

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket Nos. EL19-19-000, EL19-20-000, EL19-21-000]

**Bayou Cove Peaking Power, LLC; Louisiana Generating LLC; Big Cajun I Peaking Power LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date**

On December 12, 2018, the Commission issued an order in Docket Nos. EL19-19-000, EL19-20-000, and EL19-21-000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into whether the above-captioned entities' proposed Rate Schedules for Reactive Service may be unjust and unreasonable. *Bayou Cove Peaking Power, LLC, et al.*, 165 FERC 61,227 (2018).

The refund effective date in Docket Nos. EL19-19-000, EL19-20-000, and EL19-21-000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket Nos. EL19-19-000, EL19-20-000, and EL19-21-000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2018), within 21 days of the date of issuance of the order.

Dated: December 12, 2018.

**Nathaniel J. Davis, Sr.,**  
*Deputy Secretary.*

[FR Doc. 2018-27319 Filed 12-17-18; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. ER19-529-000]

**Brookfield Renewable Trading and Marketing LP; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization**

This is a supplemental notice in the above-referenced proceeding of Brookfield Renewable Trading and Marketing LP's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for

blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is January 2, 2019.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: December 12, 2018.

**Nathaniel J. Davis, Sr.,**  
*Deputy Secretary.*

[FR Doc. 2018-27315 Filed 12-17-18; 8:45 am]

**BILLING CODE 6717-01-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 (Refinement to Policies and Procedures for Market Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities), which will be submitted to the Office of Management and Budget (OMB) for a review of the information collection requirements.

**DATES:** Comments on the collection of information are due [Insert date that is 30 days after publication in the **Federal Register**].

**ADDRESSES:** Comments filed with OMB, identified by OMB Control No. 1902-0234, should be sent via email to the Office of Information and Regulatory Affairs: [oir\\_submission@omb.gov](mailto:oir_submission@omb.gov). Attention: Federal Energy Regulatory Commission Desk Officer. The Desk Officer may also be reached via telephone at 202-395-8528.

A copy of the comments should also be sent to the Commission, in 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, Refinement to Policies and Procedures for 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

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, 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,

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

issued March 20, 2018, at <https://www.bls.gov/news.release/ecec.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

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.

<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).

<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,

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

| Requirement   | Number of respondents | Annual number of responses per respondent | Total number of responses | Average burden & cost per response | Total annual burden hours & cost | Annual cost per respondent (\$) |
|---|-----------------------|---|---------------------------|------------------------------------|----------------------------------|---------------------------------|
|   | (1)                   | (2)                                       | (1) * (2) = (3)           | (4)                                | (3) * (4) = (5)                  | (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                           |
| Total .....   | .....                 | .....                                     | 358                       | .....                              | 59,551 hrs.; 5,597,794.          | .....                           |

*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: December 11, 2018.

**Kimberly D. Bose,**

Secretary.

[FR Doc. 2018-27292 Filed 12-17-18; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 7464-004]

### Margaret Moser; Notice of Application for Surrender of Exemption, Soliciting Comments, Motions To Intervene, and Protests

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

a. *Type of Proceeding:* Application for surrender of exemption.

b. *Project No.:* 7464-004.

c. *Date Filed:* December 2, 2018.

d. *Exemptee:* Ms. Margaret Moser.

e. *Name of Project:* Marden Brook Hydroelectric Project.

f. *Location:* The exempted project is located on Marden Brook, near the town of Lancaster, Coos County, New Hampshire.

g. *Filed Pursuant to:* 18 CFR 4.102.

h. *Licensee Contact:* Mr. Geoffrey or Lukas Moser, Box 116 RFD No. 1, 574 North Road, Lancaster, NH 03584, or 720-503-1572.

i. *FERC Contact:* Ms. Diana Shannon, 202-502-6136, or [diana.shannon@ferc.gov](mailto:diana.shannon@ferc.gov).

j. Deadline for filing comments, interventions, and protests is 30 days from the issuance date of this notice by the Commission. The Commission strongly encourages electronic filing. Please file motions to intervene, protests and comments using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P-7464-004.

k. *Description of Project Facilities:* The exempted run-of-river project consists of: (1) A concrete gravity spillway with small earth embankment sections on both sides, that includes a drainage gate and low level sluice gate on the left side; (2) an intake structure; (3) a buried steel penstock; and (4) a wheelhouse containing an overshot water wheel with a total generating capacity of approximately 3 kilowatts. The dam structure is approximately 6 feet high and creates an impoundment of less than 0.5 acre and contains less than 1 acre-foot of storage.

l. *Description of Request:* The project has not operated for some time and the exemptee wishes to surrender the project. The exemptee proposes to decommission the generating equipment and keep the project features in place. No construction or ground disturbance would result from the proposal.

m. This filing may be viewed on 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. For assistance, call 1-866-208-3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction in the Commission's Public Reference Room located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 502-8371.

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

o. *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, .212 and .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.

p. *Filing and Service of Responsive Documents:* Any filing 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 and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to the surrender application that is the subject of this notice. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon