

By: \_\_\_\_\_

Michele Melnick, *Trial Attorney*,  
*Division of Compliance, Office of the*  
*General Counsel*

**UNITED STATES OF AMERICA**  
**CONSUMER PRODUCT SAFETY**  
**COMMISSION**

*In the Matter of:*

COSTCO WHOLESALE CORPORATION

CPSC Docket No.: 19-C0001

**ORDER**

Upon consideration of the Settlement Agreement entered into between Costco Wholesale Corporation (“Costco”) and the U.S. Consumer Product Safety Commission (“Commission”), and the Commission having jurisdiction over the subject matter and over the parties, and it appearing that the Settlement Agreement and the Order are in the public interest, it is:

**ORDERED** that the Settlement Agreement be, and is, hereby, accepted; and it is

**FURTHER ORDERED** that Costco shall comply with the terms of the Settlement Agreement and shall pay a civil penalty in the amount of \$3.85 million dollars (\$3,850,000), within thirty (30) days after service of the Commission’s final Order accepting the Settlement Agreement. The payment shall be made by electronic wire transfer to the Commission via: <http://www.pay.gov>. Upon the failure of Costco to make the foregoing payment when due, interest on the unpaid amount shall accrue and be paid by Costco at the federal legal rate of interest set forth at 28 U.S.C. § 1961(a) and (b). If Costco fails to make such payment or to comply in full with any other provision of the Settlement Agreement, such conduct will be considered a violation of the Settlement Agreement and Order.

Provisionally accepted and provisional Order issued on the 3rd day of October, 2018.

By Order of the Commission:

\_\_\_\_\_  
 Alberta Mills, *Secretary*,  
*U.S. Consumer Product Safety*  
*Commission*.

[FR Doc. 2018-21869 Filed 10-5-18; 8:45 am]

**BILLING CODE 6355-01-P**

**DEPARTMENT OF DEFENSE**

**Department of the Air Force**

[Docket ID: USAF-2018-HQ-0005]

**Submission for OMB Review;**  
**Comment Request**

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** 30-Day information collection notice.

**SUMMARY:** The Department of Defense has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

**DATES:** Consideration will be given to all comments received by November 8, 2018.

**ADDRESSES:** Comments and recommendations on the proposed information collection should be emailed to Ms. Jasmeet Sehra, DoD Desk Officer, at [aira\\_submission@omb.eop.gov](mailto:aira_submission@omb.eop.gov). Please identify the proposed information collection by DoD Desk Officer, Docket ID number, and title of the information collection.

**FOR FURTHER INFORMATION CONTACT:** Fred Licari, 571-372-0493, or [whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil](mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil).

**SUPPLEMENTARY INFORMATION:**

*Title; Associated Form; and OMB Number:* Air Force Family Integrated Results & Statistical Tracking (AFFIRST) automated system; OMB Control Number 0701-0070.

*Type of Request:* Reinstatement.  
*Number of Respondents:* 37,500.  
*Responses per Respondent:* 1.  
*Annual Responses:* 37,500.  
*Average Burden per Response:* 15 minutes.

*Annual Burden Hours:* 9,375.  
*Needs and Uses:* The information collection requirement is necessary to record demographic information on Airman & Family Readiness Center (A&FRC) customers, results of the customer’s visits, determine customer needs, service plan, referrals, workshop attendance and other related A&FRC activities and services accessed by the customer. Data is used to determine the effectiveness of A&FRC activities and services (results management) as well as collect and provide return on investment data to leadership. Information is compiled for statistical reporting to bases, major commands, Headquarters United States Air Force, Department of Defense and Congress.

*Affected Public:* Individuals or Households.

*Frequency:* On occasion.

*Respondent’s Obligation:* Voluntary.  
*OMB Desk Officer:* Ms. Jasmeet Sehra.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Instructions:* All submissions received must include the agency name, Docket ID number, and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

*DOD Clearance Officer:* Mr. Frederick Licari.

Requests for copies of the information collection proposal should be sent to Mr. Licari at [whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil](mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil).

Dated: October 3, 2018.

**Shelly E. Finke,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2018-21894 Filed 10-5-18; 8:45 am]

**BILLING CODE 5001-06-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. IC18-20-000]

**Commission Information Collection Activities (FERC-919); 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-919 (Market Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities).

**DATES:** Comments on the collection of information are due December 10, 2018.  
**ADDRESSES:** You may submit comments (identified by Docket No. IC18-20-000) by either of the following methods:

- *eFiling at Commission’s website:* <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-919, Market Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities

*OMB Control No.:* 1902-0234

*Type of Request:* Three-year extension of the FERC-919 information collection requirements with no changes to the current reporting requirements.

*Abstract:* The FERC-919 is necessary to ensure that market-based rates charged by public utilities are just and reasonable as mandated by Federal Power Act (FPA) sections 205 and 206. Section 205 of the FPA requires just and reasonable rates and charges. Section 206 allows the Commission to revoke a seller's market-based rate authorization if it determines that the seller may have gained market power since it was originally granted market-based rate authorization by the Commission.

In 18 Code of Federal Regulations (CFR) Part 35, Subpart H,<sup>1</sup> the Commission codifies market-based rate standards for generating electric utilities for use in the Commission's determination of whether a wholesale seller of electric energy, capacity, or ancillary services qualify for market-based rate authority. Subpart H mandates that sellers submit market power analyses and related filings.

**Horizontal Market Power Analysis**

Market power analyses must address both horizontal and vertical market power. To demonstrate lack of

horizontal market power, the Commission requires two indicative market power screens: the uncommitted pivotal supplier screen (which is based on the annual peak demand of the relevant market) and the uncommitted market share screen applied on a seasonal basis. The Commission presumes sellers that fail either screen to have market power and such sellers may submit a delivered price test analysis or alternative evidence to rebut the presumption of horizontal market power. If a seller fails to rebut the presumption of horizontal market power, the Commission sets the just and reasonable rate at the default cost-based rate unless it approves different mitigation based on case specific circumstances. When submitting horizontal market power analyses, a seller must use the workable electronic spreadsheet provided in Appendix A of Subpart H and include all materials referenced.

**Vertical Market Power Analysis**

To demonstrate a lack of vertical market power, if a public utility with market-based rates, or any of its affiliates, owns, operates or controls transmission facilities, that public utility must:

- Have on file a Commission-approved Open Access Transmission Tariff<sup>2</sup>
- Submit a description of its ownership or control of, or affiliation with an entity that owns or controls:
  - Intrastate natural gas transportation, intrastate natural gas storage or distribution facilities
  - Sites for generation capacity development; and physical coal supply sources and ownership or control over who may access transportation of coal supplies
- Make an affirmative statement that it has not erected and will not erect barriers to entry into the relevant market

**Asset Appendix**

In addition to the market power analyses, a seller must submit an asset appendix with its initial application for market-based rate authorization or updated market power analysis, and all relevant change in status filings. The asset appendix must:

- List, among other things, all affiliates that have market-based rate authority
- List all generation assets owned (clearly identifying which affiliate owns which asset) or controlled (clearly

identifying which affiliate controls which asset) by the corporate family by balancing authority area, and by geographic region, and provide the in-service date and nameplate and/or seasonal ratings by unit

- Must reflect all electric transmissions and natural gas interstate pipelines and/or gas storage facilities owned or controlled by the corporate family and the location of such facilities.<sup>3</sup>

**Triennial Market Power Analysis**

Sellers that own or control 500 megawatts or more of generation and/or that own, operate or control transmission facilities, are affiliated with any entity that owns, operates or controls transmission facilities in the same region as the seller's generation assets, or with a franchised public utility in the same region as the seller's generation assets are required to file updated market power analyses every three years. The updated market power analyses must demonstrate that a seller does not possess horizontal market power.

**Change in Status Filings**

Concerning change of status filings, the Commission requires that sellers file notices of such changes no later than 30 days after the change in status occurs. The Commission also requires that each seller include an appendix identifying specified assets with each pertinent change in status notification filed.

**Exemptions From Submitting Updated Market Power Analyses**

Wholesale power marketers and wholesale power producers that are not affiliated with franchised public utilities or transmission owners, that do not own transmission, and that do not, together with all of their affiliates, own or control 500 MW or more of generation in a relevant region are not required to submit updated market power analyses. The Commission determines which sellers are in this category through information filed by the utility either when the seller files its initial application for market-based rate authorization or through a separate filing made to request such a determination.

*Type of Respondents:* Public utilities, wholesale electricity sellers

*Estimate of Annual Burden:*<sup>4</sup> The Commission estimates the total annual

<sup>3</sup> See Subpart H, Appendix B for standard form.

<sup>4</sup> "Burden" is 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

<sup>1</sup> Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities, Order No. 697, 72 FR 39904 (Jul. 20, 2007), FERC Stats. & Regs. ¶ 31.252 (2007) (Final Rule).

<sup>2</sup> A part of the associated burden is reported separately in information collections FERC-516 (OMB Control Number: 1902-0096).

burden and cost<sup>5</sup> for this information collection as follows.

The average hourly cost (salary plus benefits), weighing all of these skill sets

evenly, is \$94.18. The Commission rounds it down to \$94/hour.

**FERC-919, MARKET BASED RATES FOR WHOLESALE SALES OF ELECTRIC ENERGY, CAPACITY AND ANCILLARY SERVICES BY PUBLIC UTILITIES**

Requirement	Number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (1) * (2) = (3)	Average burden & cost per response (4)	Total annual burden hours & cost (3) * (4) = (5)	Annual cost per respondent (\$) (5) ÷ (1)
Market Power Analysis in New Applications for Market-based rates.	144	1	144	250 hrs.; \$23,500 .....	36,000 hrs.; \$3,384,000.	\$23,500
Triennial market power analysis in seller updates.	65	1	65	250 hrs.; \$23,500 .....	16,250 hrs.; \$1,527,500.	23,500
Appendix B addition to change in status reports.	149	1	149	49 hrs.; \$4,606 .....	7,301 hrs.; \$686,294 ...	4,606
<b>Total .....</b>	<b>.....</b>	<b>.....</b>	<b>358</b>	<b>.....</b>	<b>59,551 hrs.; \$5,597,794.</b>	<b>.....</b>

*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: September 28, 2018.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2018-21774 Filed 10-5-18; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RD18-7-000]

**Commission Information Collection Activities (FERC-725R); Comment Request; Revision**

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Comment request.

**SUMMARY:** In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is submitting its information collection FERC-725R (Mandatory Reliability Standards: BAL Reliability Standards) to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments with the Commission as explained below.

The North American Electric Reliability Corporation submitted a petition (on August 17, 2018) requesting Commission approval of proposed Reliability Standard BAL-002-3 and the retirement of currently effective Reliability Standard BAL-002-2. On August 24, 2018, the Commission issued a Notice in the **Federal Register** requesting public comment on the petition and proposed changes (which would affect the FERC-725R) The Commission received no comments and is making this notation in its submittal of the FERC-725R to OMB.

**DATES:** Comments on the collection of information are due by December 10, 2018.

**ADDRESSES:** Comments should be sent to the Commission, in Docket No. RD18-7-000 by either of the following methods:

- *eFiling at Commission's website:* <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-725R, Mandatory Reliability Standards: BAL Reliability Standards.

*OMB Control No.:* 1902-0268.  
*Type of Request:* Revision to FERC-725R information collection requirements, as discussed in Docket No. RD18-7-000.

of what is included in the information collection burden, refer to Title 5 Code of Federal Regulations 1320.3.

<sup>5</sup> The estimated hourly costs (for wages and benefits) provided in this section are based on the

figures for May 2017 posted by the Bureau of Labor Statistics (BLS) for the Utilities section available at [https://www.bls.gov/oes/current/naics2\\_22.htm](https://www.bls.gov/oes/current/naics2_22.htm) and benefits information (for December 2017, issued March 20, 2018, at <https://www.bls.gov/news.release/eccc.nr0.htm>). The hourly estimates

for salary plus benefits are:  
—Economist (Occupation Code: 19-3011), \$71.98  
—Electrical Engineers (Occupation Code: 17-2071), \$66.90  
—Lawyers (Occupation Code: 23-0000), \$143.68