

Accounting Office, Committees of Congress, the IEA, and the European Commission; and invitees of the IAB, the SEQ, the SOM, or the IEA.

Issued in Washington, DC, March 7, 2019.

**Thomas Reilly,**

*Assistant General Counsel for International and National Security Programs.*

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**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Energy Information Administration

#### Proposed Agency Information Collection

**AGENCY:** U.S. Energy Information Administration (EIA), Department of Energy.

**ACTION:** Notice.

**SUMMARY:** EIA submitted an information collection request for extending, with changes, the Oil and Gas Reserves Survey Program pursuant to the Paperwork Reduction Act of 1995. The information collection requests a three-year extension of Form EIA-64A, *Annual Report of the Origin of Natural Gas Liquids Production*; Form EIA-23L, *Annual Report of Domestic Oil and Gas Reserves*; and Form EIA-23S, *Annual Survey of Domestic Oil and Gas Reserves, Summary Level Report*. The information collected is used to develop accurate national and regional estimates of proved reserves of domestic crude oil and natural gas.

**DATES:** Comments regarding this collection must be received on or before April 11, 2019. If you anticipate any difficulties in submitting your comments by the deadline, contact the DOE Desk Officer at (202) 395-0710.

**ADDRESSES:** Written comments should be sent to the DOE Desk Officer: Brandon DeBruhl, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10102, 735 17th Street NW, Washington, DC, 20503. *Brandon\_F\_DeBruhl@omb.eop.gov*; And to Steven G. Grape, U.S. Energy Information Administration, Mail Stop EI-24, Forrestal Building 1000 Independence Avenue SW, Washington, DC 20585, *Steven.Grape@eia.gov*.

**FOR FURTHER INFORMATION CONTACT:** Steven G. Grape, (202) 586-1868, email at *Steven.Grape@eia.gov*.

**SUPPLEMENTARY INFORMATION:** This information collection request contains:

(1) *OMB No. 1905-0057*;

(2) *Information Collection Request Title: Oil and Gas Reserves System*;

(3) *Type of Request:* Three-year extension with changes.

(4) *Purpose:* Forms EIA-23L and EIA-23S provide accurate national and regional data on the proved reserves of crude oil, natural gas, and natural gas liquids (NGL). Form EIA-64A provides data that are used to estimate natural gas plant liquids production and reserves by state and federal offshore regions.

(4a) *Changes to Information Collection:*

*Changes to Form EIA-23L:*

- Coalbed methane is deleted as a response category choice for *Type Code* reported in section 2. Fields previously classified as coalbed methane will be merged into the conventional gas category.

*Changes to Form EIA-64A:*

- Collect the total outlet volume of residue natural gas and the volume of residue natural gas sent to a pipeline.
- Collect the amount of electricity consumed annually at the natural gas plant (a growing percentage of natural gas processing plants are 100% electrically-powered rather than consuming any of the natural gas received for processing as fuel, because of air quality restrictions imposed on sources of combustion emissions).

- Collect an annual total of natural gas liquids by components or products produced at the natural gas processing plant in Section 3 of Form EIA-64A, rather than requesting only total plant NGL volume reported in Line 4.8.

- Delete Item 5.0 Gas Shrinkage Resulting from Natural Gas

Liquids Extracted. Operators no longer need to calculate their own estimate of the volumes of gas shrinkage in millions of cubic feet (MMCF) resulting from the removal of natural gas liquids from the natural gas received at the plant. The shrinkage volumes will now be calculated automatically by EIA using the component data from Section 3.

(5) *Annual Estimated Number of Respondents:* 1,600 total respondents: Form EIA-23L consist of 500 respondents.

Form EIA-23S consist of 500 respondents.

Form EIA-64A consist of 600 respondents.

(6) *Annual Estimated Number of Responses:* 1,600 total responses.

(7) *Annual Estimated Number of Burden Hours:* 28,800 hours.

(8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* The cost of burden hours to the respondents is estimated to be \$ 2,131,776 (28,800 burden hours times \$74.02 per hour).

EIA estimates that there are no additional costs to respondents

associated with the surveys other than the cost associated with the burden hours.

**Statutory Authority:** 15 U.S.C. 772(b).

Signed in Washington, DC, on March 5, 2019.

**Nanda Srinivasan,**

*Director, Office of Survey Development and Statistical Integration, U.S. Energy Information Administration.*

[FR Doc. 2019-04441 Filed 3-11-19; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 5218-003]

#### City of San Luis, Obispo, California; Notice of Comment Period Extension

On January 18, 2019, the Commission issued a notice through the FERC eLibrary system<sup>1</sup> setting February 19, 2019, as the end of the formal period to file comments, motions to intervene, and protests for the notice of application to surrender the San Luis Obispo Hydroelectric Project No. 5218. Due to the funding lapse at certain federal agencies between December 22, 2018 and January 25, 2019, the Commission is extending the comment period until March 6, 2019.

Dated: February 27, 2019.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2019-04395 Filed 3-11-19; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Southwestern Power Administration

#### Integrated System Power Rates

**AGENCY:** Southwestern Power Administration, DOE.

**ACTION:** Notice of proposed change to Southwestern Power Administration Integrated System Wholesale Rates for Hydro Peaking Power Rate Schedule and opportunity for public review and comment.

**SUMMARY:** The Administrator, Southwestern Power Administration (Southwestern), is proposing to add a new section to Southwestern's existing Integrated System Wholesale Rates for Hydro Peaking Power (P-13) Rate Schedule. This new section is necessary

<sup>1</sup> Go to [http://elibrary.ferc.gov/0/idmws/file\\_list.asp?document\\_id=14737577](http://elibrary.ferc.gov/0/idmws/file_list.asp?document_id=14737577) and select the file link to view the document.

to effect a uniform shift in the time Southwestern requires its customers to submit Peaking Energy schedules. Southwestern has determined that the shift in Peaking Energy Schedule Submission Time from the current 2:00 p.m. CPT to the proposed 2:30 p.m. CPT allows Southwestern's customers to best incorporate Federal hydropower in their energy resource portfolios and better align with regional energy market considerations.

**DATES:** The consultation and comment period will begin on March 12, 2019 and will end on April 11, 2019. Written comments are due on or before April 11, 2019.

**ADDRESSES:** Comments should be submitted to Ms. Fritha Ohlson, Senior Vice President and Chief Operating Officer, Southwestern Power Administration, U.S. Department of Energy, One West Third Street, Tulsa, Oklahoma 74103.

**FOR FURTHER INFORMATION CONTACT:** Ms. Fritha Ohlson, Senior Vice President, Chief Operating Officer, Office of Corporate Operations, (918) 595-6684, [fritha.ohlson@swpa.gov](mailto:fritha.ohlson@swpa.gov), or facsimile transmission (918) 595-6684.

**SUPPLEMENTARY INFORMATION:** Originally established by Order 1865, Secretary of the Interior, dated August 31, 1943 and effective September 1, 1943 (8 FR 12142 (Sept. 3, 1943)), Southwestern is an agency within the U.S. Department of Energy created by the Department of Energy Organization Act, Public Law 95-91, dated August 4, 1977. Guidelines for preparation of power repayment studies are included in DOE Order No. RA 6120.2 (Sept. 20, 1979), entitled *Power Marketing Administration Financial Reporting*. Procedures for public participation in power and transmission rate adjustments of the Power Marketing Administrations are found at title 10, part 903, subpart A of the Code of Federal Regulations (10 CFR part 903). Procedures for the confirmation and approval of rates for the Federal Power Marketing Administrations are found at title 18, part 300, subpart L of the Code of Federal Regulations (18 CFR part 300).

Southwestern markets power from 24 multi-purpose reservoir projects with hydroelectric power facilities constructed and operated by the U.S. Army Corps of Engineers (Corps). These projects are located in the states of Arkansas, Missouri, Oklahoma, and Texas. Southwestern's marketing area includes these states plus Kansas and Louisiana. The costs associated with the hydropower facilities of 22 of the 24 projects are repaid via revenues received under the Integrated System

rates, as are those of Southwestern's transmission facilities, which consist of 1,380 miles of high-voltage transmission lines, 26 substations, and 46 communication sites. Costs associated with the Sam Rayburn and Robert D. Willis Dams, two Corps projects that are isolated hydraulically, electrically, and financially from the Integrated System, are repaid under separate rate schedules and are not addressed in this Notice.

#### Public Review and Comment

In accordance with 10 CFR part 903, Southwestern's proposed change to its P-13 Rate Schedule is considered a minor rate adjustment, as there is no change in annual revenues. 10 CFR part 903 also provides that neither a Public Information Forum nor a Public Comment Forum is required in conjunction with the consultation and comment period for a minor rate adjustment. Additionally, the proposed change is provided for contractually for those customers to whom the P-13 Rate Schedule applies. Therefore, Southwestern finds that holding a Public Information and Comment Forum in conjunction with the consultation and comment period is not necessary. Written comments will be accepted throughout the consultation and comment period (see **DATES**).

#### Rate Schedule Change

The proposed new Section 4.2 establishes the Peaking Energy Schedule Submission Time as on or before 2:30 p.m. Central Prevailing Time (CPT) of the day preceding the day for delivery of Peaking Energy. Southwestern has determined that the proposed new Section 4.2 will provide a single instrument and procedure for establishing and making limited adjustments to its Peaking Energy Schedule Submission Time. There is no change in annual revenues associated with the proposed P-13 Rate Schedule change.

Established by the provision in each customer's power sales contract, Southwestern's current requirement is that customers submit Peaking Energy schedules to Southwestern on or before 2:00 p.m. CPT of the day preceding the day for delivery of Peaking Energy. The majority of existing power sales contracts permit a change to the Peaking Energy schedule submission time provided the time change is specified in Southwestern's in-effect Rate Schedule for Hydro Peaking Power. Southwestern's customers requested that Southwestern consider shifting the Peaking Energy schedule submission time later in the day, which allows Southwestern's customers to best

incorporate Federal hydropower in their energy resource portfolios and better align with regional energy market considerations. Southwestern performed studies to determine if a change to the submission time would create any operational or financial issues. At this time, there are no significant issues identified with changing the Peaking Energy schedule submission time from 2:00 p.m. CPT to the proposed 2:30 p.m. CPT. Southwestern's customers have expressed support for such a change. Therefore, Southwestern determined that it would pursue shifting its Peaking Energy schedule submission time from 2:00 p.m. CPT to 2:30 p.m. CPT.

For customers that schedule Peaking Energy with Southwestern, the majority of the customers' power sales contracts contain a provision for submitting Peaking Energy schedules to Southwestern on or before 2:00 p.m. CPT of the day preceding the day for delivery of Peaking Energy, *unless otherwise specified in Southwestern's in-effect Rate Schedule for Hydro Peaking Power*. However, the current P-13 Rate Schedule has no provision for establishing or adjusting the time for customers to submit Peaking Energy schedules. The Administrator determined that adding the proposed new Section 4.2 to the P-13 Rate Schedule implements the desired change in Peaking Energy schedule submission time most efficiently. Additionally, the proposed new Section 4.2 provides a procedure by which the Administrator may adjust the Peaking Energy Schedule Submission Time once annually to a time no earlier than 2:00 p.m. CPT and no later than 3:00 p.m. CPT.

Implementing the proposed new Section 4.2 that establishes the Peaking Energy Schedule Submission Time is consistent with the terms and conditions of the majority of existing power sales contracts. The few power sales contracts that do not contain the *unless otherwise specified in Southwestern's in-effect Rate Schedule for Hydro Peaking Power* provision are currently undergoing modification to insert such a provision, with execution anticipated prior to this proposed Rate Schedule change action taking effect. Southwestern would not implement the proposed new section in the P-13 Rate Schedule unless and until all applicable power sales contracts included the appropriate provision. Additionally, the proposed new Section 4.2 affords Southwestern a single instrument and procedure to utilize for establishing and making limited adjustments to its Peaking Energy Schedule Submission Time.

The title of the P-13 Rate Schedule will be changed to P-13A to reflect the addition of Section 4.2. A redlined version of the P-13 Rate Schedule, which shows the revision proposed by the P-13A Rate Schedule, will be made available upon request. To request a copy, please contact Ms. Fritha Ohlson, Senior Vice President and Chief Operating Officer.

Following review and consideration of written comments, the Administrator will determine whether to finalize and submit the proposed P-13A Rate Schedule to the Under Secretary of Energy for confirmation and approval on an interim basis, and subsequently to the Federal Energy Regulatory Commission (FERC) for confirmation and approval on a final basis. The FERC will allow the public an opportunity to provide written comments on the proposed rate schedule change before making a final decision.

Dated: March 5, 2019.

**Mike Wech,**  
*Administrator.*

**UNITED STATES DEPARTMENT OF ENERGY**

**SOUTHWESTERN POWER ADMINISTRATION**

**RATE SCHEDULE P-13A<sup>1</sup> \*\***

**WHOLESALE RATES FOR HYDRO PEAKING POWER**

**Effective:**

During the period October 1, 2013, through September 30, 2019\*\*, in accordance with Federal Energy Regulatory Commission order issued January 9, 2014, Docket No. EF14-1-000.

**Available:**

In the marketing area of Southwestern Power Administration (Southwestern), described generally as the States of Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

**Applicable:**

To wholesale Customers which have contractual rights from Southwestern to purchase Hydro Peaking Power and associated energy (Peaking Energy and Supplemental Peaking Energy).

**Character and Conditions of Service:**

Three-phase, alternating current, delivered at approximately 60 Hertz, at the nominal voltage(s), at the point(s) of delivery, and in such quantities as are specified by contract.

**1. Definitions of Terms**

**1.1. Ancillary Services**

The services necessary to support the transmission of capacity and energy from resources to loads while maintaining reliable operation of the System of Southwestern in accordance with good utility practice, which include the following:

**1.1.1. Scheduling, System Control, and Dispatch Service**

is provided by Southwestern as Balancing Authority Area operator and is in regard to interchange and load-match scheduling and related system control and dispatch functions.

**1.1.2. Reactive Supply and Voltage Control from Generation Sources Service**

is provided at transmission facilities in the System of Southwestern to produce or absorb reactive power and to maintain transmission voltages within specific limits.

**1.1.3. Regulation and Frequency Response Service**

is the continuous balancing of generation and interchange resources accomplished by raising or lowering the output of on-line generation as necessary to follow the moment-by-moment changes in load and to maintain frequency within a Balancing Authority Area.

**1.1.4. Spinning Operating Reserve Service**

maintains generating units on-line, but loaded at less than maximum output, which may be used to service load immediately when disturbance conditions are experienced due to a sudden loss of generation or load.

**1.1.5. Supplemental Operating Reserve Service**

provides an additional amount of operating reserve sufficient to reduce Area Control Error to zero within 10 minutes following loss of generating capacity which would result from the most severe single contingency.

**1.1.6. Energy Imbalance Service**

corrects for differences over a period of time between schedules and actual hourly deliveries of energy to a load. Energy delivered or received within the authorized bandwidth for this service is accounted for as an inadvertent flow and is returned to the providing party by the receiving party in accordance with standard utility practice or a contractual arrangement between the parties.

**1.2. Customer**

The entity which is utilizing and/or purchasing Federal Power and Federal

Energy and services from Southwestern pursuant to this Rate Schedule.

**1.3. Demand Period**

The period of time used to determine maximum integrated rates of delivery for the purpose of power accounting which is the 60-minute period that begins with the change of hour.

**1.4. Federal Power and Energy**

The power and energy provided from the System of Southwestern.

**1.5. Hydro Peaking Power**

The Federal Power that Southwestern sells and makes available to the Customers through their respective Power Sales Contracts in accordance with this Rate Schedule.

**1.6. Peaking Billing Demand**

The quantity equal to the Peaking Contract Demand for any month unless otherwise provided by the Customer's Power Sales Contract.

**1.7. Peaking Contract Demand**

The maximum rate in kilowatts at which Southwestern is obligated to deliver Federal Energy associated with Hydro Peaking Power as set forth in the Customer's Power Sales Contract.

**1.8. Peaking Energy**

The Federal Energy associated with Hydro Peaking Power that Southwestern sells and makes available to the Customer in accordance with the terms and conditions of the Customer's Power Sales Contract.

**1.9. Peaking Energy Schedule Submission Time**

The time by which Southwestern requires the Customer to submit Peaking Energy schedules to Southwestern as provided for in this Rate Schedule P-13A and in accordance with the terms and conditions of the Customer's Power Sales Contract.

**1.10. Power Sales Contract**

The Customer's contract with Southwestern for the sale of Federal Power and Federal Energy.

**1.11. Supplemental Peaking Energy**

The Federal Energy associated with Hydro Peaking Power that Southwestern sells and makes available to the Customer if determined by Southwestern to be available and that is in addition to the quantity of Peaking Energy purchased by the Customer in accordance with the terms and conditions of the Customer's Power Sales Contract.

**1.12. System of Southwestern**

The transmission and related facilities owned by Southwestern, and/or the generation, transmission, and related facilities owned by others, the capacity of which, by contract, is available to and utilized by Southwestern to satisfy its contractual obligations to the Customer.

<sup>1</sup> Supersedes Rate Schedule P-13.

\*\* Extended through September 30, 2019 by approval of Rate Order No. SWPA-72 by the Deputy Secretary of Energy.

**1.13. Uncontrollable Force**

Any force which is not within the control of the party affected, including, but not limited to failure of water supply, failure of facilities, flood, earthquake, storm, lightning, fire, epidemic, riot, civil disturbance, labor disturbance, sabotage, war, act of war, terrorist acts, or restraint by court of general jurisdiction, which by exercise of due diligence and foresight such party could not reasonably have been expected to avoid.

Wholesale Rates, Terms, and Conditions for Hydro Peaking Power, Peaking Energy, Supplemental Peaking Energy, and Associated Services

Unless otherwise specified, this Section 2 is applicable to all sales under the Customer's Power Sales Contract.

**2.1. Hydro Peaking Power Rates, Terms, and Conditions****2.1.1. Monthly Capacity Charge for Hydro Peaking Power**

\$4.50 per kilowatt of Peaking Billing Demand.

**2.1.2. Services Associated with Capacity Charge for Hydro Peaking Power**

The capacity charge for Hydro Peaking Power includes such transmission services as are necessary to integrate Southwestern's resources in order to reliably deliver Hydro Peaking Power and associated energy to the Customer. This capacity charge also includes two Ancillary Services charges: Scheduling, System Control, and Dispatch Service; and Reactive Supply and Voltage Control from Generation Sources Service.

**2.1.3. Secondary Transmission Service under Capacity Associated with Hydro Peaking Power**

Customers may utilize the transmission capacity associated with Peaking Contract Demand for the transmission of non-Federal energy, on a non-firm, as-available basis, at no additional charge for such transmission service or associated Ancillary Services, under the following terms and conditions:

**2.1.3.1.1.** The sum of the capacity, for any hour, which is used for Peaking Energy, Supplemental Peaking Energy, and Secondary Transmission Service, may not exceed the Peaking Contract Demand;

**2.1.3.1.2.** The non-Federal energy transmitted under such secondary service is delivered to the Customer's point of delivery for Hydro Peaking Power;

**2.1.3.1.3.** The Customer commits to provide Real Power Losses associated with such deliveries of non-Federal energy; and

**2.1.3.1.4.** Sufficient transfer capability exists between the point of receipt into the System of Southwestern of such non-Federal energy and the Customer's point of delivery for Hydro Peaking Power for the time period that such secondary transmission service is requested.

**2.1.4. Adjustment for Reduction in Service**

If, during any month, the Peaking Contract Demand associated with a Power Sales Contract in which Southwestern has the obligation to provide 1,200 kilowatthours of Peaking Energy per kilowatt of Peaking Contract Demand is reduced by Southwestern for a period or periods of not less than two consecutive hours by reason of an outage caused by either an Uncontrollable Force or by the installation, maintenance, replacement or malfunction of generation, transmission and/or related facilities on the System of Southwestern, or insufficient pool levels, the Customer's capacity charges for such month will be reduced for each such reduction in service by an amount computed under the formula:

$$R = (C \times K \times H) \div S$$

with the factors defined as follows:

**R** = The dollar amount of reduction in the monthly total capacity charges for a particular reduction of not less than two consecutive hours during any month, except that the total amount of any such reduction shall not exceed the product of the Customer's capacity charges associated with Hydro Peaking Power times the Peaking Billing Demand.

**C** = The Customer's capacity charges associated with Hydro Peaking Power for the Peaking Billing Demand for such month.

**K** = The reduction in kilowatts in Peaking Billing Demand for a particular event.

**H** = The number of hours duration of such particular reduction.

**S** = The number of hours that Peaking Energy is scheduled during such month, but not less than 60 hours times the Peaking Contract Demand.

Such reduction in charges shall fulfill Southwestern's obligation to deliver Hydro Peaking Power and Peaking Energy.

**2.2. Peaking Energy and Supplemental Peaking Energy Rates, Terms, and Conditions****2.2.1. Peaking Energy Charge**

\$0.0094 per kilowatthour of Peaking Energy delivered plus the Purchased Power Adder as defined in Section 2.2.3 of this Rate Schedule.

**2.2.2. Supplemental Energy Charge**

\$0.0094 per kilowatthour of Supplemental Peaking Energy delivered.

**2.2.3. Purchased Power Adder**

A purchased power adder of \$0.0059 per kilowatthour of Peaking Energy delivered, as adjusted by the Administrator, Southwestern, in accordance with the procedure within this Rate Schedule.

**2.2.3.1. Applicability of Purchased Power Adder**

The Purchased Power Adder shall apply to sales of Peaking Energy. The Purchased Power Adder shall not apply to sales of Supplemental Peaking Energy or sales to any Customer which, by contract, has assumed the obligation to supply energy to fulfill the minimum of 1,200 kilowatthours of Peaking Energy per kilowatt of Peaking Contract Demand during a contract year (hereinafter "Contract Support Arrangements").

**2.2.3.1.1. Procedure for Determining Net Purchased Power Adder Adjustment**

Not more than twice annually, the Purchased Power Adder of \$0.0059 (5.9 mills) per kilowatthour of Peaking Energy, as noted in this Rate Schedule, may be adjusted by the Administrator, Southwestern, by an amount up to a total of  $\pm$ \$0.0059 (5.9 mills) per kilowatthour per year, as calculated by the following formula:

$ADJ = (PURCH - EST + DIF) \div SALES$   
with the factors defined as follows:

**ADJ** = The dollar per kilowatthour amount of the total adjustment, plus or minus, to be applied to the net Purchased Power Adder, rounded to the nearest \$0.0001 per kilowatthour, provided that the total ADJ to be applied in any year shall not vary from the then-effective ADJ by more than \$0.0059 per kilowatthour;

**PURCH** = The actual total dollar cost of Southwestern's System Direct Purchases as accounted for in the financial records of the Southwestern Federal Power System for the period;

**EST** = The estimated total dollar cost (\$13,273,800 per year) of Southwestern's System Direct Purchases used as the basis for the Purchased Power Adder of \$0.0059 per kilowatthour of Peaking Energy;

**DIF** = The accumulated remainder of the difference in the actual and

estimated total dollar cost of Southwestern's System Direct Purchases since the effective date of the currently approved Purchased Power Adder set forth in this Rate Schedule, which remainder is not projected for recovery through the ADJ in any previous periods;  
**SALES** = The annual Total Peaking Energy sales projected to be delivered (2,241,300,000 KWh per year) from the System of Southwestern, which total was used as the basis for the \$0.0059 per kilowatthour Purchased Power Adder.

**2.3. Transformation Service Rates, Terms, and Conditions**

**2.3.1. Monthly Capacity Charge for Transformation Service**

\$0.46 per kilowatt will be assessed for capacity used to deliver energy at any point of delivery at which Southwestern provides transformation service for deliveries at voltages of 69 kilovolts or less from higher voltage facilities.

**2.3.2. Applicability of Capacity Charge for Transformation Service**

Unless otherwise specified by contract, for any particular month, a charge for transformation service will be assessed on the greater of (1) that month's highest metered demand, or (2) the highest metered demand recorded during the previous 11 months, at any point of delivery. For the purpose of this Rate Schedule, the highest metered demand will be based on all deliveries, of both Federal and non-Federal energy, from the System of Southwestern, at such point during such month.

**2.4. Ancillary Services Rates, Terms, and Conditions**

**2.4.1. Capacity Charges for Ancillary Services**

**2.4.1.1. Regulation and Frequency Response Service**

Monthly rate of \$0.07 per kilowatt of Peaking Billing Demand plus the Regulation Purchased Adder as defined in Section 2.4.5 of this Rate Schedule.

**2.4.1.2. Spinning Operating Reserve Service**

Monthly rate of \$0.0146 per kilowatt of Peaking Billing Demand.

Daily rate of \$0.00066 per kilowatt for non-Federal generation inside

Southwestern's Balancing Authority Area.

**2.4.1.3. Supplemental Operating Reserve Service**

Monthly rate of \$0.0146 per kilowatt of Peaking Billing Demand.

Daily rate of \$0.00066 per kilowatt for non-Federal generation inside Southwestern's Balancing Authority Area.

**2.4.1.4. Energy Imbalance Service**

\$0.0 per kilowatt for all reservation periods.

**2.4.2. Availability of Ancillary Services**

Regulation and Frequency Response Service and Energy Imbalance Service are available only for deliveries of power and energy to load within Southwestern's Balancing Authority Area. Spinning Operating Reserve Service and Supplemental Operating Reserve Service are available only for deliveries of non-Federal power and energy generated by resources located within Southwestern's Balancing Authority Area and for deliveries of all Hydro Peaking Power and associated energy from and within Southwestern's Balancing Authority Area. Where available, such Ancillary Services must be taken from Southwestern; unless, arrangements are made in accordance with Section 2.4.4 of this Rate Schedule.

**2.4.3. Applicability of Charges for Ancillary Services**

For any month, the charges for Ancillary Services for deliveries of Hydro Peaking Power shall be based on the Peaking Billing Demand.

The daily charge for Spinning Operating Reserve Service and Supplemental Operating Reserve Service for non-Federal generation inside Southwestern's Balancing Authority Area shall be applied to the greater of Southwestern's previous day's estimate of the peak, or the actual peak, in kilowatts, of the internal non-Federal generation.

**2.4.4. Provision of Ancillary Services by Others**

Customers for which Ancillary Services are made available as specified above, must inform Southwestern by written notice of the Ancillary Services which they do *not* intend to take and purchase from Southwestern, and of their election

to provide all or part of such Ancillary Services from their own resources or from a third party.

Subject to Southwestern's approval of the ability of such resources or third parties to meet Southwestern's technical and operational requirements for provision of such Ancillary Services, the Customer may change the Ancillary Services which it takes from Southwestern and/or from other sources at the beginning of any month upon the greater of 60 days notice or upon completion of any necessary equipment modifications necessary to accommodate such change; *Provided*, That, if the Customer chooses not to take Regulation and Frequency Response Service, which includes the associated Regulation Purchased Adder, the Customer must pursue these services from a different host Balancing Authority; thereby moving all metered loads and resources from Southwestern's Balancing Authority Area to the Balancing Authority Area of the new host Balancing Authority. Until such time as that meter reconfiguration is accomplished, the Customer will be charged for the Regulation and Frequency Response Service and applicable Adder then in effect. The Customer must notify Southwestern by July 1 of this choice, to be effective the subsequent calendar year.

**2.4.5. Regulation Purchased Adder**

Southwestern has determined the amount of energy used from storage to provide Regulation and Frequency Response Service in order to meet Southwestern's Balancing Authority Area requirements. The replacement value of such energy used shall be recovered through the Regulation Purchased Adder. The Regulation Purchased Adder during the time period of January 1 through December 31 of the current calendar year is based on the average annual use of energy from storage<sup>1</sup> for Regulation and Frequency Response Service and Southwestern's estimated purchased power price for the corresponding year from the most currently approved Power Repayment Studies.

The Regulation Purchased Adder will be phased in over a period of four (4) years as follows:

Year	Regulation purchased adder for the incremental replacement value of energy used from storage
2014 .....	1/4 of the average annual use of energy from storage × 2014 Purchased Power price.
2015 .....	1/2 of the average annual use of energy from storage × 2015 Purchased Power price.
2016 .....	3/4 of the average annual use of energy from storage × 2016 Purchased Power price.

<sup>1</sup> The average annual use of energy from storage for Regulation and Frequency Response Service is based on Southwestern studies.

Year	Regulation purchased adder for the incremental replacement value of energy used from storage
2017 and thereafter .....	The total average annual use of energy from storage × the applicable Purchased Power price.

**2.4.5.1. Applicability of Regulation Purchased Adder**

The replacement value of the estimated annual use of energy from storage for Regulation and Frequency Response Service shall be recovered by Customers located within Southwestern’s Balancing Authority Area on a non-coincident peak ratio share basis, divided into twelve equal monthly payments, in accordance with the formula in Section 2.4.5.2.

If the Regulation Purchased Adder is determined and applied under Southwestern’s Rate Schedule NFTS-13, then it shall not be applied here.

**2.4.5.1.1. Procedure for Determining Regulation Purchased Adder**

Unless otherwise specified by contract, the Regulation Purchased Adder for an individual Customer shall be based on the following formula rate, calculated to include the replacement value of the estimated annual use of energy from storage by Southwestern for Regulation and Frequency Response Service.

RPA = The Regulation Purchased Adder for an individual Customer per month, which is as follows:

$$[(L_{Customer} \div L_{Total}) \times RP_{Total}] \div 12$$

with the factors defined as follows:

$L_{Customer}$  = The sum in MW of the following three factors:

- (1) The Customer’s highest metered load plus generation used to serve the Customer’s load that is accounted for through a reduction in the Customer’s metered load

(referred to as ‘generation behind the meter’) during the previous calendar year, and

- (2) The Customer’s highest rate of Scheduled Exports<sup>2</sup> during the previous calendar year, and
- (3) The Customer’s highest rate of Scheduled Imports<sup>2</sup> during the previous calendar year.

$L_{Total}$  = The sum of all  $L_{Customer}$  factors for all Customers that were inside Southwestern’s Balancing Authority Area at the beginning of the previous calendar year in MW.

$RP_{Total}$  = The “net” cost in dollars and cents based on Southwestern’s estimated purchased power price for the corresponding year from the most currently approved Power Repayment Studies multiplied by the average annual use of energy from storage, as provided for in the table in Section 2.4.5, to support Southwestern’s ability to regulate within its Balancing Authority Area. The “net” cost in dollars and cents shall be adjusted by subtracting the product of the quantity of such average annual use of energy from storage in MWh and Southwestern’s highest rate in dollars per MWh for Supplemental Peaking Energy during the previous calendar year.

For Customers that have aggregated their load, resources, and scheduling into a single node by contract within Southwestern’s Balancing Authority Area, the individual Customer’s

respective Regulation Purchased Adder shall be that Customer’s ratio share of the Regulation Purchased Adder established for the node. Such ratio share shall be determined for the Customer on a non-coincident basis and shall be calculated for the Customer from their highest metered load plus generation behind the meter.

**2.4.6. Energy Imbalance Service Limitations**

Energy Imbalance Service primarily applies to deliveries of power and energy which are required to satisfy a Customer’s load. As Hydro Peaking Power and associated energy are limited by contract, the Energy Imbalance Service bandwidth specified for Non-Federal Transmission Service does not apply to deliveries of Hydro Peaking Power, and therefore Energy Imbalance Service is not charged on such deliveries. Customers who consume a capacity of Hydro Peaking Power greater than their Peaking Contract Demand may be subject to a Capacity Overrun Penalty.

**3. Hydro Peaking Power Penalties, Terms, and Conditions**

**3.1. Capacity Overrun Penalty**

**3.1.1. Penalty Charge for Capacity Overrun**

For each hour during which Hydro Peaking Power was provided at a rate greater than that to which the Customer is entitled, the Customer will be charged a Capacity Overrun Penalty at the following rates:

Months associated with charge	Rate per kilowatt
March, April, May, October, November, December .....	\$0.15
January, February, June, July, August, September .....	0.30

**3.1.2. Applicability of Capacity Overrun Penalty**

Customers which have loads within Southwestern’s Balancing Authority Area are obligated by contract to provide resources, over and above the Hydro Peaking Power and associated energy purchased from Southwestern, sufficient to meet their loads. A Capacity Overrun Penalty shall be applied only when the formulas provided in Customers’ respective Power Sales Contracts indicate an

overrun on Hydro Peaking Power, and investigation determines that all resources, both firm and non-firm, which were available at the time of the apparent overrun were insufficient to meet the Customer’s load.

**3.2. Energy Overrun Penalty**

**3.2.1. Penalty Charge for Energy Overrun**

\$0.1034 per kilowatthour for each kilowatthour of overrun.

respectively, which are in addition to a Customer’s

**3.2.2. Applicability of Energy Overrun Penalty**

By contract, the Customer is subject to limitations on the maximum amounts of Peaking Energy which may be scheduled under the Customer’s Power Sales Contract. When the Customer schedules an amount in excess of such maximum amounts, such Customer is subject to the Energy Overrun Penalty.

**3.3. Power Factor Penalty**

metered load that contribute to Southwestern’s Balancing Authority Area need for regulation.

<sup>2</sup> Scheduled Exports and Scheduled Imports are transactions, such as sales and purchases

**3.3.1. Requirements Related to Power Factor**

Any Customer served from facilities owned by or available by contract to Southwestern will be required to maintain a power factor of not less than 95 percent and will be subject to the following provisions.

**3.3.2. Determination of Power Factor**

The power factor will be determined for all Demand Periods and shall be calculated under the formula:

$$PF = (kWh) \div \sqrt{(kWh^2 + rkVAh^2)}$$

with the factors defined as follows:

PF = The power factor for any Demand Period of the month.

kWh = The total quantity of energy which is delivered during such Demand Period to the point of delivery or interconnection in accordance with Section 3.3.4.

rkVAh = The total quantity of reactive kilovolt-ampere-hours (kVARs) delivered during such Demand Period to the point of delivery or interconnection in accordance with Section 3.3.4

**3.3.3. Penalty Charge for Power Factor**

The Customer shall be assessed a penalty for all Demand Periods of a month where the power factor is less than 95 percent lagging. For any Demand Period during a particular month such penalty shall be in accordance with the following formula:

$$C = D \times (0.95 - LPF) \times \$0.10$$

with the factors defined as follows:

C = The charge in dollars to be assessed for any particular Demand Period of such month that the determination of power factor "PF" is calculated to be less than 95 percent lagging.

D = The Customer's demand in kilowatts at the point of delivery for such Demand Period in which a low power factor was calculated.

LPF = The lagging power factor, if any, determined by the formula "PF" for such Demand Period.

If C is negative, then C = zero (0).

**3.3.4. Applicability of Power Factor Penalty**

The Power Factor Penalty is applicable to radial interconnections with the System of Southwestern. The total Power Factor Penalty for any month shall be the sum of all charges "C" for all Demand Periods of such month. No penalty is assessed for leading power factor. Southwestern, in its sole judgment and at its sole option, may determine whether power factor calculations should be applied to (i) a single physical point of delivery, (ii) a combination of physical points of delivery where a Customer has a single, electrically integrated load, (iii) or interconnections. The general criteria for such decision shall be that, given the configuration of the Customer's and Southwestern's systems, Southwestern will determine, in its sole judgment and at its sole option, whether the power factor calculation more accurately assesses the detrimental impact on Southwestern's system when the above formula is calculated for a single physical point of delivery, a combination of physical points of delivery, or for an interconnection as specified by an Interconnection Agreement.

Southwestern, at its sole option, may reduce or waive Power Factor Penalties when, in Southwestern's sole judgment, low power factor conditions were not detrimental to the System of Southwestern due to particular loading and voltage conditions at the time the power factor dropped below 95 percent lagging.

**4. Hydro Peaking Power Miscellaneous Rates, Terms, and Conditions**

**4.1. Real Power Losses**

Customers are required to self-provide all Real Power Losses for non-Federal energy transmitted by Southwestern on behalf of such Customers under the provisions detailed below.

Real Power Losses are computed as four (4) percent of the total amount of non-Federal energy transmitted by Southwestern. The Customer's monthly Real Power Losses are computed each month on a megawatthour basis as follows:

$$ML = 0.04 \times NFE$$

with the factors defined as follows:

ML = The total monthly loss energy, rounded to the nearest megawatthour, to be scheduled by a Customer for receipt by Southwestern for Real Power Losses associated with non-Federal energy transmitted on behalf of such Customer; and

NFE = The amount of non-Federal energy that was transmitted by Southwestern on behalf of a Customer during a particular month.

The Customer must schedule or cause to be scheduled to Southwestern, Real Power Losses for which it is responsible subject to the following conditions:

**4.1.1.** The Customer shall schedule and deliver Real Power Losses back to Southwestern during the second month after they were incurred by Southwestern in the transmission of the Customer's non-Federal power and energy over the System of Southwestern unless such Customer has accounted for Real Power Losses as part of a metering arrangement with Southwestern.

**4.1.2.** On or before the twentieth day of each month, Southwestern shall determine the amount of non-Federal loss energy it provided on behalf of the Customer during the previous month and provide a written schedule to the Customer setting forth hour-by-hour the quantities of non-Federal energy to be delivered to Southwestern as losses during the next month.

**4.1.3.** Real Power Losses not delivered to Southwestern by the Customer, according to the schedule provided, during the month in which such losses are due shall be billed by Southwestern to the Customer to adjust the end-of-month loss energy balance to zero (0) megawatthours and the Customer shall be obliged to purchase such energy at the following rates:

Months associated with charge	Rate per kilowatt hour
March, April, May, October, November, December .....	\$0.15
January, February, June, July, August, September .....	0.30

**4.1.4.** Real Power Losses delivered to Southwestern by the Customer in excess of the losses due during the month shall be purchased by Southwestern from the Customer at

a rate per megawatthour equal to Southwestern's rate per megawatthour for Supplemental Peaking Energy, as set forth in Southwestern's then-effective Rate

Schedule for Hydro Peaking Power to adjust such hourly end-of-month loss energy balance to zero (0) megawatthours.

#### 4.2. Peaking Energy Schedule Submission Time

Southwestern's Peaking Energy Schedule Submission Time is on or before 2:30 p.m. Central Prevailing Time (CPT), as adjusted by the Administrator, Southwestern, in accordance with Section 4.2.2 in this Rate Schedule, of the day preceding the day for the delivery of Peaking Energy. The Peaking Energy Schedule Submission Time supersedes the Peaking Energy schedule submission time provided in the Customer's Power Sales Contract, pursuant to Section 4.2.1 of this Rate Schedule.

##### 4.2.1. Applicability of Peaking Energy Schedule Submission Time

The Peaking Energy Schedule Submission Time shall apply to the scheduling of Peaking Energy. The Peaking Energy Schedule Submission Time shall not apply to the scheduling of Supplemental Peaking Energy or to Contract Support Arrangements.

##### 4.2.2. Procedure for Adjusting the Peaking Energy Schedule Submission Time

Not more than once annually, the Peaking Energy Schedule Submission Time of 2:30 p.m. CPT, as noted in Section 4.2 of this Rate Schedule, may be adjusted by the Administrator, Southwestern, to a time no earlier than 2:00 p.m. CPT and no later than 3:00 p.m. CPT.

##### 4.2.2.1.1. Determination of Need to Adjust the Peaking Energy Schedule Submission Time

The Administrator, Southwestern, will make a determination on the need to adjust the Peaking Energy Schedule Submission Time based on Southwestern's studies involving financial analysis, regional energy market conditions, and/or operational considerations.

##### 4.2.2.1.2. Notification of Peaking Energy Schedule Submission Time Adjustment

The Administrator, Southwestern, will notify customers of the determination to adjust the Peaking Energy Schedule Submission Time in writing no later than 30 calendar days prior to the effective date of the Peaking Energy Schedule Submission Time adjustment.

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BILLING CODE 6450-01-P

#### ENVIRONMENTAL PROTECTION AGENCY

[EPA-R07-SFUND-2019-0069; FRL-9990-63-Region 7]

#### Notice of Proposed Administrative Settlement Agreement and Covenant Not To Sue by Bona Fide Prospective Purchaser

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice; request for public comment.

**SUMMARY:** Notice is hereby given by the U.S. Environmental Protection Agency (EPA), Region 7, of a proposed bona fide prospective purchaser settlement agreement, embodied in an Administrative Settlement Agreement and Covenant Not to Sue, with Souldard Second Street, L.L.C. This agreement pertains to a portion of the former John F. Queeny-Monsanto Chemical Works property located at 200 Russell Boulevard in St. Louis, Missouri.

**DATES:** Comments must be received on or before April 11, 2019.

**ADDRESSES:** The proposed settlement agreement is available for public inspection at EPA Region 7's office. A copy of the proposed agreement may also be obtained from Mr. Bruce Morrison, EPA Region 7, 11201 Renner Boulevard, Lenexa, Kansas 66219, telephone number (913) 551-7755. You may send comments, identified by Docket ID No. EPA-R07-SFUND-2019-0069 to <https://www.regulations.gov>. Follow the online instructions for submitting comments. You may also send comments, identified by John F. Queeny-Monsanto Chemical Works facility, 200 Russell Boulevard, St. Louis, Missouri 63106 to Mr. Morrison at the above address or electronically to [morrison.bruce@epa.gov](mailto:morrison.bruce@epa.gov).

**Instructions:** All submissions received must include the Docket ID No. for this rulemaking. Comments received will be posted without change to <https://www.regulations.gov/>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the "Written Comments" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Alex Chen, Senior Counsel, Office of Regional Counsel, Environmental Protection Agency Region 7, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number (913) 551-7962; email address [chen.alex@epa.gov](mailto:chen.alex@epa.gov).

**SUPPLEMENTARY INFORMATION:**

#### Written Comments

Submit your comments, identified by Docket ID No. EPA-R07-SFUND-2019-0069 at <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. If CBI exists, please contact Mr. Bruce Morrison. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

Notice is hereby given by the U.S. Environmental Protection Agency, Region 7, of a proposed bona fide prospective purchaser settlement agreement, embodied in an Administrative Settlement Agreement and Covenant Not to Sue, with Souldard Second Street, L.L.C. This agreement pertains to a portion of the former John F. Queeny-Monsanto Chemical Works property located at 200 Russell Boulevard in St. Louis, Missouri. Souldard Second Street, L.L.C. agrees to purchase the property to build a new commercial or industrial building and perform a response action. This project will result in a formerly contaminated property being restored to beneficial use.

The settlement includes a covenant by EPA not to sue or take administrative action against Souldard Second Street, L.L.C. pursuant to Sections 106 and 107(a) of CERCLA for Existing Contamination, as that term is defined in the settlement agreement. For thirty (30) days following the date of publication of this notice, EPA will receive written comments relating to the settlement. EPA will consider all comments received and may modify or withdraw its consent to the settlement agreement if comments received disclose facts or considerations that indicate that the proposed settlement is inappropriate, improper, or inadequate. EPA's response to any comments