

considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* Due to persistent drought conditions, the licensee requests Commission approval of a temporary variance of the minimum flow requirement at streamflow gages YB-316 (Upper Peak Lower Peak and/or Kidd Lake), YB-207 (Lake Creek below Feeley Lake), YB-208 (Carr Lake), and YB-209 (Rucker Creek below Blue Lake). The licensee is requesting to reduce flow at YB-316, to 3 cubic feet per second (cfs) and that flows at YB-207, YB-208 and YB-209 be reduced from license required flows of 0.50 cfs (target), 0.20 cfs (allowable) to proposed flows of 0.50 cfs (target), 0.10 cfs (allowable), measured as a 48-hour average. As requested, the reduced flow releases would prevent dewatering of these reaches. If granted, the variance would last through October 1, 2021, or until adequate precipitation occurs to ensure that inflow equals outflow at the referenced reservoirs for at least seven consecutive days, whichever comes later.

l. *Locations of the Application:* The Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. Agencies may obtain copies of the application directly from the applicant. At this time, the Commission has suspended access to the Commission's Public Reference Room due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll free, (866) 208-3676 or TTY, (202) 502-8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* All filings must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 385.2010.

Dated: July 15, 2021.

**Debbie-Anne A. Reese,**

*Deputy Secretary.*

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**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. AD21-4-000]

#### Billing Procedures for Annual Charges for the Costs of Other Federal Agencies for Administering Part I of the Federal Power Act; Notice Reporting Costs for Other Federal Agencies' Administrative Annual Charges for Fiscal Year 2020

1. The Federal Energy Regulatory Commission (Commission) is required to determine the reasonableness of costs

incurred by other Federal agencies (OFAs)<sup>1</sup> in connection with their participation in the Commission's proceedings under the Federal Power Act (FPA) Part I<sup>2</sup> when those agencies seek to include such costs in the administrative charges licensees must pay to reimburse the United States for the cost of administering Part I.<sup>3</sup> The Commission's *Order on Remand and Acting on Appeals of Annual Charge Bills*<sup>4</sup> determined which costs are eligible to be included in the administrative annual charges. This order also established a process whereby the Commission would annually request each OFA to submit cost data, using a form<sup>5</sup> specifically designed for this purpose. In addition, the order established requirements for detailed cost accounting reports and other documented analyses to explain the cost assumptions contained in the OFAs' submissions.

2. The Commission has completed its review of the forms and supporting documentation submitted by the U.S. Department of the Interior (Interior), the U.S. Department of Agriculture (Agriculture), and the U.S. Department of Commerce (Commerce) for fiscal year (FY) 2020. This notice reports the costs the Commission included in its administrative annual charges for FY 2021.

#### Scope of Eligible Costs

3. The basis for eligible costs that should be included in the OFAs' administrative annual charges is prescribed by the Office of Management and Budget's (OMB) Circular A-25—*User Charges* and the Federal Accounting Standards Advisory Board's Statement of Federal Financial Accounting Standards (SFFAS) Number 4—*Managerial Cost Accounting Concepts and Standards for the Federal Government*. Circular A-25 establishes Federal policy regarding fees assessed for government services and provides specific information on the scope and type of activities subject to user charges.

<sup>1</sup> The OFAs include: The U.S. Department of the Interior (Bureau of Indian Affairs, Bureau of Land Management, Bureau of Reclamation, National Park Service, U.S. Fish and Wildlife Service, Office of the Solicitor, Office of Environmental Policy & Compliance, Office of Hearings and Appeals, and Office of Policy Analysis); the U.S. Department of Agriculture (U.S. Forest Service); the U.S. Department of Commerce (National Marine Fisheries Service); and the U.S. Army Corps of Engineers.

<sup>2</sup> 16 U.S.C. 791a-823d (2018).

<sup>3</sup> See *id.* § 803(e)(1) and 42 U.S.C. 7178 (2018).

<sup>4</sup> 107 FERC ¶ 61,277, *order on reh'g*, 109 FERC ¶ 61,040 (2004).

<sup>5</sup> Other Federal Agency Cost Submission Form, available at <https://www.ferc.gov/docs-filing/forms.asp#ofa>.

SFFAS Number 4 provides a conceptual framework for federal agencies to determine the full costs of government goods and services.

4. Circular A-25 provides for user charges to be assessed against recipients of special benefits derived from federal activities beyond those received by the general public.<sup>6</sup> With regard to licensees, the special benefit derived from federal activities is the license to operate a hydropower project. The guidance provides for the assessment of sufficient user charges to recover the full costs of services associated with these special benefits.<sup>7</sup> SFFAS Number 4 defines full costs as the costs of resources consumed by a specific governmental unit that contribute directly or indirectly to a provided service.<sup>8</sup> Thus, pursuant to OMB requirements and authoritative accounting guidance, the Commission must base its OFA administrative annual charge on all direct and indirect costs incurred by agencies in administering Part I of the FPA. The

special form the Commission designed for this purpose, the “Other Federal Agency Cost Submission Form,” captures the full range of costs recoverable under the FPA and the referenced accounting guidance.<sup>9</sup>

#### Commission Review of OFA Cost Submittals

5. The Commission received cost forms and other supporting documentation from the Departments of the Interior, Agriculture, and Commerce. The Commission completed a review of each OFA’s cost submission forms and supporting reports. In its examination of the OFAs’ cost data, the Commission considered each agency’s ability to demonstrate a system or process which effectively captured, isolated, and reported FPA Part I costs as required by the “Other Federal Agency Cost Submission Form.”

6. The Commission held a Technical Conference on March 25, 2021 to report its initial findings to licensees and OFAs. Representatives for several

licensees and most of the OFAs attended the conference. Following the technical conference, a transcript was posted, and licensees had the opportunity to submit comments to the Commission regarding its initial review.

7. Idaho Falls Group (Idaho Falls) filed written comments,<sup>10</sup> stating its general support of the Commission’s analysis but raising concerns regarding Department of the Interior, National Park Service (NPS) and Bureau of Reclamation (BOR) individual cost submissions. The issues are addressed in the Appendix to this notice.

8. After additional review, full consideration of the comments presented, and in accordance with the previously cited guidance, the Commission accepted as reasonable any costs reported via the cost submission forms that were clearly documented in the OFAs’ accompanying reports and/or analyses. These documented costs will be included in the administrative annual charges for FY 2021.

### Summary of Reported & Accepted Costs for Fiscal Year 2020

	Municipal		Non-Municipal		TOTAL	
	Reported	Accepted	Reported	Accepted	Reported	Accepted
<b>Department of the Interior</b>						
Bureau of Indian Affairs	-	-	-	-	-	-
Bureau of Land Management	-	-	116,752	-	116,752	-
Bureau of Reclamation	882	882	21,055	2,422	21,937	3,304
National Park Service	171,008	171,008	565,382	565,382	736,390	736,390
U.S. Fish and Wildlife Service	181,804	181,804	1,035,765	1,035,765	1,217,569	1,217,569
Office of the Solicitor	-	-	-	-	-	-
Office of Environmental Policy & Compliance	60,365	60,365	179,315	179,315	239,680	239,680
Office of Hearings and Appeals	-	-	-	-	-	-
<b>Department of Agriculture</b>						
U.S. Forest Service	919,109	921,283	1,265,348	1,251,578	2,184,457	2,172,861
<b>Department of Commerce</b>						
National Marine Fisheries Service	1,037,588	1,028,494	632,122	633,954	1,669,710	1,662,448
<b>TOTAL</b>	<b>2,370,756</b>	<b>2,363,836</b>	<b>3,815,739</b>	<b>3,668,416</b>	<b>6,186,495</b>	<b>6,032,252</b>

Figure 1

9. Figure 1 summarizes the total reported costs incurred by Interior, Agriculture, and Commerce with respect to their participation in administering Part I of the FPA. Additionally, Figure 1 summarizes the reported costs that the Commission determined were clearly documented and accepted for inclusion in its FY 2021 administrative annual charges.

#### Summary Findings of Commission’s Costs Review

10. As presented in Figure 1, the Commission has determined that \$6,032,252 of the \$6,186,495 in total reported costs were reasonable and clearly documented in the OFAs’ accompanying reports and/or analyses. Based on this finding, 2% of the total reported cost was determined to be unreasonable. The Commission notes the most significant issue with the

documentation provided by the OFAs was the lack of supporting documentation to substantiate costs reported on the “Other Federal Agency Cost Submission Form.”

11. The cost reports that the Commission determined were clearly documented and supported could be traced to detailed cost-accounting reports, which reconciled to data provided from agency financial systems or other pertinent source documentation. A further breakdown of

<sup>6</sup> OMB Circular A-25 § 6.

<sup>7</sup> OMB Circular A-25 § 6.a.2.

<sup>8</sup> SFFAS Number 4 ¶ 7.

<sup>9</sup> For the past few years, the form has excluded “Other Direct Costs” to avoid the possibility of confusion that occurred in earlier years as to whether costs were being entered twice as “Other Direct Costs” and “Overhead.”

<sup>10</sup> See Letter from Michael A. Swiger, Van Ness Feldman, to the Honorable Kimberly D. Bose, FERC, Docket No. AD21-4-000 (filed April 30, 2021).

these costs is included in the Appendix to this notice, along with an explanation of how the Commission determined their reasonableness.

#### Points of Contact

12. If you have any questions regarding this notice, please contact Raven Rodriguez at (202) 502-6276.

Dated: July 15, 2021.

**Debbie-Anne A. Reese,**  
Deputy Secretary.

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**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC21-23-000]

#### Commission Information Collection Activities (Ferc-725v); Comment Request; Extension

**AGENCY:** Federal Energy Regulatory Commission.

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

**SUMMARY:** In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC-725V, Mandatory Reliability Standards: COM Reliability Standards, which will be submitted to the Office of Management and Budget (OMB) for review.

**DATES:** Comments on the collection of information are due August 23, 2021.

**ADDRESSES:** Send written comments on FERC-725V to OMB through [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Attention: Federal Energy Regulatory Commission Desk Officer. Please identify the OMB Control Number (1902-0277) in the subject line of your comments. Comments should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain).

Please submit copies of your comments to the Commission. You may submit copies of your comments

(identified by Docket No. IC21-23-000) by one of the following methods:

Electronic filing through <http://www.ferc.gov>, is preferred.

- **Electronic Filing:** Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.

- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery.

- **Mail via U.S. Postal Service Only:** Addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

- **Hand (Including Courier) Delivery:** Deliver to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

**Instructions:** OMB submissions must be formatted and filed in accordance with submission guidelines at [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Using the search function under the "Currently Under Review" field, select Federal Energy Regulatory Commission; click "submit," and select "comment" to the right of the subject collection.

**FERC submissions** must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov>. 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).

**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 <https://www.ferc.gov/ferc-online/overview>.

#### FOR FURTHER INFORMATION CONTACT:

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

#### SUPPLEMENTARY INFORMATION:

**Title:** FERC-725V, Mandatory Reliability Standards: COM Reliability Standards.

**OMB Control No.:** 1902-0277.

**Type of Request:** Three-year extension of the FERC-725V information collection requirements with no changes to the reporting requirements.

**Abstract:** On August 15, 2016, the North American Electric Reliability Corporation (NERC) filed a petition for Commission approval, pursuant to section 215(d)(1) of the Federal Power

Act ("FPA")<sup>1</sup> and Section 39.5<sup>2</sup> of the Federal Energy Regulatory Commission's regulations, for Reliability Standard COM-001-3 (Communications), the associated Implementation Plan, retirement of currently-effective Reliability Standard COM-001-2.1, and Violation Risk Factors ("VRFs") and Violation Severity Levels ("VSLs") associated with new Requirements R12 and R13 in Reliability Standard COM-001-3. Reliability Standard COM-001-3 reflects revisions developed under Project 2015-07 Internal Communications Capabilities, in compliance with the Commission's directive in Order No. 888 that NERC "develop modifications to COM-001-2, or develop a new standard, to address the Commission's concerns regarding ensuring the adequacy of internal communications capability whenever internal communications could directly affect the reliability opera."

Reliability Standards COM-001-3 and COM-002-4 do not require responsible entities to file information with the Commission. COM-001-3 requires that transmission operators, balancing authorities, reliability coordinators, distribution providers, and generator operators must maintain documentation of Interpersonal Communication capability and designation of Alternate Interpersonal Communication, as well as evidence of testing of the Alternate Interpersonal Communication facilities. COM-002-4 requires balancing authorities, distribution providers, reliability coordinators, transmission operators, and generator operators to develop and maintain documented communication protocols, and to be able to provide evidence of training on the protocols and of their annual assessment of the protocols. Additionally, all applicable entities (balancing authorities, reliability coordinators, transmission operators, generator operators, and distribution providers) must be able to provide evidence of three-part communication when issuing or receiving an Operating Instruction during an Emergency.

**Type of Respondents:** Public utilities.

**Estimate of Annual Burden**<sup>3</sup>: The Commission estimates the annual public reporting burden and cost for the information collection as:<sup>4</sup>

The hourly estimates for salary plus benefits are: (a) Electrical Engineer (code 17-2071), \$70.19; (b) Information and Record Clerk (code 43-4199), \$43.38. The average hourly cost (salary plus benefits), weighting both skill sets equally, is \$56.79. For these calculations, we round the figure to \$57.00 per hour.

<sup>1</sup> 16 U.S.C. 824o (2012).

<sup>2</sup> 18 CFR 39.5 (2015).

<sup>3</sup> The Commission defines burden as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the

information collection burden, reference 5 Code of Federal Regulations 1320.3.

<sup>4</sup> The estimates for cost per response are loaded hourly wage figure (includes benefits) is based on two occupational categories for 2020 found on the Bureau of Labor Statistics website ([http://www.bls.gov/oes/current/naics2\\_22.htm](http://www.bls.gov/oes/current/naics2_22.htm)):