Public Utility Filing Requirements*, Order No. 2001-G, 120 FERC ¶ 61,270, at P 3 (2007).

⁴ *See pro forma tariff, section 23, Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities*, Order No. 888-A, 62 Fed. Reg. 12,274, FERC Stats. & Regs., Regulations Preambles July 1996-December 2000 ¶ 31,048 at 30,528 (1997).

⁵ *See* Order No. 890 at P 816

EQR.⁶ In this notice, the Commission provides EQR filers with guidance as to how this information is to be reported in EQR filings.

II. Discussion

A. Overview

5. All transmission capacity reassignments since the effective date of Order No. 890 (May 14, 2007) must be reported according to the guidance provided herein.⁷ To the extent that earlier transmission capacity reassignments have not been reported in accordance with these guidelines or have not been reported at all, the transmission provider must revise and refile its EQRs with all of the required information on or before October 31, 2008.⁸ The guidance provided in this notice shall be posted on the Commission's website at <http://www.ferc.gov/docs-filing/eqr/news-help.asp>. EQR filers with specific questions not answered by this general guidance may e-mail their questions to the Commission's Staff by directing their e-mail to EQR@ferc.gov.

B. Transmission Capacity Reassignment Agreements

6. Transmission providers are required to report their transmission capacity reassignment agreements in their EQR filings. All assignees receiving a transmission capacity reassignment must have a transmission capacity reassignment agreement with the transmission provider.⁹

7. The general definitions of the EQR Data Dictionary will apply to each capacity reassignment agreement. Each will be reported with the new "REASSIGNMENT AGREEMENT" product name (*see* Attachment A, Special Conventions for Reporting Transmission Capacity Reassignment Agreements, below). The Product Type Name (Field 30) will be "CR – Capacity Reassignment" and the Rate Description (Field 37) will be "Transmission reassignment agreement." The required Class Name (Field 26), Term Name (Field 27), Increment Name (Field 28), Increment Peaking Name (Field 29), and Time Zone (Field 45) fields will use "N/A." Fields 32 through 36 and 38 through 44

⁶ The company reassigning the transmission capacity (reseller) does not report the transmission capacity reassignment in its EQR. *Id.* P 817; Order No. 890-A at P 431.

⁷ Order No. 890-B at P 84.

⁸ *Id.*

⁹ This requirement applies equally to agreements for the temporary reassignment of transmission capacity and the full transfer of the rights and obligations of an assignor.

will be left blank. As discussed below, no data in the transaction section of the EQR will be associated with these contracts.

C. Transmission Capacity Reassignments

8. The transmission provider must report all required information regarding all transmission capacity reassignments in its EQR.¹⁰ If, during the term of the transmission capacity assignment, there is a change in quantity or price, the transmission provider must report each set of quantity or prices separately.

9. Because point-to-point transmission agreements cannot be fully reflected in the transaction section of the EQR, unique reporting conventions are necessary to accommodate the Contract Data section for appropriate reporting. The necessary reporting conventions are shown in Attachment B (Special Conventions for Reporting Transmission Capacity Reassignments). If no specific reporting conventions are indicated for particular fields in the attachment, the general reporting requirements associated with the EQR Data Dictionary apply.

10. Transmission providers must provide the identity of the reseller and the assignee for all transmission capacity reassignments.¹¹ The transmission provider is responsible for reporting the terms of the initial transmission capacity reassignment as well as the terms of any subsequent transmission capacity reassignment of the same transmission capacity (each transmission reassignment will be governed by its own agreement). Take, for example, a case where the transmission provider sells point-to-point transmission capacity to Company A for five years. Company A reassigns that transmission capacity to Company B for one month. Company B, in turn, reassigns the same transmission capacity to Company C for one day. In addition to the original sale of transmission capacity to Company A, the transmission provider must report the transmission capacity reassignment agreement and the transmission capacity reassignment with Company B as well as the transmission capacity reassignment agreement and the transmission capacity reassignment with Company C.¹²

11. Both the reseller and assignee will be identified on the Customer Company Name field (No. 16) of the EQR using the Transmission System Information Network (TSIN)

¹⁰ Order 890-A at P 423.

¹¹ Order No. 890-B at P 84.

¹² In other words, the transmission provider will have transmission capacity reassignment agreements with Company B and Company C and will report those agreements as prescribed in paragraph 7, above.

Entity Code for each.¹³ The precise structure of the identification is provided in Attachment B.

12. Because two companies will be identified in the Customer Company Name field and both companies' DUNS numbers may be retrieved using the TSIN Entity Code entered in that field, the Customer DUNS Number entered in Field 17 will be "999999999" for transmission capacity reassignment agreements.

13. The transmission provider must indicate whether or not the reseller is an affiliate of the transmission provider.¹⁴ The affiliation status of the reseller will be reported in the Contract Affiliate field (No. 18).

14. Under a single transmission capacity reassignment agreement between a transmission provider and an assignee, several different transmission capacity reassignments may occur. Each of those reassignments must be reported separately. The FERC Tariff Reference (Field 19), the Contract Service Agreement ID (Field 20), the Contract Execution Date (Field 21), the Commencement Date of Contract Terms (Field 22), the Contract Termination Date (Field 23), the Actual Termination Date (Field 24), and the Extension Provision Description (Field 25) all refer to the transmission capacity reassignment agreement and should be consistent between the transmission capacity reassignment agreement and the transmission capacity reassignments.

15. Each transmission capacity reassignment should be identified as such using the Product Type Name (Field 30) "CR –Capacity Reassignment" and the Product Name (Field 31) "POINT-TO-POINT AGREEMENT."

16. The transmission provider will report the size in quantity and units (Fields 32 and 33) and the rate (Field 34), the receipt and delivery points (balancing authority and specific location), and the begin and end dates and times (Fields 43 and 44) of the transmission capacity reassignment.

17. The rate reported in Field 34 will be the relevant rate paid by the assignee to the transmission provider for services provided in the transmission capacity reassignment.

¹³ TSIN entity codes may be found at <http://reg.tsin.com/query/default.asp>.

¹⁴ Order No. 890-B at P 84.

No rate units need to be entered for this rate because NAESB (North American Energy Standards Board) standards require that the rate be stated in \$/MW-Hours reserved.¹⁵

18. The transmission provider is required to report the rate that would have been charged under the transmission provider's OATT had the secondary customer purchased primary service from the transmission provider for the term of the transmission capacity reassignment.¹⁶ This rate will be reported in the Rate Maximum field (Field 36) and the rate units will be reported in Field 38. If the transmission provider does not offer primary service in a similar time increment (e.g., hourly), it will report the rate for the next highest time increment available (e.g., daily).

19. The guidance provided in this notice shall apply to EQR filings covering the Q2 2007 EQR filing period and to all subsequent EQR filing quarters. As discussed in the body of this notice, all revisions and refilings of EQRs made by transmission providers to comply with the requirement in Order Nos. 890, 890-A, and 890-B to report transmission capacity reassignments and agreements in the EQR, must be filed electronically with the Commission on or before October 31, 2008.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.

¹⁵ *Standards for Business Practices and Communication Protocols for Public Utilities*, Order No. 676-C, 73 Fed. Reg. 43,847 (July, 29, 2008), FERC Stats. & Regs. ¶ 31,274 (2008).

¹⁶ Order No. 890-B at P 84.

Attachment A
Special Conventions for Reporting Transmission Capacity Reassignment
Agreements

Field #	Field	SPECIAL CONVENTIONS	Example
14	Contract Unique ID		C1
15	Seller Company Name	The transmission provider.	Transmission Provider X
16	Customer Company Name	The assignee.	Company D
17	Customer DUNS Number	The assignee's DUNS number.	789261189
18	Contract Affiliate		N
19	FERC Tariff Reference		FERC Rate Schedule No. 30
20	Contract Service Agreement ID	Must match the Contract Service Agreement ID for all transmission capacity reassignments under this contract.	TCR-1
21	Contract Execution Date	Refers to the date of the transmission capacity reassignment agreement between the transmission provider and the assignee.	8/29/1990
22	Contract Commencement Date	Refers to the date of the transmission capacity reassignment agreement between the transmission provider and the assignee.	8/29/1990
23	Contract Termination Date		
24	Actual Termination Date		
25	Extension Provision Description		Evergreen
26	Class Name	N/A	N/A
27	Term Name	N/A	N/A
28	Increment Name	N/A	N/A
29	Increment Peaking Name	N/A	N/A

Field #	Field	SPECIAL CONVENTIONS	Example
30	Product Type Name	CR	CR
31	Product Name	Only transmission capacity reassignment agreements should use the REASSIGNMENT AGREEMENT Product Name.	REASSIGNMENT AGREEMENT
32	Quantity	Blank	
33	Units	Blank	
34	Rate	Blank	
35	Rate Minimum	Blank	
36	Rate Maximum	Blank	
37	Rate Description	Transmission capacity reassignment agreement.	Transmission capacity reassignment agreement
38	Rate Units	Blank	
39	Point of Receipt Balancing Authority(PORBA)	Blank	
40	Point of Receipt Specific Location (PORSL)	Blank	
41	Point of Delivery Balancing Authority(PODBA)	Blank	
42	Point of Delivery Specific Location (PODSL)	Blank	
43	Begin Date	Blank	
44	End Date	Blank	
45	Time Zone	NA	NA

Attachment B**Special Conventions for Reporting Transmission Capacity Reassignments**

Field #	Field	SPECIAL CONVENTIONS	Example
14	Contract Unique ID		C2
15	Seller Company Name	The transmission provider.	Transmission Provider X
16	Customer Company Name	"R:" followed by the TSIN Entity Code for reseller followed by "/A:" followed by TSIN Entity Code for assignee . In the example, Company B reassigns its capacity to Company C. Company C is the party identified in Field 16 of the transmission capacity reassignment agreement.	R:COMC/A:COMD
17	Customer DUNS Number	999999999 designates that two "customers" are identified in this record. This is the only case in which "999999999" will be allowed. DUNS numbers are not required here because two customer companies are listed and both companies' DUNS numbers are available in the TSIN registry.	999999999
18	Contract Affiliate	Affiliation refers to reseller identified in Customer Company Name.	N
19	FERC Tariff Reference	All reassignments under the same transmission capacity reassignment agreement should have the same FERC Tariff Reference.	FERC Rate Schedule No. 30
20	Contract Service Agreement ID	All reassignments under the same transmission capacity reassignment agreement should have the same Contract Service Agreement ID.	TCR-1
21	Contract Execution Date	All transmission capacity reassignments under the same transmission capacity reassignment agreement should have the same Contract Execution Date.	8/29/1990
22	Contract Commencement Date	All reassignments under the same transmission capacity reassignment agreement should have the same Contract Commencement Date.	8/29/1990
23	Contract Termination Date	All transmission capacity reassignments under the same transmission capacity reassignment agreement should have the same Contract Termination Date.	
24	Actual Termination Date	All transmission capacity reassignments under the same reassignment agreement should have the same Actual Termination Date.	

Field #	Field	SPECIAL CONVENTIONS	Example
25	Extension Provision Description	All transmission capacity reassignments under the same transmission capacity reassignment agreement should have the same Extension Provision Description.	Evergreen
26	Class Name		F
27	Term Name		LT
28	Increment Name		N/A
29	Increment Peaking Name		FP
30	Product Type Name	CR	CR
31	Product Name	POINT-TO-POINT AGREEMENT	POINT-TO_POINT AGREEMENT
32	Quantity	Required	50
33	Units	Required	MW
34	Rate	Required: The rate paid by the assignee to the transmission provider. NAESB rules require resale prices to be stated in \$/MW-Hour reserved.	2.50
35	Rate Minimum	Required: Must be blank.	
36	Rate Maximum	Required: The rate that would have been charged under the transmission provider's OATT had the secondary customer purchased primary service from the transmission provider for the term of the transmission capacity reassignment. If the transmission provider does not offer primary service in a similar time increment, it will report the rate for the next highest time increment available.	5.50
37	Rate Description		
38	Rate Units	Required: Rate unit for the rate provided in Field 36.	\$/MW-Day
39	Point of Receipt Balancing Authority(PORBA)	Required	CISO
40	Point of Receipt Specific Location (PORSL)	Required	NP15
41	Point of Delivery Balancing Authority(PODBA)	Required	AZPS

Field #	Field	SPECIAL CONVENTIONS	Example
42	Point of Delivery Specific Location (PODSL)	Required	Substation Q
43	Begin Date	Required. First date/time of the transmission capacity reassignment reported.	200803241100
44	End Date	Required. Last date/time of the transmission capacity reassignment reported.	200803241600
45	Time Zone		PS