

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

[Docket Nos. RM11-24-000 and AD10-13-000; Order No. 784]

Third-Party Provision of Ancillary Services; Accounting and Financial Reporting for  
New Electric Storage Technologies

ERRATA NOTICE

(July 25, 2013)

On July 18, 2013, the Commission issued Order No. 784. This Errata Notice is being issued to correct the revised regulation under § 35.37(c)(1) on page 140 of Order No. 784. The regulation is corrected to read as follows:

**§ 35.37 Market power analysis required.**

\* \* \* \* \*

(c)(1) There will be a rebuttable presumption that a Seller lacks horizontal market power with respect to sales of energy, capacity, energy imbalance, and generator imbalance services if it passes two indicative market power screens: a pivotal supplier analysis based on annual peak demand of the relevant market, and a market share analysis applied on a seasonal basis. There will be a rebuttable presumption that a Seller lacks horizontal market power with respect to sales of operating reserve-spinning and operating reserve-supplemental services if the Seller passes these two indicative market power screens and demonstrates in its market-based rate application how the scheduling practices in its region support the delivery of operating reserve resources from one balancing authority area to another. There will be a rebuttable presumption that a seller possesses horizontal market power with respect to sales of energy, capacity, energy imbalance, generator

imbalance, operating reserve-spinning, and operating reserve-supplemental services if it fails either screen.

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Nathaniel J. Davis, Sr.,  
Deputy Secretary.