

*Weekly Survey Forms:*

EIA-800: 11,585 hours; EIA-802: 2,519 hours; EIA-803: 1,482 hours; EIA-804: 9,464 hours; EIA-805: 62,400 hours; EIA-809: 7,384 hours;

*Monthly Survey Forms:*

EIA-22M: 5,400 hours; EIA-810: 9,360 hours; EIA-812: 3,360 hours; EIA-813: 4,008 hours; EIA-814: 11,965 hours; EIA-815: 74,390 hours; EIA-816: 5,141 hours; EIA-817: 918 hours; EIA-819: 3,898 hours;

*Annual Survey Forms:*

EIA-820: 288 hours;

Total annual response burden for the Petroleum Supply Reporting System: 213,562 hours;

(8) Annual Estimated Reporting and Recordkeeping Cost Burden: EIA estimates that there are not any additional costs to respondents associated with the surveys other than the costs associated with the burden hours.

**Statutory Authority:** Section 13(b) of the Federal Energy Administration Act of 1974, P.L. 93-275, codified at 15 U.S.C. 772(b), and the DOE Organization Act of 1977, Public Law 95-91, codified at 42 U.S.C. 7101 et seq.

Issued in Washington, DC, November, 20, 2012.

**Stephanie Brown,**

*Director, Office of Survey Development and Statistical Integration, U.S. Energy Information Administration.*

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## DEPARTMENT OF ENERGY

### U.S. Energy Information Administration

#### Proposed Change to Data Protection

**AGENCY:** U.S. Energy Information Administration (EIA), U.S. Department of Energy (DOE).

**ACTION:** Notice and Request for Review and Comment.

**SUMMARY:** This notice pertains to Forms EIA-3, the Quarterly Coal Consumption and Quality Report—Manufacturing and Transformation/Processing Coal Plants and Commercial and Institutional Coal Users; EIA-5, the Quarterly Coal Consumption and Quality Report—Coke Plants; EIA-7A, the Coal Production and Preparation Report—Coal Mines and Preparation Plants; and EIA-8A, the Coal Stocks Report—Traders and Brokers. DOE's proposed changes will release or publish data received from mandatory respondents that is not company identifiable, and does not satisfy the criteria for an exemption under the Freedom of Information Act

or satisfy the requirements of the Trade Secrets Act.

No changes are proposed for the standby surveys Forms: EIA-1, Weekly Coal Monitoring Report—General Industries and Blast Furnaces; EIA-4, Weekly Coal Monitoring Report—Coke Plants; EIA-6Q, Quarterly Coal Report—Coal Producers and Distributors; and EIA-20, Weekly Coal Monitoring Report of Coal Burning Utilities and Independent Power Producers.

Prior to 2011, data reported on Forms EIA-1, EIA-3, EIA-4, EIA-5, EIA-6Q, EIA-8A, and EIA-20 were protected to the extent it satisfied exemption criteria under the Freedom of Information Act and the Trade Secrets Act. Disclosure limitation procedures were applied to all data. The data protection policy for Form EIA-7A was similar except that the name and address of the responding company, the mine or plant type, and location were considered public information.

Effective January, 2011, EIA changed the data protection policy for Forms EIA-3, EIA-5, EIA-7A and EIA-8A from protecting the data as described above, to release all data reported in company identifiable form with the exception of cost data. Cost data are protected and not released in company identifiable form to the extent it satisfies exemption criteria under the Freedom of Information Act and the Trade Secrets Act. Disclosure limitation procedures (suppression methods) are applied to protect against the identifiability of the reported cost data. No changes were made to the pre-2011 protection policy for Forms EIA-1, EIA-4, EIA-6Q, and EIA-20.

The U.S. Energy Information Administration proposes to change and strengthen the data protection provisions on Forms EIA-3, EIA-5, EIA-7A and EIA-8A. Currently, data reported on these forms are not protected except for certain selected cost and revenue data elements. For Forms EIA-3, EIA-5 and EIA-8A, EIA proposes to protect company information reported on these forms from public release in identifiable form to the extent it satisfies exemption criteria under the Freedom of Information Act and the Trade Secrets Act. However, disclosure limitation procedures will not be applied to the State—and regional-level, statistical, and quantity data published from these surveys. Thus, there may be some statistics that are based on data from fewer than three respondents that may affect the identifiability of reported data. Disclosure limitation procedures will be applied to cost data reported on Forms EIA-3 and EIA-5 and revenue data

reported on Forms EIA-7A and EIA-8A. With regards to Form EIA-7A only, the name and address of the responding company, the mine or plant type, and location will continue to be considered public information. These data elements will continue to be released in EIA's public use files and will not be protected from disclosure in identifiable form when releasing statistical aggregate (State-level) information. These data elements are currently released on the EIA Web site in the Form EIA-7A public use file, along with company identifiable MSHA data, which are also not protected. All other information reported on Form EIA-7A will be protected from public release in identifiable form to the extent it satisfies exemption criteria under the Freedom of Information Act and the Trade Secrets Act. All proposed changes to the data protection provisions for Forms EIA-3, EIA-5, EIA-7A and EIA-8A will be retroactive and apply to data reported for calendar years 2011 and 2012. Applying this change retroactively to data reported for 2011 preserves the continuity of certain data series and provides continuity for the main components of EIA's pre-2011 data protection policy.

**DATES:** Comments regarding this collection must be received on or before December 27, 2012. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the EIA-3 Survey Manager at DOE of your intention to make a submission as soon as possible. The Survey Manager may be telephoned at 202-586-8926 or emailed at [tejasvi.raghuveer@eia.gov](mailto:tejasvi.raghuveer@eia.gov).

**ADDRESSES:** Written comments should be sent to: Attn: Tejasvi Raghuveer, EIA-3 Survey Manager, U.S. Energy Information Administration, EI-24, 1000 Independence Avenue SW., Washington, DC 20585.

**SUPPLEMENTARY INFORMATION:**

EIA-3: (1) OMB No. 1905-0167; (2) *Information Collection Request Title:* Quarterly Coal Consumption and Quality Report—Manufacturing and Transformation/Processing Coal Plants and Commercial and Institutional Coal Users; (3) *Type of Request:* Change to respondent-level protection policy and disclosure limitation procedures; (4) *Purpose:* To collect all data elements from Form EIA-3 respondents, to release or publish data that is not company identifiable, and does not satisfy the criteria for an exemption under the Freedom of Information Act or satisfy the requirements of the Trade Secrets Act; (5) *Estimated Number of*

*Respondents Quarterly*: 498; (6) *Estimated Number of Responses Annually*: 1992; (7) *Estimated Number of Burden Hours Annually*: 2490 hours; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden*: \$166,481.40.

*EIA-5*: (1) OMB No. 1905-0167; (2) *Information Collection Request Title*: Quarterly Coal Consumption and Quality Report—Coke Plants; (3) *Type of Request*: Change to respondent-level protection policy and disclosure limitation procedures; (4) *Purpose*: To collect all data elements from Form EIA-5 respondents, to release or publish data that is not company identifiable, and does not satisfy the criteria for an exemption under the Freedom of Information Act or satisfy the requirements of the Trade Secrets Act; (5) *Estimated Number of Respondents Quarterly*: 19; (6) *Estimated Number of Responses Annually*: 76; (7) *Estimated Number of Burden Hours Annually*: 114 hours; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden*: \$7,622.04.

*EIA-7A*: (1) OMB No. 1905-0167; (2) *Information Collection Request Title*: Coal Production and Preparation Plants; (3) *Type of Request*: Change to respondent-level protection policy and disclosure limitation procedures; (4) *Purpose*: To collect all data elements from Form EIA-7A respondents, to release or publish data considered public information (name and address of the responding company, the mine or plant type, and location), and does not satisfy the criteria for an exemption under the Freedom of Information Act or satisfy the requirements of the Trade Secrets Act; (5) *Estimated Number of Respondents Annually*: 1306; (6) *Estimated Number of Responses Annually*: 1306; (7) *Estimated Number of Burden Hours Annually*: 2350.8; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden*: \$157,174.49.

*EIA-8A*: (1) OMB No. 1905-0167; (2) *Information Collection Request Title*: Coal Stocks Report—Traders and Brokers; (3) *Type of Request*: Change to respondent-level protection policy and disclosure limitation procedures; (4) *Purpose*: To collect all data elements from Form EIA-8A respondents, to release or publish data that is not company identifiable, and does not satisfy the criteria for an exemption under the Freedom of Information Act or satisfy the requirements of the Trade Secrets Act; (5) *Estimated Number of Respondents Annually*: 89; (6) *Estimated Number of Responses Annually*: 89; (7) *Estimated Number of*

*Burden Hours Annually*: 89 hours; (8) *Annual Estimated Reporting and Recordkeeping Cost Burden*: \$5,950.54.

**Statutory Authority**: 15 U.S.C. 772(b), Section 13(b) of the Federal Energy Administration Act of 1974 (FEA Act), Pub. L. 93-275.

Issued in Washington, DC, on November 20, 2012.

**Stephanie Brown,**

*Director, Statistics and Methods Group, Energy Information Administration.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC13-1-000]

#### Commission Information Collection Activities (FERC-592); Comment Request; Extension

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

**ACTION**: Notice of information collection and request for comments.

**SUMMARY**: In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, Standards of Conduct for Transmission Provider; and Marketing Affiliates of Interstate Pipelines.

**DATES**: Comments on the collection of information are due January 28, 2013.

**ADDRESSES**: You may submit comments (identified by Docket No. IC13-1-000) by either of the following methods:

- *eFiling at Commission's Web Site*: <http://www.ferc.gov/docs-filing/efiling.asp>.

- *Mail/Hand Delivery/Courier*: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426.

**Instructions**: All submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov/help/submission-guide.asp>. For user assistance contact FERC Online Support by email at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or by phone at: (866) 208-3676 (toll-free), or (202) 502-8659 for TTY.

**Docket**: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <http://www.ferc.gov/docs-filing/docs-filing.asp>.

#### FOR FURTHER INFORMATION CONTACT:

Ellen Brown may be reached by email at [DataClearance@FERC.gov](mailto:DataClearance@FERC.gov), telephone at (202) 502-8663, and fax at (202) 273-0873.

#### SUPPLEMENTARY INFORMATION: Title:

FERC-592, Standards of Conduct for Transmission Providers; and Marketing Affiliates of Interstate Pipelines.

*OMB Control No.*: 1 902-0157.

*Type of Request*: Three-year extension of the FERC-592 information collection requirements with no changes to the current reporting requirements.

*Abstract*: The Commission uses the information maintained and posted by the respondents to monitor the pipeline's transportation, sales, and storage activities for its marketing affiliate to deter undue discrimination by pipeline companies in favor of their marketing affiliates. Non-affiliated shippers and other entities (e.g. state commissions) also use information to determine whether they have been harmed by affiliate preference and to prepare evidence for proceedings following the filing of a complaint.

#### 18 CFR Part 358 (Standards of Conduct)

Respondents maintain and provide the information required by Part 358 on their Internet Web sites. When the Commission requires a pipeline to post information on its Web site following a disclosure of non-public information to its marketing affiliate, non-affiliated shippers obtain comparable access to the non-public transportation information, which allows them to compete with marketing affiliates on a more equal basis.

#### 18 CFR 250.16, and the FERC-592 Log/Format

This form (log/format) provides the electronic formats for maintaining information on discounted transportation transactions and capacity allocation to support monitoring of activities of interstate pipeline marketing affiliates. Commission staff considers discounts given to shippers in litigated rate cases.

Without this information collection:

- The Commission would be unable to effectively monitor whether pipelines are giving discriminatory preference to their marketing affiliates; and

- Non-affiliated shippers and state commissions and others would be unable to determine if they have been harmed by affiliate preference or prepare evidence for proceedings following the filing of a complaint.

*Type of Respondents*: Natural gas pipelines.