
FEDERAL ENERGY REGULATORY COMMISSION



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NEWS RELEASE

NEWS MEDIA CONTACT:

Celeste Miller
(202) 502-8680

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COMMISSION CONTINUES ITS PUSH TO PREVENT MARKET ABUSES AND CREATE GREATER TRANSPARENCY IN ENERGY MARKETS

The Federal Energy Regulatory Commission today moved forward with a series of proposals and rules addressing collection of information on the operating status of generating plants, refining the calculation of available transmission capacity, and streamlining a host of current reporting requirements.

These actions further the Commission's commitment to greater transparency and efficiency in energy markets as well as provide better tools for monitoring the markets to ensure manipulation and market abuses are eliminated.

"These changes in filing requirements are not just a win for customers by promoting greater market transparency, but are good for the energy industry by making sure the Commission's filing requirements are useful and necessary. That's what good government is supposed to be about," said Chairman Pat Wood, III.

In a Notice of Inquiry (RM05-16-000), the Commission is seeking comment on collection, or record retention, of generator run status information from all public utility generators on a confidential basis. The Commission would use this information, which includes operating performance, capability of units, and commitment of generation data, to better oversee the markets and protect against potential withholding of generation or misrepresentation of capacity to influence prices.

The Commission explained that access to this information would allow it to more readily monitor markets for undue discrimination and preference, investigate market abuses, and better evaluate complaints.

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In a second Notice of Inquiry (RM05-017-000), the Commission seeks comment on refining the calculation of Available Transfer Capability (ATC) for transmission service. Currently, ATC is posted on Internet-based Open Access Same Time Information Systems and concerns have been raised by market participants regarding the inconsistency in calculating ATC. Without clear and precise calculation methods, transmission providers may have the ability to control the transmission system to favor their generating affiliates.

The NOI uses the North American Electric Reliability Council's (NERC) Long Term AFC/ATC Task Force Report as a point of reference and requests comment on the report and other issues identified in the NOI.

Comments on the two NOIs are due 60 days after each is published in the Federal Register and may be filed electronically using the eFiling link on the Commission's website.

Also, in a series of orders the Commission acted on six data collection rules to streamline filings, update methodologies or reduce the amount of information submitted to the Commission. These include:

- A notice of proposed rulemaking (RM05-13-000) on the filing of interlocking positions and twenty largest purchasers of electricity information (Form 520 and filing requirements 561 and 566), which proposes to require that the information is filed electronically. Electronic filing will enable the Commission to more easily use this information.
- A final rule (RM05-15-000) addressing the Nuclear Decommissioning Trust Fund reports filed annually by public utilities owning, in whole or part, nuclear power generating plants. The final rule clarifies that public utilities are required to file only summary data concerning sales and purchase transactions, as opposed to the detailed transaction-by-transaction information currently filed with the Commission. However, the draft final rule requires public utilities to continue to maintain internal records of individual transactions, so that the Commission may examine this data when necessary to ensure the prudent management of decommissioning trust funds.
- A final rule (RM05-11-000) addressing filing requirement 523, the Electronic Filing of the Application for Authorization of the Issuance of Securities or the Assumption of Liabilities. The rule requires the electronic filing of this information, thereby eliminating paper filing and allowing more efficient analysis of the data.

- A notice of proposed rulemaking (RM05-12-000) associated with filing requirements 576 and 588, which are natural gas reporting requirements. The rulemaking proposes to require the submission of this information in electronic form and standardizes the filing format. In addition, since the submitted information contains the location and description of energy facilities, the NOPR asks for comment on treating this information as Critical Energy Infrastructure Information (CEII).
- A final rule (RM05-14-000) on the collection of information in Form 73, Oil Pipeline Service Life Data. Staff uses the information in this form for depreciation rate determinations. The rule gives filers the option of using an Excel spreadsheet to file. The intent is to make the information easier to use for analytical purposes.
- A final rule (RM05-18-000) to amend Form 512, which prescribes the contents of an application for a preliminary permit for a hydroelectric project. Applicants are no longer required to file information on the intended market for, and use of, the power to be generated from the project. The rule indicates that this information is needed for the pre-licensing process, not the evaluation of permit applications.