

FERC's Market-Based Rate Relational Database Requirements Go Live

FERC's twice-delayed new relational database is now live and parties must begin to use it in connection with new applications for market-based rate authority or changes to existing market-based rate tariffs. In addition, FERC's new quarterly submission deadlines for change-in-status notifications are now in effect. The transition to use of the relational database is likely to take some extra time to navigate, particularly for sellers with large or complex corporate families. Parties should keep this in mind in advance of making their first submissions into the relational database, and should consider updating internal compliance controls to reflect the new deadlines for ongoing updates to the relational database and change in status notifications.

FERC initially adopted the relational database for collection of market-based rate information in 2019, with the issuance of Order No. 860 (*Data Collection for Analytics and Surveillance and Market-Based Rate Purpose*). Order No. 860 replaced the asset appendix and indicative market power screens that sellers individually prepared with a relational database into which sellers submit relevant information about their energy assets and affiliations. Market-based rate filings thereafter become a two-step process: the seller uploads current asset and affiliate information into the relational database in XML format, and then the relational database produces a retrievable asset appendix and indicative screens that the seller, FERC, and interested parties can access via serial numbers that the seller incorporates into its tariff filing.

Order No. 860 also requires sellers to submit any updates to the relational database on a monthly basis by the 15th day of the month following a reportable change. Finally, Order No. 860 changed the deadline for filing change in status notifications from 30 days after the change occurs to quarterly reporting aligned with the timing for submission of Electric Quarterly Reports (EQRs).

In light of the COVID-19 pandemic, FERC extended the timing for database launch to **July 2021**. FERC has adopted a phased implementation approach:

- Effective **July 1, 2021**, sellers with existing FERC Company Identifiers (CIDs) may begin preparing baseline submissions via the new relational database. Baseline submissions for existing sellers must be filed no later than **November 2, 2021**. Given that the relational database is new, sellers with extensive assets and/or affiliations should start work on their baseline submissions well before the deadline.
- Entities that file market-based rate applications or tariff changes **between July 1, 2021, and November 2, 2021**, must submit the required information into the relational database *in addition to* submitting the indicative screens (if required) and asset appendices as attachments to their applications.
- After **November 2, 2021**, no asset appendices or indicative screens need be submitted as attachments to market-based rate filings, as these aspects of the filings will be produced via the relational database.
- Once information has been submitted to the relational database, any changes to relevant asset and affiliation information must be submitted to the relational database by the 15th day of the month following the change.
- A change-in-status notification reflecting any changes that occurred between July 1, 2021, and September 30, 2021, is due on **November 30, 2021**. Thereafter, all change-in-status notifications will be on a quarterly basis aligned with the timing for submission of EQRs, such that the next change-in-status notification deadline will be on **January 31, 2022** (reflecting changes that occur in the 4th quarter of

2021).

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