DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 740

[Docket No. 200204–0044]

RIN 0694–AH93

Amendments to Country Groups for Russia and Yemen Under the Export Administration Regulations

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule; correcting amendment.

SUMMARY: The Bureau of Industry and Security (BIS) publishes this document to correct a final rule published in the Federal Register on February 24, 2020 (February 24th rule), in which BIS amended the Export Administration Regulations (EAR) to revise the Country Group designations for the Russian Federation (Russia) and Yemen based on national security and foreign policy concerns, including proliferation-related concerns. This document corrects the final rule to provide an instruction to remove Yemen from Country Group B, as was described in the preamble of the February 24th rule.

DATES: This correction is effective March 6, 2020 and is applicable on February 24, 2020.

FOR FURTHER INFORMATION CONTACT: Jodi Kouts, Director, Chemical and Biological controls Division, at email Jodi.Kouts@bis.doc.gov or by phone at (202) 482–6109.

SUPPLEMENTARY INFORMATION: For the reasons described in the preamble and the authority as set out in the February 24, 2020 final rule (85 FR 10274), this document provides the correcting amendment to remove “Yemen” from the list of “Country Group B—Countries” in Supplement No. 1 to part 740 of the EAR.

List of Subjects in 15 CFR Part 740

Administrative practice and procedure, Exports, Reporting and recordkeeping requirements.

Accordingly, part 740 of the Export Administration Regulations (15 CFR parts 730–774) is corrected by making the following correcting amendment:

PART 740—LICENSE EXCEPTIONS

1. The authority citation for part 740 continues to read as follows:


Supplement No. 1 to Part 740

[Amended]

2. Supplement No. 1 part 740 is amended by removing “Yemen” from “Country Group B—Countries”.


Matthew S. Borman,
Deputy Assistant Secretary for Export Administration.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 35

[Docket No. RM19–2–001; Order No. 861–A]

Refinements to Horizontal Market Power Analysis for Sellers in Certain Regional Transmission Organization and Independent System Operator Markets

AGENCY: Federal Energy Regulatory Commission, Department of Energy.

ACTION: Order on rehearing and clarification.

SUMMARY: In this order on rehearing, the Federal Energy Regulatory Commission grants clarification in part and denies rehearing of certain revisions to its regulations regarding the horizontal market power analysis required for market-based rate sellers that study certain Regional Transmission Organization or Independent System Operator markets and submarkets therein.

DATES: This order on rehearing and clarification is effective May 5, 2020.


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SUPPLEMENTARY INFORMATION:

I. Introduction

1. On July 18, 2019, the Commission issued Order No. 861,1 which modified its regulations regarding the horizontal market power analysis required for market-based rate Sellers2 that study certain Regional Transmission Organization (RTO) or Independent System Operator (ISO) markets and submarkets therein. Specifically, in Order No. 861, the Commission relieved Sellers located in certain RTO or ISO markets and submarkets therein of the obligation to submit indicative screens to the Commission in order to obtain or retain authority to sell energy, ancillary services, and capacity at market-based rates. The Commission’s regulations continue to require Sellers that study an RTO, ISO, or submarket therein, to submit indicative screens for authorization to make capacity sales at market-based rates in any RTO/ISO market that lacks an RTO/ISO administered capacity market subject to Commission-approved RTO/ISO monitoring and mitigation.3 For those RTOs and ISOs that do not have an RTO/ISO-administered capacity market, the Commission found that Commission-approved RTO/ISO monitoring and mitigation is no longer


2 The term “Seller” is defined as any person that has authorization to or seeks authorization to engage in sales for resale of electric energy, capacity or ancillary services at market-based rates. 18 CFR 35.36(a)(1).

3 Order No. 861, 168 FERC ¶ 61,040 at P 38.