

SUMMARY: The Federal Energy Regulatory Commission proposes to amend its regulations to add Part 37 containing rules establishing and governing real-time information networks (RINs) and prescribing standards of conduct. Under this proposal, each public utility (or its agent) that owns and/or controls facilities used for the transmission of electric energy in interstate commerce would be required to create and/or participate in a RIN that would provide wholesale transmission customers and potential wholesale transmission customers with electronically provided information on available wholesale transmission capacity, prices, and other information that will enable them to obtain open access non-discriminatory transmission service.

DATES: Written comments (an original and 14 paper copies and one copy on a computer diskette) must be received by the Commission by February 5, 1996.

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

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SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the Federal Register, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in the Public Reference Room at 888 First Street, NE., Washington, DC 20426.

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2400, or 1200 bps, full duplex, no parity, 8 data bits and 1 stop bit. The full text of this order will be available on CIPS indefinitely in ASCII and Wordperfect 5.1 format. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in the Public Reference Room at 888 First Street, NE., Washington, DC 20426.

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I. Introduction

The Federal Energy Regulatory Commission (Commission) proposes to amend 18 CFR to add Part 37 containing rules establishing and governing real-time information networks (RINs) and standards of conduct. We are issuing this notice of proposed rulemaking in conjunction with our previously proposed Open Access rule.¹

Under the proposed Open Access rule, public utilities that own and/or control facilities used for the transmission of electric energy in interstate commerce would be required to provide open access, non-discriminatory wholesale transmission services. To ensure non-discriminatory service, the proposed Open Access rule requires the functional unbundling of wholesale services. A public utility's uses of its own transmission system for the purpose of engaging in wholesale sales and purchases of electric energy must be separated from other activities and transmission services (including ancillary services) must be taken under filed transmission tariffs of general applicability.

To ensure this separation of service, the public utility must provide customers with timely access to transmission-related information. As we stated in the Open Access NOPR, "functional unbundling means that the public utility, in order to provide non-discriminatory open access to transmission and ancillary services information, must rely upon the same electronic network that its transmission customers rely upon to obtain transmission information about its

¹ See Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities and Recovery of Stranded Costs by Public Utilities and Transmitting Utilities, Notice and Supplemental Notice of Proposed Rulemaking, 60 FR 17662 (April 7, 1995), IV FERC Stats. & Regs. ¶ 32,514 (March 29, 1995) (hereinafter Open Access NOPR).