

company operating in the United States.”<sup>4</sup>

An exempt EWG or FUCO or its representative may file with the Commission a notice of self certification demonstrating that it satisfies the definition of exempt wholesale generator or foreign utility company. In the case of EWGs, the person filing a notice of self certification must also file a copy of the notice of self certification

with the state regulatory authority of the state in which the facility is located and that person must also represent to the Commission in its submission that it has filed a copy of the notice with the appropriate state regulatory authority.<sup>5</sup>

A submission of the information is necessary for the Commission to carry out its responsibilities under EPAct 2005.<sup>6</sup> The Commission implements its responsibilities through the Code of

Federal Regulations (CFR) Title 18 Part 366. These filing requirements are mandatory.

*Type of Respondents:* EWGs and FUCOs.

*Estimate of Annual Burden:*<sup>7</sup> The Commission estimates the total Public Reporting Burden for this information collection as:

#### FERC-598 (IC12-3-000): SELF CERTIFICATION FOR ENTITIES SEEKING EXEMPT WHOLESALE GENERATOR OR FOREIGN UTILITY COMPANY STATUS

|                 | Number of respondents (A) | Number of responses per respondent (B) | Total number of responses (A) × (B) = (C) | Average burden hours per response (D) | Estimated total annual burden (C) × (D) |
|-----------------|---------------------------|----------------------------------------|-------------------------------------------|---------------------------------------|-----------------------------------------|
| EWG/FUCOs ..... | 102                       | 1                                      | 102                                       | 6                                     | 612                                     |

The total estimated annual cost burden to respondents is \$41,890 [612 hours ÷ 2080<sup>8</sup> hours/year = 0.29423 years \* \$142,372<sup>9</sup> = \$41,890].

*Comments:* Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: March 14, 2012.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2012-6649 Filed 3-19-12; 8:45 am]

BILLING CODE 6717-01-P

#### DEPARTMENT OF ENERGY

#### Federal Energy Regulatory Commission

[Docket No. IC12-4-000]

#### Commission Information Collection Activities (FERC-716); Comment Request

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

**ACTION:** Comment request.

**SUMMARY:** In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507(a)(1)(D), the Federal Energy Regulatory Commission (Commission or FERC) is submitting the information collection FERC-716, Self Certification for Entities Seeking Exempt Wholesale Generator or Foreign Utility Company Status, to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission issued a Notice in the **Federal Register** (77 FR 98, 1/3/2012) requesting public comments. FERC received no comments on the FERC-716 and is making this notation in its submittal to OMB.

**DATES:** Comments on the collection of information are due by April 19, 2012.

**ADDRESSES:** Comments filed with OMB, identified by the OMB Control No. 1902-0170, should be sent via email to the Office of Information and Regulatory Affairs: [oira\\_submission@omb.gov](mailto:oira_submission@omb.gov). Attention: Federal Energy Regulatory Commission Desk Officer. The Desk Officer may also be reached via telephone at 202-395-4718.

A copy of the comments should also be sent to the Federal Energy Regulatory Commission, identified by the Docket No. IC12-4-000, 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), by telephone at (202) 502-8663, and by fax at (202) 273-0873.

#### SUPPLEMENTARY INFORMATION:

*Title:* FERC-716, Good Faith Request for Transmission Service and Response by Transmitting Utility Under Sections 211(a) and 213(a) of the Federal Power Act.

*OMB Control No.:* 1902-0170.

*Type of Request:* Three-year extension of the FERC-716 information collection requirements with no changes to the reporting requirements.

*Abstract:* The Commission uses the information collected under the requirements of FERC-716 to

collection burden, reference 5 Code of Federal Regulations 1320.3.

<sup>8</sup> 2080 hours = 40 hours/week \* 52 weeks (1 year)

<sup>9</sup> Average annual salary per employee in 2011.

<sup>4</sup> 18 CFR 366.1.

<sup>5</sup> 18 CFR 366.7.

<sup>6</sup> 42 U.S.C. 16451 *et seq.*

<sup>7</sup> Burden is defined 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

implement the statutory provisions of sections 211 and 213 of the Federal Power Act (FPA) as amended and added by the Energy Policy Act of 1992. FERC-716 also includes the requirement to file a section 211 request if the negotiations between the transmission requestor and the transmitting utility are unsuccessful. For the initial process, the information is not filed with the Commission. However, the request and response may be analyzed as a part of a section 211 action. The Commission may order

transmission services under the authority of FPA 211.

The Commission's regulations in the Code of Federal Regulations (CFR), 18 CFR 2.20, provide standards by which the Commission determines if and when a valid good faith request for transmission has been made under section 211 of the FPA. By developing the standards, the Commission sought to encourage an open exchange of data with a reasonable degree of specificity and completeness between the party

requesting transmission services and the transmitting utility. As a result, 18 CFR 2.20 identifies 12 components of a good faith estimate and 5 components of a reply to a good faith request.

*Type of Respondents:* Transmission Requestors and Transmitting Utilities.

*Estimate of Annual Burden:*<sup>1</sup> The Commission estimates the total Public Reporting Burden for this information collection as:

**FERC-716 (IC12-4-000): GOOD FAITH REQUEST FOR TRANSMISSION SERVICE AND RESPONSE BY TRANSMITTING UTILITY UNDER SECTIONS 211(a) AND 213(a) OF THE FEDERAL POWER ACT**

|                                                                               | Number of respondents<br>(A) | Number of responses per respondent<br>(B) | Total number of responses<br>(A) × (B) = (C) | Average burden hours per response<br>(D) | Estimated total annual burden<br>(C) × (D) |
|-------------------------------------------------------------------------------|------------------------------|-------------------------------------------|----------------------------------------------|------------------------------------------|--------------------------------------------|
| Information exchange between parties .....                                    | 3                            | 1                                         | 3                                            | 100                                      | 300                                        |
| Application submitted to FERC if parties' negotiations are unsuccessful ..... | 3                            | 1                                         | 3                                            | 2.5                                      | 28                                         |
| <b>Total .....</b>                                                            |                              |                                           |                                              |                                          | <b>308</b>                                 |

The total estimated annual cost burden to respondents is \$21,082 [308 hours ÷ 2080<sup>3</sup> hours/year = 0.14807 years \* \$142,372<sup>4</sup> = \$21,082].

*Comments:* Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: March 14, 2012.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2012-6645 Filed 3-19-12; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**[Project No. 13734-001]**

**Lock+ Hydro Friends Fund XLVI, LLC; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process**

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 13734-001.

c. *Date Filed:* February 7, 2012.

d. *Submitted By:* Lock+ Hydro Friends Fund XLVI, LLC.

e. *Name of Project:* Hildebrand Lock and Dam Hydroelectric Project.

f. *Location:* At the existing Hildebrand Lock and Dam on the Monongahela River, in Monongalia County, West Virginia. The project would occupy United States lands administered by the U.S. Army Corps of Engineers.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Potential Applicant Contact:* Mr. Mark R. Stover, Lock+™ Hydro Friends Fund XLVI, c/o Hydro Green Energy, LLC, 900 Oakmont Lane, Suite 310, Westmont, IL 60559; (877) 556-6566 ext. 711; email—mark@hgenergy.com.

explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

i. *FERC Contact:* John Mudre at (202) 502-8902; or email at john.mudre@ferc.gov.

j. Lock+ Hydro Friends Fund XLVI, LLC filed its request to use the Traditional Licensing Process on February 7, 2012. Lock+ Hydro Friends Fund XLVI, LLC provided public notice of its request on February 3, 2012. In a letter dated March 14, 2012, the Director of the Division of Hydropower Licensing approved Lock+ Hydro Friends Fund XLVI, LLC's request to use the Traditional Licensing Process.

k. *With this notice, we are initiating informal consultation with:* (a) The U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402; and (b) the West Virginia State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Lock+ Hydro Friends Fund XLVI, LLC as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act, and section 106 of the National Historic Preservation Act.

m. Lock+ Hydro Friends Fund XLVI, LLC filed a Pre-Application Document

<sup>1</sup> Burden is defined 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

<sup>2</sup> Actual figure (7.5) rounded to 8.

<sup>3</sup> 2080 hours = 40 hours/week \* 52 weeks (1 year).

<sup>4</sup> Average annual salary per employee in 2011.