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January 25, 2022

The Honorable Joe Manchin
Chairman
The Honorable John Barrasso
Ranking Member
Committee on Energy and Natural Resources
United States Senate

The Honorable Frank Pallone, Jr.
Chairman
The Honorable Cathy McMorris Rodgers
Republican Leader
Committee on Energy and Commerce
House of Representatives

Subject: *Department of Energy, Federal Energy Regulatory Commission: Managing
Transmission Line Ratings*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Department of Energy, Federal Energy Regulatory Commission (FERC) entitled "Managing Transmission Line Ratings" (Docket Number: RM20-16-000). We received the rule on December 29, 2021. It was published in the *Federal Register* as a final rule on January 13, 2022. 87 Fed. Reg. 2244. The effective date is March 14, 2022.

According to FERC, the final rule revises both the *pro forma* Open Access Transmission Tariff and FERC's regulations under the Federal Power Act, 16 U.S.C. §§ 791a *et seq.*, to improve the accuracy and transparency of electric transmission line ratings. Specifically, FERC stated the final rule requires: public utility transmission providers to implement ambient-adjusted ratings on the transmission lines over which they provide transmission service; regional transmission organizations (RTO) and independent system operators (ISO) to establish and implement the systems and procedures necessary to allow transmission owners to electronically update transmission line ratings at least hourly; public utility transmission providers to use uniquely determined emergency ratings; public utility transmission owners to share transmission line ratings and transmission line rating methodologies with their respective transmission provider(s) and with market monitors in RTOs/ISOs; and public utility transmission providers to maintain a database of transmission owners' transmission line ratings and transmission line rating methodologies on the transmission provider's Open Access Same-Time Information System site or other password-protected website.

Enclosed is our assessment of FERC's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to

the subject matter of the rule, please contact Shari Brewster, Assistant General Counsel, at (202) 512-6398.

A handwritten signature in black ink that reads "Shirley A. Jones". The signature is written in a cursive, flowing style.

Shirley A. Jones
Managing Associate General Counsel

Enclosure

cc: David Morenoff
Acting General Counsel
Federal Energy Regulatory Commission

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE
ISSUED BY THE
DEPARTMENT OF ENERGY,
FEDERAL ENERGY REGULATORY COMMISSION
ENTITLED
“MANAGING TRANSMISSION LINE RATINGS”
(DOCKET NUMBER: RM20-16-000)

(i) Cost-benefit analysis

The Department of Energy, Federal Energy Regulatory Commission (FERC) did not address the costs and benefits of the final rule. In its submission to us, FERC indicated that it did not prepare an analysis of the costs and benefits of the final rule.

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

FERC certified the final rule would not have a significant economic impact on a substantial number of small entities.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

As an independent regulatory commission, FERC is not subject to the requirements of the Act.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

On January 21, 2021, FERC published a proposed rule. 86 Fed. Reg. 6420. FERC received comments and addressed them in the final rule.

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

FERC determined the final rule contained information collection requirements (ICRs) subject to the PRA. The ICRs are associated with the Pro Forma Open Access Transmission Tariff (Office of Management and Budget (OMB) Control Number 1902-0297) and Mandatory Reliability Standards for the Bulk-Power System (OMB Control Number 1902-0244). FERC estimated the associated burden of the ICRs in the final rule.

Statutory authorization for the rule

FERC promulgated the final rule pursuant to sections 791a–825r and 2601–2645 of title 16; section 9701 of title 31; and sections 7101–7352 of title 42, United States Code.

Executive Order No. 12866 (Regulatory Planning and Review)

As an independent regulatory commission, FERC is not subject to the requirements of the Order.

Executive Order No. 13132 (Federalism)

As an independent regulatory commission, FERC is not subject to the requirements of the Order.