



DEPARTMENT OF ENERGY

Western Area Power Administration

Colorado River Storage Project – Rate Order No. WAPA-195

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of proposed formula rate for Joint Dispatch Transmission Service.

SUMMARY: The Colorado River Storage Project Management Center (CRSP MC) of the Western Area Power Administration (WAPA) proposes a 5-year, Colorado River Storage Project (CRSP) Joint Dispatch Transmission Service (JDTS) formula rate for use under the Western Energy Imbalance Service (WEIS) Market through September 30, 2026. The proposed rate is unchanged from the existing rate for short-term sales of JDTS under Rate Schedule SP-NFJDT expiring September 30, 2021.

DATES: A consultation and comment period will begin [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*] and end [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. CRSP MC will accept written comments at any time during the 30-day consultation and comment period.

ADDRESSES: Written comments and requests to be informed of Federal Energy Regulatory Commission (FERC) actions concerning the proposed formula rate submitted by WAPA to FERC for approval should be sent to: Mr. Rodney Bailey, Acting CRSP Manager, Colorado River Storage Project Management Center, Western Area Power Administration, 1800 South Rio Grande Avenue, Montrose, CO 81401, or e-mail: CRSPMC-rate-adj@wapa.gov. CRSP MC will post information about the proposed formula rate and the written comments received to its website at:

<https://www.wapa.gov/regions/CRSP/rates/Pages/rates.aspx>.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas Hackett, Rates Manager, Colorado River Storage Project Management Center, Western Area Power Administration, (801) 524-5503, or e-mail: *CRSPMC-rate-adj@wapa.gov*.

SUPPLEMENTARY INFORMATION:

On December 29, 2020, WAPA's Administrator approved a rate for short-term sales of JDTS for the 8-month period February 1, 2021, through September 30, 2021.

WAPA proposes that a 5-year JDTS formula rate go into effect on October 1, 2021. The proposed formula rate would remain in effect until September 30, 2026, or until WAPA changes the formula rate through another public rate process pursuant to 10 CFR part 903, whichever occurs first. For more information on the proposed rate, please see the customer brochure located on CRSP's website at:

<https://www.wapa.gov/regions/CRSP/rates/Pages/rate-order-195.aspx>.

Legal Authority

Existing DOE procedures for public participation and approval of power and transmission rate adjustments (10 CFR part 903) were published in 1985 and 2019.¹ The proposed action constitutes a minor rate adjustment as defined by 10 CFR 903.2(e). In accordance with 10 CFR 903.15(a) and 10 CFR 903.16(a), WAPA has determined it is not necessary to hold public information and public comment forums for this rate action. However, WAPA is initiating a 30-day consultation and comment period to give the public an opportunity to comment on the proposed formula rate. CRSP MC will review and consider all timely public comments at the conclusion of the consultation and comment period and make amendments or adjustments to the proposal as appropriate. The rates will then be approved on an interim basis.

¹ 50 FR 37835 (Sept. 18, 1985) and 84 FR 5347 (Feb. 21, 2019).

WAPA is establishing the JDTS formula rate for CRSP in accordance with section 302 of the DOE Organization Act (42 U.S.C. 7152).²

By Delegation Order No. 00-037.00B, effective November 19, 2016, the Secretary of Energy delegated: (1) the authority to develop power and transmission rates to WAPA's Administrator; (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, or to remand or disapprove such rates to FERC. By Delegation Order No. S1-DEL-S4-2021, effective February 25, 2021, the Acting Secretary of Energy also delegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Under Secretary for Science (and Energy). By Redelelegation Order No. 00-002.10E, effective February 14, 2020, the Under Secretary of Energy (to whom such authority was delegated by the Secretary of Energy in Delegation Order No. 00-002.00S from January 15, 2020, until that delegation was rescinded on February 25, 2021) redelegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Assistant Secretary for Electricity. By Redelelegation Order No. 00-002.10-05, effective July 8, 2020, the Assistant Secretary for Electricity further redelegated the authority to confirm, approve, and place such rates into effect on an interim basis to WAPA's Administrator. The delegations and redelegations not affirmatively rescinded remain valid.

Availability of Information

All brochures, studies, comments, letters, memorandums, or other documents that CRSP MC initiates or uses to develop the proposed formula rate are available for inspection and copying at the CRSP MC, located at 1800 South Rio Grande Avenue,

² This Act transferred to, and vested in, the Secretary of Energy the power marketing functions of the Secretary of the Department of the Interior and the Bureau of Reclamation (Reclamation) under the Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent laws, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); and other Acts that specifically apply to the project involved.

Montrose, Colorado. Many of these documents and supporting information are also available on WAPA's website at:

<https://www.wapa.gov/regions/CRSP/rates/Pages/rates.aspx>.

RATEMAKING PROCEDURE REQUIREMENTS

Environmental Compliance

WAPA is in the process of determining whether an environmental assessment or an environmental impact statement should be prepared or if this action can be categorically excluded from those requirements.³

Determination Under Executive Order 12866

WAPA has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by the Office of Management and Budget is required.

Signing Authority

This document of the Department of Energy was signed on April 9, 2021, by Tracey A. LeBeau, Interim Administrator, Western Area Power Administration, pursuant to delegated authority from the Secretary of Energy. That document, with the original signature and date, is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the *Federal Register*.

³ In compliance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321-4347); the Council on Environmental Quality Regulations for implementing NEPA (40 CFR parts 1500-1508); and DOE NEPA Implementing Procedures and Guidelines (10 CFR part 1021).

Signed in Washington, DC, on April 20, 2021.

Treena V. Garrett,
Federal Register Liaison Officer,
U.S. Department of Energy.

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