

retain, for a period of five years, all data and information upon which they bill the prices charged for "electric energy or electric energy products it sold pursuant to Seller's market-based rate tariff, and the prices it reported for use in price indices."

The record retention period of five years is necessary due to the importance of records related to any investigation of

possible wrongdoing and related to assuring compliance with the codes of conduct and the integrity of the market. The requirement is necessary to ensure consistency with the rule prohibiting market manipulation (adopted in Order No. 670) and the generally applicable five-year statute of limitations where the Commission seeks civil penalties for violations of the anti-manipulation rules

or other rules, regulations, or orders to which the price data may be relevant.

**Action:** FERC is requesting a three-year extension of the current expiration date for the FERC-915,<sup>1</sup> with no changes to the requirements.

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

| FERC requirements | Number of respondents annually | Number of responses per respondent | Average burden hours per response | Total annual burden hours |
|-------------------|--------------------------------|------------------------------------|-----------------------------------|---------------------------|
|                   | (1)                            | (2)                                | (3)                               | (1)×(2)×(3)               |
| FERC-915 .....    | 1,150                          | 1                                  | 1                                 | 1,150                     |

The estimated total annual cost to respondents includes hours for labor (1,150 hrs. at \$17 per hour, for a labor cost of \$19,550) and storage costs (using an estimated 65,000 cu. ft of records in off-site storage, for a total storage cost of \$419,858). The total annual cost (labor plus off-site storage) is \$439,408; the total annual cost per respondent is \$382.

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

The estimate of cost for respondents is based upon salaries for professional and clerical support, as well as direct and indirect overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information technology. Indirect or overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

Comments are invited on: (1) Whether the proposed 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 of

the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Kimberly D. Bose,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC09-916-001]

#### Commission Information Collection Activities (FERC-916); Comment Request; Submitted for OMB Review

June 3, 2009.

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the requirements of section 3507 of the Paperwork Reduction Act of 1995, 44 USC 3507, the Federal Energy Regulatory Commission (Commission or FERC) has submitted the information collection described below 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

received no comments in response to the **Federal Register** notice (74FR 15471, 4/6/2009) and has made this notation in its submission to OMB.

**DATES:** Comments on the collection of information are due by July 10, 2009.

**ADDRESSES:** Address comments on the collection of information to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Federal Energy Regulatory Commission Desk Officer. Comments to OMB should be filed electronically, c/o [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) and include OMB Control Number 1902-0224 as a point of reference. The Desk Officer may be reached by telephone at 202-395-4638.

A copy of the comments should also be sent to the Federal Energy Regulatory Commission and should refer to Docket No. IC09-916-001. Comments may be filed either electronically or in paper format. Those persons filing electronically do not need to make a paper filing. Documents filed electronically via the Internet must be prepared in an acceptable filing format and in compliance with the Federal Energy Regulatory Commission submission guidelines. Complete filing instructions and acceptable filing formats are available at <http://www.ferc.gov/help/submission-guide/electronic-media.asp>. To file the document electronically, access the Commission's Web site and click on Documents & Filing, E-Filing (<http://www.ferc.gov/docs-filing/efiling.asp>), and then follow the instructions for each screen. First time users will have to establish a user name and password. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments.

For paper filings, an original and 2 copies of the comments should be submitted to the Federal Energy Regulatory Commission, Secretary of the

Commission, 888 First Street, NE., Washington, DC 20426, and should refer to Docket No. IC09-916-001.

All comments may be viewed, printed or downloaded remotely via the Internet through FERC's homepage using the "eLibrary" link. For user assistance, contact [fercolinesupport@ferc.gov](mailto:fercolinesupport@ferc.gov) or toll-free at (866) 208-3676 or for TTY, contact (202) 502-8659.

**FOR FURTHER INFORMATION CONTACT:**

Ellen Brown may be reached by telephone at (202) 502-8663, by fax at (202) 273-0873, and by e-mail at [ellen.brown@ferc.gov](mailto:ellen.brown@ferc.gov).

**SUPPLEMENTARY INFORMATION:** The Commission is requesting comments on the record retention requirements of FERC-916,<sup>1</sup> "Record Retention Requirements for Pipelines Providing Unbundled Sales Service, and Persons Holding Blanket Marketing Certificates," OMB Control No. 1902-0224. The FERC-916 record retention requirements are contained in 18 CFR 284.288(b) and 284.403(b).

The Commission's regulations at 18 CFR 284.288 and 284.403 provide that applicable sellers of natural gas adhere to a code of conduct when making gas sales in order to protect the integrity of the market. The Commission imposes the FERC-916 record retention requirement on applicable sellers to "retain, for a period of five years, all data and information upon which it billed the prices it charged for natural gas it sold pursuant to its market based sales certificate or the prices it reported for use in price indices." FERC uses the FERC-916 records to monitor the jurisdictional transportation activities and unbundled sales activities of interstate natural gas pipelines and blanket marketing certificate holders.

The record retention period of five years is necessary due to the importance of records related to any investigation of possible wrongdoing and related to assuring compliance with the codes of conduct and the integrity of the market. The requirement is necessary to ensure

consistency with the rule prohibiting market manipulation (regulations adopted in Order No. 670, implementing the EPCA 2005 anti-manipulation provisions)<sup>2</sup> and the generally applicable five-year statute of limitations where the Commission seeks civil penalties for violations of the anti-manipulation rules or other rules, regulations, or orders to which the price data may be relevant.

Failure to have this information available would mean the Commission is unable to perform its regulatory functions and to monitor and evaluate transactions and operations of interstate pipelines and blanket marketing certificate holders.

**Action:** The Commission is requesting a three-year extension of the current expiration date for the FERC-916, with no changes to the requirements.

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

| FERC requirements | Number of respondents annually | Number of responses per respondent | Average burden hours per response | Total annual burden hours |
|-------------------|--------------------------------|------------------------------------|-----------------------------------|---------------------------|
|                   | (1)                            | (2)                                | (3)                               | (1) × (2) × (3)           |
| FERC-916 .....    | 222                            | 1                                  | 1                                 | 222                       |

The estimated total annual cost to respondents includes hours for labor (222 hrs. at \$17 per hour, for a labor cost of \$3,774) and record storage costs (using an estimated 12,548 cu. ft of records in off-site storage, for a total record storage cost of \$81,051). The total annual cost (labor plus off-site record storage) is \$84,825; the total annual cost per respondent is \$382.

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

The estimate of cost for respondents is based upon salaries for professional and clerical support, as well as direct and indirect overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information technology. Indirect or overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

Comments are invited on: (1) Whether the proposed collections of information are 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 estimates of the burden of the proposed collections of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who

are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Kimberly D. Bose,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC09-914-001]

#### Commission Information Collection Activities (FERC-914); Comment Request; Submitted for OMB Review

June 3, 2009.

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the requirements of section 3507 of the

<sup>1</sup> FERC-916 was formerly called "FERC-916(549)," with the intent of consolidating the FERC-916 into the FERC-549 (OMB Control No.

1902-0086). FERC has decided not to consolidate the FERC-916 into the FERC-549, so this Notice deals only with the FERC-916 requirements.

<sup>2</sup> 18 CFR 1c.1 and 1c.2, 71 FR 4,244 (2006).