SUBCHAPTER K—REGULATIONS UNDER THE PUBLIC UTILITY
REGULATORY POLICIES ACT OF 1978

PART 290—COLLECTION OF COST OF SERVICE INFORMATION
UNDER SECTION 133 OF THE PUBLIC UTILITY REGULATORY
POLICIES ACT OF 1978

Subpart A—Coverage, Compliance and Definitions

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APPENDIX A TO PART 290—NONEXEMPT ELECTRIC UTILITIES

AUTHORITY: 16 U.S.C. 791a–828c, 2601–2645; 42
SOURCE: Order 48, 44 FR 58697, Oct. 11, 1979,
unless otherwise noted.

Subpart A—Coverage, Compliance and Definitions

§ 290.101 Applicability and exemptions.
(a) Except as provided in paragraph
(b), this part shall apply to each elec-
tric utility, in any calendar year, if the
total sales of electric energy by such
utility for purposes other than resale
exceed 500 million kilowatt-hours dur-
ing any calendar year beginning after
December 31, 1975, and before the im-
mediately preceding calendar year.
(b) The Commission exempts from
compliance with this part any utility:
(1) List named by name in Appendix A to
this part; or
(2) That has total sales of electric en-
ergy for purposes other than resale of
less than 2 billion kilowatt-hours per
year.

[Order 353, 48 FR 55449, Dec. 13, 1983, as
amended at 49 FR 4939, Feb. 9, 1984]

§ 290.102 Information gathering and filing.
All nonexempt electric utilities must
file the data required by section 133(a)
of the Public Utility Regulatory Poli-
cies Act of 1978, 16 U.S.C. § 2643, with
their state regulatory authorities. All
nonexempt, nonregulated electric utili-
ties shall, to the extent the data are
collected and compiled, make these
data publicly available. All nonexempt
electric utilities shall file an affidavit
with the Commission certifying that
the requisite state filing was made. All
nonexempt, nonregulated electric utili-
ties shall file an affidavit with the
Commission certifying that the data
were made publicly available.
[Order 545, 57 FR 53991, Nov. 16, 1992]

§ 290.103 Time of filing and reporting period.
All nonexempt electric utilities must
file with any state regulatory author-
ty having ratemaking authority for
such utilities the information gathered
pursuant to §290.102, and all non-
exempt, nonregulated electric utilities
must make such information available
to the public as follows:
(a) Biennial filing. Information re-
quired to be filed under §290.102 must
be filed biennially in even-numbered
years on or before June 30 of that year.
(b) Reporting period. The reporting pe-
riod is the calendar year immediately
preceding the filing year. Information
for previous years and projected infor-
mation for future years must be re-
ported on a calendar year basis.
(c) Alternate reporting period. Use of
an alternate reporting period is per-
mitted as follows:
(1) Except as provided in paragraph
(c)(2) of this section, if a nonexempt
electric utility has gathered all of the
information specified in §290.102 and
has filed such information, based on a
recent 12-month reporting period, ei-
ther with its state regulatory author-
ity or governing authority in connec-
tion with a retail rate proceeding, the
nonexempt electric utility may sub-
stitute such information for the equi-
valent information required by this part
in fulfillment of the biennial filing re-
quirements.
(2) If a nonexempt electric utility not
subject to the jurisdiction of a state
regulatory authority maintains ac-
counting records other than on a cal-
derary year basis, such utility may use
such other basis as the reporting period
for purposes of compliance with this part, provided such reporting period is a 12-month period.


APPENDIX A TO PART 290—NONEXEMPT ELECTRIC UTILITIES

Electric utilities that are not exempt from part 290, as of the date of publication of the Commission’s Order No. 545 are as follows:

Department of Water and Power of the City of Los Angeles, California.

Pacific Gas & Electric Co.

San Diego Gas and Electric Co.

Southern California Edison Co.

Western Area Power Administration.

[Order 545, 57 FR 53991, Nov. 16, 1992]

PART 292—REGULATIONS UNDER SECTIONS 201 AND 210 OF THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978 WITH REGARD TO SMALL POWER PRODUCTION AND COGENERATION

Subpart A—General Provisions

Sec. 292.101 Definitions.

Subpart B—Qualifying Cogeneration and Small Power Production Facilities

292.201 Scope.

292.202 Definitions.

292.203 General requirements for qualification.

292.204 Criteria for qualifying small power production facilities.

292.205 Criteria for qualifying cogeneration facilities.

292.206 Procedures for obtaining qualifying status.

292.207 Special requirements for hydroelectric small power production facilities located at a new dam or diversion.

292.209 Exceptions from requirements for hydroelectric small power production facilities located at a new dam or diversion.


292.211 Petition for initial determination on whether a project has a substantial adverse effect on the environment (AEE petition).

Subpart C—Arrangements Between Electric Utilities and Qualifying Cogeneration and Small Power Production Facilities Under Section 210 of the Public Utility Regulatory Policies Act of 1978

292.301 Scope.

292.302 Availability of electric utility system cost data.

292.303 Electric utility obligations under this subpart.

292.304 Rates for purchases.

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292.306 Interconnection costs.

292.307 System emergencies.

292.308 Standards for operating reliability.

292.309 Termination of obligation to purchase from qualifying facilities.

292.310 Procedures for utilities requesting termination of obligation to purchase from qualifying facilities.

292.311 Reinstatement of obligation to purchase.

292.312 Termination of obligation to sell to qualifying facilities.

292.313 Reinstatement of obligation to sell.

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Subpart F—Exemption of Qualifying Small Power Production Facilities and Cogeneration Facilities from Certain Federal and State Laws and Regulations

292.601 Exemption to qualifying facilities from the Federal Power Act.

292.602 Exemption to qualifying facilities from the Public Utility Holding Company Act and certain State law and regulation.


Subpart A—General Provisions

§ 292.101 Definitions.

(a) General rule. Terms defined in the Public Utility Regulatory Policies Act of 1978 (PURPA) shall have the same meaning for purposes of this part as they have under PURPA, unless further defined in this part.