

(2) Customers who desire to resell capability must post the relevant information to the same RIN node used by the primary provider from whom the customer purchased the transmission capability.

(3) If the Transmission Customer resells its rights, in whole or in part, it must promptly notify the Transmission Provider, or the Transmission Provider's agent, of the new owner of the rights, any subdivision of these rights that may have occurred, and any changes in the terms and conditions of these rights, subject to the terms and conditions of the tariff.

(d) Information on Transmission Providers' and Third Parties' Ancillary Service Product Offerings and Prices must be posted on the RIN in accordance with the following: (1) To the extent that the final Open Access rule requires that a Transmission Provider offer ancillary services, the Transmission Provider will post such offers on the RIN.

(2) Other entities offering the same ancillary services shall have a comparable right to post offers on the RIN.

(e) All requests for transmission service must be made on the RIN. Requests for transmission service and the responses to such requests must be consistent with the Transmission Provider's tariff, the Federal Power Act, and FERC regulations.

(f) RINs must permit the posting of informal communications related to transmission services. Postings made in this section carry no obligation to respond on the part of any market participant. These communications include "want ads" and "other communications" (including using the RIN as a conference space or to provide messaging services between RIN users).

§ 37.10 Posting and Updating Information on the RIN.

(a) Information about ATC/TTC posted on the RIN must be updated when transactions are scheduled or end or as other system conditions change that significantly affect TTC/ATC.

(b) Information must be posted in accordance with the following procedures:

(1) All information will be date/time stamped;

(2) Firm (Non-Recallable) ATC/TTC must be posted:

(i) 24 hours per day for the next seven days, updating the next six days and adding day seven at a reasonable pre-specified time daily;

(ii) On-peak and off-peak each day, for days 8–30, updating the next 29 days

and adding day 30 at a reasonable pre-specified time daily;

(iii) By month, both on and off peak, for next 12 months updating the next 11 months and adding month 12 on the 15th of each month;

(iv) Seasonal, by year, for years 1–10 (when planning and specially requested transmission planning studies have been done).

(3) Non-Firm (Recallable) ATC/TTC must be posted:

(i) 24 hours per day for the next seven days, updating the next six days and adding day seven at a reasonable pre-specified time daily;

(ii) On-peak and off-peak each day, for days 8–30, updating the next 29 days and adding day 30 at a reasonable pre-specified time daily;

(iii) Longer term by request.

(4) Daily updates must be posted at the same universal time for each RIN.

§ 37.11 Posting of discounts.

A public utility, within 24 hours of agreeing to a discount (as measured from when ATC must be adjusted in response to the transaction), must post on the RIN and make available for download, information describing the transaction (including price, quantity, and any other relevant terms and conditions) and shall keep such information posted on the RIN for at least 30 days. Thereafter, records of the transaction must be retained and kept available for after-the-fact Commission audit as part of the audit log required in section 37.14(e).

§ 37.12 Procedure for transmission providers to respond to customer requests for transmission service.

The following steps must be followed in processing a transmission service request, with the time for each step specified in the service tariff:

(a) Requester: Submits request, including all information, as required by the tariff.

(b) Provider: Places request in queue and posts applicable information to the RIN. Posts request status and provides time/date stamps throughout the process.

(c) Provider: Approves or denies request and provides reason, if denied. Posts result to the RIN. Tenders service offer.

(d) Requester: Accepts service or withdraws request.

(e) Provider: If service accepted by Customer, adjusts ATC on the RIN.

(f) Requester: Holds for scheduling, arranges scheduling, or arranges for resale.

§ 37.13 Communicating denials of requests for service and curtailments.

When requests for service are denied or transactions are curtailed, the RIN must provide a mechanism for Transmission Providers to communicate to transmission customers:

(a) the reason those transactions could not be accommodated; and

(b) the options, if any, for adjusting operation of the system to increase transfer capability in order to accommodate those transactions.

§ 37.14 Auditing Transmission Service Information.

(a) All RIN database transactions must be automatically copied, recorded in a log file, and date/time stamped. If there is a question concerning a transmission transaction, the log file may be downloaded to identify the sequence of events concerning the transaction.

(b) Information on scheduling transmission service must be recorded in a log file by the entity scheduling the transmission service and must be available for download on the RIN by interested parties.

(c) Transmission Service Schedules must be posted to the RIN within one week of the start of the transmission service schedule agreed upon by the parties, unless otherwise reasonably requested by a party with a legitimate concern.

(d) With the exception of discounted prices to its merchant functions or to its affiliates, information about negotiations for transmission do not have to be posted on the RIN unless an agreement for transmission is reached. If an agreement is reached, the identity of the parties, to a transmission transaction may be masked for 30 days from the date when the transaction was agreed upon by the parties.

(e) Audit logs must be available for download on RINs for 90 days and retained and available upon request for three years from the date when they are first posted on a RIN.

§ 37.15 Implementation schedule for RIN requirements; phases.

The RIN(s) established under this part may be constructed in phases, with the initial phase consisting of core requirements and later phases increasing the number of functions, efficiency, and/or effectiveness of the RIN. The first phase requirements must be implemented as of the effective date of the Open Access rule.

Note: The following attachment will not appear in the Code of Federal Regulations.

Attachment 1—(Questions for Comment)

Question 1. We seek comment on whether to continue to call the information network