

information it disseminates on its Web site if some users experience delays in accessing the weekly data?

2. Disseminating information simultaneously over the web is not physically possible. Servers process information sequentially and communication connections to servers have physical limitations that mean, in absolute terms, the information does not move "simultaneously." However, very small time differences may not be material. In the case of release of the *WPSR* and *WNGSR*, do minor delays involving one to fifty seconds in accessing information undermine EIA's policy to promote fair access in operational terms?

3. The value of *WPSR* and *WNGSR* information varies for different customers. With the development of electronic trading in oil and natural gas commodities—both futures and swaps—the ability to use software "robots" to access online data and the ability to automate trading based on data received by robots through electronic interfaces, a time difference in access to this information on the order of even a second or two could have implications for commercial users. Journalists and possibly certain consultants will want to communicate this information to commercial users as well, and very short-period access differences matter for these data users as well. Those with academic, policy or general interests may not need this information within seconds of its release. Should EIA consider possible technological solutions to provide access to this information on different time frames? Would treating different types of customers differently be a problem? If so, why and how?

4. A registration system could permit registered customers to have the most immediate access to data in exchange for contact information and an agreement to access information using procedures and methods that do not put other customers at risk for delayed access. Should EIA require registration for customers needing immediate access to this data and what guidelines would be reasonable for users to follow?

B. EIA's current practice is to load the *WPSR* and *WNGSR* on its Web site prior to the scheduled release time, behind a software "gate" that prevents access to the reports before the release time. At the release time, the gate is removed, and interested parties have access to the information. Currently, the releases occur at times when trading of energy futures on the New York Mercantile Exchange is open.

1. Is a web release of information the best way to disseminate that

information? Are there alternatives that would be more effective? For example, are there reliable "push" technologies that could come closer to simultaneous access—ways for EIA to send the information to interested parties rather than simply posting it?

2. Are there particular technologies that EIA should be considering to (a) manage the brief, extraordinarily high loads associated with the *WPSR* and *WNGSR* releases, (b) block aggressive behaviors reducing service quality to others (inadvertently or intentionally), and (c) protect data after it is loaded onto the servers and before its release? Technologies could include software solutions, hardware and hardware configurations, etc.

3. Should EIA consider moving the release times for the *WPSR* and *WNGSR*? Most other economic and commodity data is released either before or after major U.S. stock and commodity exchanges are open. With the advent of electronic trading, NYMEX regularly trades petroleum and natural gas futures from 6 p.m. to the next day at 5:15 p.m. every day except Saturday afternoon into Sunday. This schedule typically leaves only a 45-minute window when trades do not take place during the work week. Online trading in over-the-counter swaps effectively takes place continuously. Are there times for release of the *WPSR* and *WNGSR* that better align with trading activity?

C. EIA has more actively blocked robots from IP addresses with prior patterns of extremely aggressive behavior. EIA is developing the ability to block activity by robots beyond pre-determined thresholds.

1. Should EIA consider banning use of robots to access this data?

2. Should EIA continue to block robots based on their level of activity? If so, what criteria should EIA use to block them? Historical behavior? Real-time behavior?

3. Could EIA develop and distribute a standard robot designed to regulate traffic by managing how hard it hit the EIA Web site, allowing for blocking of non-standard designs and possibly identifying users to allow for more effective follow-up?

D. EIA has asserted its intent to report robot activity in accordance with its Security Policy, which could result in criminal prosecution under the Computer Fraud and Abuse Act of 1986 and the National Information Infrastructure Protection Act of 1996 (Pub. L. 104-294), (18 U.S.C. 1030), or other applicable criminal laws. At what point does tying-up access to EIA's servers for several seconds by repeatedly downloading the same

without relinquishing connections data—hundreds or thousands of times—become effectively a cyber security attack? What standards should EIA apply to make that determination?

Comments submitted in response to this notice will be considered by EIA in the development of future dissemination policies, processes and systems. The comments will also become a matter of public record.

After consideration of the comments, EIA will issue a description of revised policies, processes and technologies used for disseminating the *WPSR* and the *WNGSR*. The description will be announced in a **Federal Register** notice issued by EIA.

**Statutory Authority:** 15 U.S.C. 764(b) and 790(a).

Issued in Washington, DC, October 8, 2008.

**Howard Gruenspecht,**

*Acting Administrator, Energy Information Administration.*

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**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC09-65A-000; FERC-65A]

#### Commission Information Collection Activities, Proposed Collection; Comment Request; Extension

October 8, 2008.

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the requirements of section 3506(c)(2)(a) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104-13), the Federal Energy Regulatory Commission (Commission) is soliciting public comment on the specific aspects of the information collection described below.

**DATES:** Comments on the collection of information are due November 14, 2008.

**ADDRESSES:** Copies of sample filings of the proposed information collection can be obtained from the Commission's Web site (<http://www.ferc.gov/docs-filings/elibrary.asp>) or from the Federal Energy Regulatory Commission, Attn: Michael Miller, Office of the Executive Director, ED-34, 888 First Street, NE., Washington, DC 20426. Comments may be filed either in paper format or electronically. Those parties filing electronically do not need to make a paper filing. For paper filing, the original and 14 copies of such comments should be submitted to the

Secretary of the Commission, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426 and refer to Docket No. IC09-65A-000.

Documents filed electronically via the Internet must be prepared in an acceptable filing format and in compliance with the Federal Energy Regulatory Commission's submission guidelines. Complete filing instructions and acceptable filing formats are available at (<http://www.ferc.gov/help>). To file the document, access the Commission's Web site at <http://www.ferc.gov>, choose the Documents & Filings tab, click on eFiling, then follow the instructions given. First time users will have to establish a user name and password. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments.

All comments may be viewed, printed or downloaded remotely via the Internet through the Commission's homepage

using the eLibrary link. For user assistance, contact [FERConlinesupport@ferc.gov](mailto:FERConlinesupport@ferc.gov) or toll-free at (866) 208-3676 or for TTY, contact (202) 502-8659.

**FOR FURTHER INFORMATION CONTACT:** Michael Miller, 888 First St., NE., Washington, DC 20426. He may be reached by telephone at (202) 502-8415, by fax at (202) 273-0873, and by e-mail at [michael.miller@ferc.gov](mailto:michael.miller@ferc.gov).

**SUPPLEMENTARY INFORMATION:** The information collected under the requirements of FERC-65A "Exemption Notification of Holding Company Status" (OMB No. 1902-0216) is used by the Commission to implement the statutory provisions of the Public Utility Holding Company Act of 2005 (PUHCA 2005). Among other things, PUHCA 2005 was intended to give the Commission access to books and records relevant to costs incurred by a public utility or natural gas company which are necessary or appropriate for the

protection of utility customers with respect to jurisdictional rates. The Commission has allowed for an exemption from this requirement if the books, accounts, memoranda, and other records of any person are not relevant to the jurisdictional rates of a public utility or natural gas company; or if any class of transactions is not relevant to the jurisdictional rates of a public utility or natural gas company. Commission regulations in 18 CFR 366.3 describe the criteria in more specificity.

Commission regulations in 18 CFR 366.4 designate the use of FERC-65A for exemption requests. Filings may be made submitted in hardcopy or electronically through the Commission's Web site.

**ACTION:** The Commission is requesting a three-year extension of the current expiration date.

*Burden Statement:* Public reporting burden for this collection is estimated as:

	Number of respondents annually (1)	Number of responses per respondent (2)	Average burden hours per response (3)	Total annual burden hours (1)×(2)×(3)
10 .....		1	1	10

The estimated total cost to respondents is \$607.62. [10 hours divided by 2080 hours<sup>1</sup> per year, times \$126,384<sup>2</sup> equals \$607.62]. The average cost per respondent is \$60.76.

The reporting burden includes the total time, effort, or financial resources expended to generate, maintain, retain, disclose, or provide the information including: (1) Reviewing instructions; (2) developing, acquiring, installing, using technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) adjusting the existing ways to comply with any previously applicable filing instructions and requirements; (4) training personnel to respond to a collection of information; (5) searching data sources; (6) completing and reviewing the collection of information; and (7) transmitting, or otherwise disclosing the information.

The cost estimate for respondents is based upon salaries for professional and clerical support, as well as direct and indirect overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information technology. Indirect or

overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

*Comments are invited on:* (1) Whether the information collection is necessary for the proper performance of the functions of the Commission; (2) the accuracy of the Commission's burden estimate of the proposed information collection, including the validity of the methodology and assumptions used to calculate the reporting burden; (3) ways to enhance the quality, utility and clarity of the information to be collected.

**Kimberly Bose,**

*Secretary.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 1895-060]

**City of Columbia, SC; Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests**

October 8, 2008.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Type of Application:* Request to construct facilities to increase water withdrawal for municipal use.
- b. *Project No.:* 1895-060.
- c. *Date Filed:* August 27, 2008.
- d. *Applicant:* City of Columbia, South Carolina.
- e. *Name of Project:* Columbia Hydroelectric.
- f. *Location:* Broad River and Congaree Rivers, City of Columbia, Richland County, South Carolina.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicant Contact:* William R. Argentieri, South Carolina Electric and Gas Company acting on behalf of the City of Columbia, SCE & G, 111 Research Drive, Columbia, South

<sup>1</sup> Number of hours an employee works each year.

<sup>2</sup> Average annual salary per employee.