

including terminating the grant award pursuant to 2 CFR 200.340.

#### Reporting and Accountability

13. Recipient must promptly and timely provide a detailed accounting of the use and expenditure of the funds provided by this supplemental award in such manner and with such frequency as the Secretary may require.

14. Recipient must comply with all requirements of the Single Audit Act Amendments of 1996, 31 U.S.C. 7501, *et seq.* (Single Audit Act) and all applicable auditing standards. Considering that the HEERF grant program is a new program not previously audited or subjected to Department oversight, and the inherent risk that comes with a new program, the Department strongly suggests that the HEERF grant program be audited as a major program in the first fiscal year(s) that the institution received a HEERF grant.

15. Recipient acknowledges it is under a continuing affirmative duty to inform the Department if Recipient is to close or terminate operations as an institution or merge with another institution. In such cases, Recipient must promptly notify in writing the assigned education program officer contact in Box 3. Additionally, Recipient must promptly notify the assigned education program officer if the Recipient's Authorized Representative changes.

16. Recipient must cooperate with any examination of records with respect to the advanced funds by making records and authorized individuals available when requested, whether by (a) the Department and/or its OIG; or (b) any other Federal agency, commission, or department in the lawful exercise of its jurisdiction and authority. Recipient must retain all financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award for a period of three years from the date of submission of the final expenditure report pursuant to 2 CFR 200.334.

17. Recipient acknowledges that failure to comply with this Supplemental Agreement, its terms and conditions, and/or all relevant provisions and requirements of the CRRSAA or ARP or any other applicable law may result in Recipient's liability under the False Claims Act, 31 U.S.C. 3729, *et seq.*; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; 18 U.S.C. 1001, as appropriate; and all of

the laws and regulations referenced in the "Applicable Law" section of this Supplemental Agreement, below.

#### Applicable Law

18. Recipient must comply with all applicable assurances in OMB Standard Forms (SF) SF-424B and SF-424D (Assurances for Non-Construction and Assurances for Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; nondiscrimination; Hatch Act provisions; labor standards; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders, and regulations.

19. Recipient certifies that with respect to the certification regarding lobbying in Department Form 80-0013, no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or supplementing of Federal grants under this program; Recipient must complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR part 82, Appendix B).

20. Recipient must comply with the provisions of all applicable acts, regulations and assurances; the following provisions of *Education Department General Administrative Regulations* (EDGAR) 34 CFR parts 75, 77, 81, 82, 84, 86, 97, 98, and 99; the *OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)* in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and the *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC21-28-000]

### Commission Information Collection Activities (FERC-921); 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-921 (Ongoing Electronic Delivery of Data from Regional Transmission Organization and Independent System Operators).

**DATES:** Comments on the collection of information are due July 12, 2021.

**ADDRESSES:** You may submit comments (identified by Docket No. IC21-28-000) by either of the following methods: Electronic filing through <http://www.ferc.gov>, is preferred.

- *Electronic Filing:* Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.

- *For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery:*

- *Mail via U.S. Postal Service Only:*

Addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

- *Hand (including courier) Delivery:*

Deliver to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

*Instructions:* All submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov>. 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).

*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>.

#### FOR FURTHER INFORMATION CONTACT:

Ellen Brown may be reached by email at [DataClearance@FERC.gov](mailto:DataClearance@FERC.gov), telephone at (202) 502-8663.

#### SUPPLEMENTARY INFORMATION:

*Title:* FERC-921, Ongoing Electronic Delivery of Data from Regional Transmission Organization and Independent System Operators.

*OMB Control No.:* 1902-0257.

*Type of Request:* Three-year extension of the FERC-921 information collection requirements with no changes to the current reporting requirements.

*Abstract:* The collection of data in FERC-921 is an effort by the Commission, implemented under Order

No. 760,<sup>1</sup> to detect potential anti-competitive or manipulative behavior or ineffective market rules by requiring Regional Transmission Organizations (RTO) and Independent System Operators (ISO) to electronically submit, on a continuous basis, data relating to physical and virtual offers and bids, market awards, resource outputs, marginal cost estimates, shift factors, financial transmission rights, internal bilateral contracts, uplift, and interchange pricing. Although provision was made by the Commission that market monitoring units (MMUs) may

provide datasets, all data for this collection has (and is expected to continue to) come from each RTO or ISO and not the MMUs. Therefore, any associated burden is counted as burden on RTO and ISO.

While the ongoing delivery of data under FERC–921 is continuous and routine, each RTO or ISO makes sporadic changes to its individual market with Commission approval. When those changes occur, the RTO or ISO may need to change the data being routinely sent to the Commission to ensure compliance with Order No. 760.

Such changes typically require respondents to alter the ongoing delivery of data under FERC–921. The burden associated with a change varies considerably based on the significance of the specific change; therefore, the estimate below is intended to reflect the incremental burden for an average change. Based on historical patterns, staff estimates there to be about one and a half changes of this nature per RTO or ISO per year.

*Type of Respondent:* Regional Transmission Organizations (RTO) and Independent System Operators (ISO).

#### FERC–921 (ONGOING ELECTRONIC DELIVERY OF DATA FROM REGIONAL TRANSMISSION ORGANIZATIONS AND INDEPENDENT SYSTEM OPERATORS)

Category	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)
Ongoing electronic delivery of data.	6	1	<sup>6</sup> 6	52 hrs.; \$4,034.68 .....	312 hrs.; \$24,208.08	\$4,034.68
Data Delivery Changes over the year.	6	1	<sup>7</sup> 6	480 hrs.; \$37,243.20	2,880 hrs.; \$223,459.20.	37,243.20
Total .....	6	2	12	.....	3,192 hrs.; \$247,667.28.	41,277.88

*Estimate of Annual Burden:*<sup>2</sup> The Commission estimates the total annual burden and cost<sup>3</sup> for this information collection as follows. The ongoing electronic delivery of data requires the following occupations (which includes wages and benefits):<sup>4</sup>

- 75% of the time is spent by Computer Systems Analysts (Occupational Code: 15–1211) at \$67.75/hr.,
- 12.5% of the time is spent by Legal (Occupation Code: 23–0000) at \$142.25/hr., and
- 12.5% of the time is spent by Database Administrators and Architects (Occupational Code: 15–1245) at \$71.92/hr.

Therefore, we use the weighted hourly cost (for wages and benefits) of \$77.59.<sup>5</sup>

*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: May 7, 2021.

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

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#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

##### Sunshine Act Meetings

**TIME AND DATE:** May 13, 2021, 4:00 p.m.

**PLACE:** Secure video conference.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Non-public investigations and inquiries, enforcement related matters.

<sup>1</sup> *Enhancement of Electricity Market Surveillance and Analysis through Ongoing Electronic Delivery of Data from Regional Transmission Organizations and Independent System Operators*, Order No. 760, 139 FERC ¶ 61,053 (2012).

<sup>2</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 of what is included in the information collection burden, refer to Title 5 Code of Federal Regulations 1320.3.

<sup>3</sup> Costs (for wages and benefits) are based on the mean wage estimate by the Bureau of Labor Statistics’ (BLS) Occupational Employment and Wage Statistics (OEWS) program from May 2020

([https://www.bls.gov/oes/current/naics2\\_22.htm](https://www.bls.gov/oes/current/naics2_22.htm).) and benefits information, accounting for 70.3% of average employment (released March 2021) for private industry workers (<https://www.bls.gov/news.release/ecec.nr0.htm>). We estimate the total time required per change to be 320 hours. Because a response encompasses one year where there are, on average, 1.5 changes, the total time per response is 480 hours (1.5 × 320 hours).

<sup>4</sup> The loaded hourly wage for each occupation is as follows:

- Computer Systems Analysts: \$47.63 (base hourly wage) + 70.3% (benefits) = \$67.75.
- Legal: \$100 (base hourly wage) + 70.3% (benefits) = \$142.25.

• Database Administrators and Architects: \$50.65 (base hourly wage) + 70.3% (benefits) = \$71.92.

<sup>5</sup> The rounded weighted hourly cost breakdown includes: [(0.75 \* \$67.75) + (0.125 \* \$142.25) + (0.125 \* \$71.92)] = \$77.59

<sup>6</sup> Each RTO/ISO electronically submits data daily. To match with past filings, we are considering the collection of daily responses to be a single response.

<sup>7</sup> Each RTO/ISO is estimated to make one and a half changes yearly. To be consistent with the formulation that the submissions over the course of a year constitute a single response, for the purpose of this calculation, we are assuming that each response requires one and a half changes over the course of the year and estimating burden accordingly.