

sales and transmission activities will constitute *long-term firm sales and transmission costs*, and the amount apportioned to short-term sales and transmission and exchange activities will constitute *short-term sales and transmission and exchange costs*.

(b) *Determination of annual charges to be assessed against public utilities.* (1) The long-term firm sales and transmission costs determined under paragraph (a) of this section will be assessed against each public utility based on the proportion of the long-term firm sales and transmission megawatt-hours of each public utility in the immediately preceding reporting year (either a calendar year or fiscal year, depending on which accounting convention is used by the public utility to be charged) to the sum of the long-term firm sales and transmission megawatt-hours in the immediately preceding reporting year of all public utilities being assessed annual charges.

(2) The short-term sales and transmission and exchange costs determined under paragraph (a) of this section will be assessed against each public utility based on the proportion of the short-term sales and transmission and exchange megawatt-hours of each public utility in the immediately preceding reporting year (either a calendar year or fiscal year, depending on which accounting convention is used by the public utility to be charged) to the sum of the short-term sales and transmission and exchange megawatt-hours in the immediately preceding reporting year of all public utilities being assessed annual charges.

(3) The annual charges assessed against each public utility will be the sum of the amounts determined in paragraphs (b)(1) and (b)(2) of this section.

(4) *Reporting requirement.* For purposes of computing annual charges, a public utility, as defined in § 382.102(b) must submit under oath to the Office of the Secretary by April 30 of each year an original and conformed copies of the following information (designated as FERC Reporting Requirement No. 582):

(i) The total annual long-term firm sales for resale and transmission megawatt-hours as defined in § 382.102(j); and

(ii) The total annual short-term sales, transmission and exchange megawatt-hours as defined in § 382.102(k).

(c) *Determination of annual charges to be assessed against power marketing agencies.* The adjusted costs of administration of the electric regulatory program as it applies to power marketing agencies will be assessed against each power marketing agency based on the proportion of the megawatt-hours of sales of each power marketing agency in the immediately preceding fiscal year to the sum of the megawatt-hours of sales in the immediately preceding fiscal year of all power marketing agencies being assessed annual charges.

[Order 472, 52 FR 21292, June 5, 1987, as amended by Order 529, 55 FR 47321, Nov. 13, 1990; 56 FR 1912, Jan. 18, 1991; Order 529, 56 FR 63408, Dec. 4, 1991; Order 575, 60 FR 4860, Jan. 25, 1995]

§ 382.202 Annual charges under the Natural Gas Act and Natural Gas Policy Act of 1978 and related statutes.

The adjusted costs of administration of the natural gas regulatory program will be assessed against each natural gas pipeline company based on the proportion of the total gas subject to Commission regulation which was sold and transported by each company in the immediately preceding calendar year to the sum of the gas subject to the Commission regulation which was sold and transported in the immediately preceding calendar year by all natural gas pipeline companies being assessed annual charges.

[Order 472-B, 52 FR 36022, Sept. 25, 1987]

§ 382.203 Annual charges under the Interstate Commerce Act.

(a) The adjusted costs of administration of the oil regulatory program will be assessed against each oil pipeline company based on the proportion of the total operation revenues of each oil pipeline company for the immediately preceding calendar year to the sum of the operating revenues for the immediately preceding calendar year of all oil pipeline companies being assessed annual charges.

(b) No oil pipeline company's annual charge may exceed a maximum charge

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established each year by the Commission to equal 6.339 percent of the adjusted costs of administration of the oil regulatory program. The maximum charge will be rounded to the nearest \$1000. For every company with an annual charge determined to be above the maximum charge, that company's annual charge will be set at the maximum charge, and any amount above

the maximum charge will be reapportioned to the remaining companies. The reapportionment will be computed using the method outlined in paragraph (a) of this section (but excluding any company whose annual charge is already set at the maximum amount). This procedure will be repeated until no company's annual charge exceeds the maximum charge.