

GENERAL INFORMATION

PURPOSE
Form EIA-423 collects information from selected electric generating facilities in the United States. Data collected on this survey include the cost and quality of fossil fuels delivered to unregulated plants to produce electricity. These plants include industrial combined heat and power (CHP) facilities. The data collected on this form will appear in the following EIA publications: *Electric Power Monthly*, *Electric Power Annual*, *Monthly Energy Review*, and *Annual Energy Review*. Because fuel cost data are proprietary, that data will only be included at an aggregate level that will protect the information of individual facilities from disclosure.

REQUIRED RESPONDENTS
The owner or operator of an electricity generating facility or an industrial CHP facility must file the Form EIA-423 if the facility's total fossil-fueled nameplate generating capacity is 50 or more megawatts. Respondents who are currently filing data on the FERC Form 423 (in most cases, regulated utility steam-electric generators) are not required to submit this survey. For facilities that have tolling agreements, all necessary data should be obtained from the fuel supplier. If the fuel supplier will not provide the data to the owner or operator, the responsibility for filing the survey rests with the fuel supplier. Form EIA-423 is to be completed monthly.

SANCTIONS
The timely submission of Form EIA-423 by those required to report is mandatory under Section 13(b) of the Federal Energy Administration Act of 1974 (FEAA) (Public Law 93-275), as amended. Failure to respond may result in a penalty of not more than \$2,750 per day for each civil violation, or a fine of not more than \$5,000 per day for each criminal violation. The government may bring a civil action to prohibit reporting violations, which may result in a temporary restraining order or a preliminary or permanent injunction without bond. In such civil action, the court may also issue mandatory injunctions commanding any person to comply with these reporting requirements. **Title 18 U.S.C. 1001 makes it a criminal offense for any person knowingly and willingly to make to any Agency or Department of the United States any false, fictitious, or fraudulent statements as to any matter within its jurisdiction.**

METHODS OF FILING RESPONSE
The recommended method for filing the Form EIA-423 is via EIA's new Internet Data Collection (IDC) system. This system is secure, has built-in edits to catch errors before the form is submitted to EIA, saves time and effort, and reduces the likelihood of a callback from EIA. If you are not already validated and would like to use IDC, log on to <http://www.eia.doe.gov/electricity/edc> for instructions.

- There are four other filing options:
- You can fill out the Microsoft Word or Excel version of the form and submit it using Internet Secure File Transfer (SFT). It is another electronically secure option. Save it to your hard drive and refer to the following website for further instructions: <https://idc.eia.doe.gov/upload/notice423.jsp>.
 - E-mail the form to: EIA-423@eia.doe.gov.
 - Fax the form to: (202) 287-1944 or (202) 287-1946.
 - Mail the form to: U.S. Department of Energy, Energy Information Administration, Mail Stop: BG-076 (Form EIA-423), 1000 Independence Avenue, SW, Washington, DC 20077-5651.

Note that commonly used facsimile and e-mail transmissions (including files attached to e-mail messages) travel over ordinary telephone lines and are not considered secure electronic methods of transmitting survey data. Please retain a copy of your submission for your files.

CONTACT
For questions regarding the Form EIA-423 or additional information contact:
Rebecca A. McNerney
Telephone Number: (202) 287-1913
FAX Number: (202) 287-1944 or (202) 287-1946
E-mail: rebecca.mcnerney@eia.doe.gov

CONFIDENTIALITY

The EIA's provisions for confidentiality of the data elements are as follows:

1. Certain information will be kept confidential and not disclosed to the public to the extent that it satisfies the criteria for exemption in the Freedom of Information Act (FOIA), 5 U.S.C. §552; the DOE regulations. 10 C.F.R. §1004.11, implementing the FOIA; and the Trade Secrets Act, 18 U.S.C. §1905.
2. The EIA is required to provide company-specific data to the Department of Justice, or to any other Federal Agency when requested for official use, which may include enforcement of Federal law. The information may also be made available, upon request, to another component of the Department of Energy (DOE); to any Committee of Congress; the General Accounting Office; or to Congressional agencies authorized by law to receive such information. A court of competent jurisdiction may obtain this information in response to an order.

Upon receipt of a request for this information under the FOIA, the DOE shall make a final determination whether the information is exempt from disclosure in accordance with the procedures and criteria provided in the regulations. Respondents may be asked for additional information on how release of the designated confidential information would be likely to cause substantial competitive harm. The respondents are encouraged to provide a letter with their submission of data that explains (on an element-by-element basis) the reasons why the confidential information would be likely to cause the respondent substantial competitive harm if released to the public. The letter would be kept on file to respond to requests for the information under the FOIA. A new justification is not needed each time information is submitted on an EIA form if the justification has not changed.

The information contained on this form relating to Column 'I' Fuel Cost - Plant Purchase Price will be kept confidential and not disclosed to the public to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552; the DOE Regulations, 10 C.F.R. §1004.11, implementing the FOIA; and the Trade Secrets Act, 18 U.S.C., §1905. The data reported on the Form EIA-423 not specifically stated in this section as confidential are not considered to be confidential.

INSTRUCTIONS

Submit the completed Form EIA-423 to the EIA within 45 days of the close of the business month.

1. Verify all preprinted information, including company and plant names and identification numbers; respondent name, address, and identification number; and contact name(s), telephone number(s), FAX number(s), title(s), and e-mail address(es). If incorrect, revise the incorrect entry and provide the correct information. State codes are two-character U.S. Postal Service abbreviations. Provide any missing information. In the spaces provided, indicate the month for which you are reporting and indicate whether or not you are a combined heat and power facility. Typed or legible handwritten entries are acceptable.
2. **Revision Policy:** Revisions or adjustments to data should be made only to the survey month(s) to which they pertain. (Do not adjust the current month to reflect a revision or adjustment to a prior month submission.) Submit revisions to data previously reported as soon as possible after the error or omission is discovered. Do not wait to send a resubmission until the next reporting month's form is due. A new submission must be completed for each revised page. If you report via the Internet Data Collection system, you may go directly into the system and make the change. Indicate in the Notes Section the nature and date of the revision. If the revision is for a month that has been closed out, further instructions will appear on your screen. If you report via Internet Secure File Transfer, you may send a corrected copy of the form, but be sure to indicate in the Notes Section (1) that it is a *revision*, (2) the *month* that is being revised, (3) *what* has been revised, and (4) the *date* of the revision. Also acceptable is a photocopy of the original submission that has a line drawn through the incorrect data and the correct data written above it. The revised page will be treated as a replacement for the original page. E-mail, FAX, or mail one copy of the corrected page(s).
3. Electric generating facilities should report all deliveries of fossil fuels received during the reporting month. Industrial CHP facilities should report only fossil fuels received for use in processes that generate electricity. If fuel receipts cannot be allocated between CHP processes and other (thermal only) industrial processes, then simply report all fuel receipts.

Coal: Report data by supplier. Data on coal received under each purchase order or contract with a supplier should be reported separately. Aggregation of coal receipt data into a single line item is allowed if the coal is received under the same purchase order or contract and the purchase type, fuel, mine type, State of origin, and county of origin, and supplier are identical for each delivery. For example, 10 trainloads of contract, surface-mined subbituminous coal from the Black Thunder mine in Campbell County, Wyoming may be reported as one line item. The reported quality and cost data would then be a weighted average of the aggregated deliveries.

Coal receipts should be separated into three purchase types: contract, new contract, and spot-market. Report "C" for contract under **Column 'a' Purchase Type** if the fuel is received under a purchase order or contract that has a total duration of one year or longer.

If a new contract is signed or an existing contract is renegotiated, report "NC" for purchase type if the contract has a duration of one year or longer. Use the "NC" designation only in the month that the new contract begins. In each subsequent month, report a "C" until the contract expires.

Report "S" under purchase type for spot market if the fuel is received under a purchase order or contract that has a total duration of less than one year. The expiration date in **Column 'b'** should remain blank for spot-market purchases. **Coal received from spot-market purchases and from contract purchases should never be aggregated and reported as one line item.**

If coal received under a purchase order or contract originates in more than one county and a county level breakdown is not available, report estimates for each county. If estimates are not available, report the origin as the county where the majority of the coal originates.

Petroleum and Gas: Report data by supplier, or aggregate by pipeline or distributor. Aggregation of fuel deliveries from various suppliers is allowed only if the purchase type and fuel are identical. Contract and spot-market purchases must be reported as separate line items. Firm, interruptible, or spot-market purchases must be reported as separate line items. The reported cost and quality data would be the weighted average of the aggregated deliveries. For petroleum, use "C" (contract), "NC" (new contract), or "S" (spot-market) for **Column 'a' Purchase Type**. For gas, use "F" (firm), "I" (interruptible), or "S" (spot-market) for **Column 'a' Purchase Type**. Fuel received under separate purchase types should never be aggregated and reported as one delivery.

4. For **Column 'a' Purchase Type**, use the following codes for **coal and petroleum** purchases:

C - Contract Purchase of fuel received under a purchase order or contract that has a duration of **one year or longer**.
NC - New Contract or Renegotiated Contract Purchase under which deliveries were first made during the reporting month.
S - Spot-Market Purchase of fuel received under a purchase order or contract that has a duration of **less than one year**.

And for **Column 'a' Purchase Type**, use the following codes for **gas** purchases:

F - Firm Purchase where contract anticipates no interruption of service.
I - Interruptible Purchase where either volume or pipeline capacity is made available but without a guarantee of delivery due to a prior claim by another customer or another class of service.
S - Spot-Market Purchase where either the volume or pipeline capacity is made available for a limited duration (daily, weekly, or monthly interval).

5. For **Column 'b' Expiration Date**, enter the month and the year the purchase order or contract expires if the expiration date is within 24 months of the survey-reporting month. For example, report "1103" for a November 2003 expiration date. This column should be left blank if **Column 'a' Purchase Type** contains an "S" for spot-market purchase.

INSTRUCTIONS

6. For **Column 'c' Fuel**, identify purchased fossil fuels (including start-up and flame stabilization fuel) using the following abbreviations:

<u>Energy Source Code</u>	<u>Energy Source</u>
BIT	(Anthracite Coal, Bituminous Coal)
LIG	Lignite Coal
SUB	Subbituminous Coal
WC	Waste/Other Coal (Anthracite Culm, Bituminous Gob, Fine Coal, Lignite Waste, Waste Coal)
SC	Coal-based Synfuel (includes briquettes, pellets, or extrusions, which are formed by binding materials and processes that recycle material)
DFO	Distillate Fuel Oil (includes all Diesel and No. 1, No. 2, and No. 4 Fuel Oils)
JF	Jet Fuel
KER	Kerosene
RFO	Residual Fuel Oil (includes No. 5 and No. 6 Fuel Oils and Bunker C Fuel Oil)
WO	Oil-Other, and Waste Oil (Butane (Liquid), Crude Oil, Liquid Byproducts, Oil Waste, Propane (Liquid), Re-Refined Motor Oil, Sludge Oil, Tar Oil)
PC	Petroleum Coke
NG	Natural Gas
BFG	Blast-Furnace Gas
OG	Other Gas (Butane, Coal Processes, Coke-Oven, Refinery, and other processes)
PG	Propane

7. For **Column 'd' Coal Mine Type**, enter "S" for surface-mined or "U" for underground-mined. If the coal received is a blend of surface and underground, use "S/U" or "U/S." This notation will result in a 0.67/0.33 allocation. Do not combine separate deliveries of surface-mined coal and underground-mined coal using the designation of "S/U" or "U/S." These must be reported using the corresponding "S" or "U" mine type.

8. For **Column 'e' Coal Mine State**, use the U.S. Postal Service abbreviation to show the State in which the coal was mined. Do not report the location of the preparation plants or transfer facilities, but rather the location of the mine(s). Verify the State of origin with the supplier. If the origin cannot be determined, report the State of origin based on the most likely probability and footnote accordingly.

For imported coal, enter the 2-letter code shown below.
 AS – Australia; CN – Canada; CL – Colombia; ID – Indonesia; PL – Poland; RS – Russia; VZ – Venezuela.

9. For **Column 'f' Coal Mine County**, use the three-digit Federal Information Processing Standards (FIPS) County Code, which can be found on the Internet at www.eia.doe.gov/cneaf/electricity/page/statecodes/statecodes.html, to show the county in which the coal was mined or contact the survey manager. Do not report the location of the transfer facilities, shipping facilities, preparation plants, or mining company headquarters. Use only the mine location to determine the county of origin. If the coal from the supplier originates from more than one county, use separate lines to show county of origin and appropriate quantity, quality and cost data. For imported coal, enter "999" in place of the county of origin.

10. For **Column 'g' Supplier**, enter the name of the company, mine, or broker for all coal receipts. For petroleum receipts, enter the name of the company or broker. For gas receipts, enter the name of the pipeline, distributor, broker, or producer.

11. For **Column 'h' Quantity Received**, enter quantities in tons for coal and other solid fuels, barrels for oil and other liquid fuels, and thousands of cubic feet for gas.

12. For **Column 'i' Btu Content**, enter the average Btu content for each fuel in terms of MMBtu per ton for solid fuel, MMBtu per barrel for liquid fuel, and MMBtu per thousand cubic feet for gas. Show to the nearest 0.01 MMBtu.

13. For **Column 'j' Sulfur Content**, for all fuels except gas, enter the sulfur content of the fuel in terms of percent sulfur by weight. Show to the nearest 0.01 percent.

14. For **Column 'k' Ash Content**, for all fuels except gas, enter the ash content of the fuel in terms of percent ash by weight. Show to the nearest 0.1 percent. Footnote if the reported ash content for coal is an estimate.

15. For **Column 'l' Fuel Cost - Plant Purchase Price**, enter the delivered cost of the fuel in **cents** per million Btu to the nearest 0.1 cent. This cost should include all costs incurred in the purchase and delivery of the fuel to the plant. It should not include unloading costs. **Do not include adjustments associated with prior months fuel costs.** These adjustments should be made only by revising the appropriate prior months submissions. **The current month fuel costs should reflect only costs associated with the current month fuel deliveries.**

REPORTING BURDEN

Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including the time of reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Energy Information Administration, Statistics and Methods Group, EI-70 Forrestal Building, 1000 Independence Avenue SW, Washington, D.C. 20585-0670; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503. A person is not required to respond to the collection of information unless the form displays a valid OMB number.

GLOSSARY

Ash Content: The measurement of all non-combustibles (ash) in terms of percent by weight on an “as received” basis.

Btu Content: The measurement of the energy content of the fuel on an “as received” basis. A Btu (or British Thermal Unit) is the quantity of heat required to raise the temperature of 1 pound of water by 1 degree Fahrenheit at the temperature at which water has its greatest density (approximately 39 degrees Fahrenheit).

Combined Heat and Power (CHP) Plant: A plant designed to produce both heat and electricity from a single heat source. Note: This term is being used in place of the term “cogenerator” that was used by EIA in the past. CHP better describes the facilities because some of the plants included do not produce heat and power in a sequential fashion and, as a result, do not meet the legal definition of cogeneration specified in the Public Utility Regulatory Policies Act (PURPA).

Contract Purchase (or Contract Receipt): A purchase based on a negotiated agreement that generally covers a period of 1 or more years.

Fuel: Any material substance that can be consumed to supply heat or power. Included are petroleum, coal, and natural gas (the fossil fuels), and other consumable materials, such as uranium, biomass, and hydrogen. For CHP facilities, it may include fuel used to produce thermal output that is not associated with the production of electricity. (For the purpose of this form, only fossil fuels are to be reported.)

Firm Gas Purchase: Gas purchased on a long-term contract with guarantee of delivery.

Interruptible Gas Purchase: Gas purchased on a long-term contract without guarantee of delivery. The contract specifies circumstances that permit the curtailment of service by the pipeline or distribution company.

Plant Purchase Price: The delivered cost of fuel in cents per million Btu. The cost includes all commodity, freight, taxes, and other costs incurred in the delivery of fuel to the plant. It does not include unloading costs. A current month fuel cost should reflect only costs associated with the current month fuel deliveries.

Quantity Received: The volume of fuel received for use in the production of electricity. Industrial CHP facilities should report only fossil fuels received for use in the process of generating electricity. If the CHP process is such that fuel receipt statistics cannot be separated or allocated between fuel received for electricity production and that received primarily for other industrial processes, then simply report all fuel receipts.

Regulated Entity (Utility): A corporation, person, agency, authority, or other legal entity or instrumentality aligned with distribution facilities for delivery of electric energy for use primarily by the public. Included are investor-owned electric utilities, municipal and State utilities, Federal electric utilities, and rural electric cooperatives. A few entities that are tariff based and corporately aligned with companies that own distribution facilities are also included. *Note:* Due to the issuance of FERC Order 888 that required traditional electric utilities to functionally unbundle their generation, transmission, and distribution operations, "electric utility" currently has inconsistent interpretations from State to State.

Spot Market Purchase: A single shipment of fuel or volumes of fuel purchased for delivery within 1 year. Spot purchases are often made by a user to fulfill a certain portion of energy requirements, to meet unanticipated energy needs, or to take advantage of low-fuel prices.

Sulfur Content: The measurement of sulfur in terms of percent by weight on an “as received” basis.

Surface Mine: A coal-producing mine that is usually within a few hundred feet of the surface. Earth above or around the coal (overburden) is removed to expose the coalbed, which is then mined with surface excavation equipment, such as draglines, power shovels, bulldozers, loaders, and augers. It may also be known as an area, contour, open-pit, strip, or auger mine.

Tolling Agreement: An arrangement that allows one company to have marketing control of electricity produced by generating assets owned by another company. The agreement usually requires the marketer to procure the fuel supply necessary to produce the electricity.

Underground Mine: A mine where coal is produced by tunneling into the earth to the coalbed, which is then mined with underground mining equipment such as cutting machines and continuous, longwall, and shortwall mining machines. Underground mines are classified according to the type of opening used to reach the coal, i.e., drift (level tunnel), slope (inclined tunnel), or shaft (vertical tunnel).

Unregulated Entity (Nonutility): A corporation, person, agency, authority, or other legal entity or instrumentality that owns or operates facilities for electric generation and is not an electric utility. Nonutility power producers include qualifying **cogenerators**, qualifying small power producers, and other nonutility generators (including independent power producers). Nonutility power producers are without a designated franchised service area and do not file forms listed in the Code of Federal Regulations, Title 18, Part 141.

NOTICE: The timely submission of Form EIA-423 by those required to report is mandatory under Section 13(b) of the Federal Energy Administration Act of 1974 (FEAA) (Public Law 93-275), as amended. Failure to respond may result in a penalty of not more than \$2,750 per day for each civil violation, or a fine of not more than \$5,000 per day for each criminal violation. The government may bring a civil action to prohibit reporting violations, which may result in a temporary restraining order or a preliminary or permanent injunction without bond. In such civil action, the court may also issue mandatory injunctions commanding any person to comply with these reporting requirements. A person is not required to respond to collection of information unless the form displays a valid OMB number. **All data reported on Form EIA-423, Column 'I' Fuel Cost-Plant Purchase Price, will be kept confidential. All other data are not confidential. Title 18 U.S.C. 1001 makes it a criminal offense for any person knowingly and willingly to make to any Agency or Department of the United States any false, fictitious, or fraudulent statements as to any matter within its jurisdiction.**

SURVEY CONTACTS: Persons to contact with questions about this form.

Contact Person 1: _____ Title : _____
 Phone : _____ E-mail : _____
 FAX : _____
 Contact Address: _____
 City : _____ State : _____ Zip Code: _____ - _____

Contact Person 2: _____ Title : _____
 Phone: _____ E-mail : _____

RESPONSE DUE DATE: Please submit by the 45th day following the close of the business month.

REPORT FOR:

Facility Name : _____ Facility ID : _____
 Company Name : _____ Company ID: _____
 Facility Address 1: _____
 Facility Address 2: _____
 City : _____ State : _____
 Zip Code : _____ - _____

Reporting Year : 2003 Reporting Month: Jan (), Feb (), Mar (), Apr (), May (), Jun (), Jul (), Aug (), Sep (), Oct (), Nov (), Dec ()

Combined Heat and Power (CHP): () Yes () No

LINE NO.	PURCHASE TYPE (a)	EXPIRATION DATE (b)	FUEL (c)	TYPE (d)	COAL MINES		SUPPLIER (g)	QUANTITY RECEIVED (Units) Coal: Tons Oil: Barrels Gas: Thousands of Cu. Ft. (h)	QUALITY (As Received)			FUEL COST - PLANT PURCHASE PRICE (In cents per million Btu to nearest 0.1 cent) (l)
					LOCATION				Btu CONTENT Coal: MMBtu per Ton; Oil: MMBtu per Barrel; Gas: MMBtu per Thousand Cu. Ft. (To nearest 0.01 MMBtu) (i)	SULFUR CONTENT (To nearest 0.01 %) (j)	ASH CONTENT (To nearest 0.1 %) (k)	
					STATE (e)	COUNTY CODE (f)						
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												

Footnotes: _____

Tips Sheet for Form EIA-423

I. Survey Contacts:

Report the contact information of two people who can be contacted with questions about this form. It is recommended that the second contact be in a *supervisory* position.

II. Report For:

Report the facility name, facility ID, company name, company ID, and the facility address.

III. Reporting Month:

Check the appropriate reporting month. Example: June (X).

IV. Combined Heat and Power (Cogenerator):

Check YES or NO.

V. Purchase Type:

Report the correct purchase type:
For Coal and Petroleum: C, NC, or S
For Gas: F, S, or I

VI. Expiration Date:

Enter the month and the year the contract expires. Leave it blank for spot purchases. Example: 0105

VII. Fuel:

Enter the purchased fuel using the energy source code. Example: BIT – Bituminous coal; NG – Natural Gas

VIII. Coal Mines Only:

Type: Enter 'S' for Surface, 'U' for Underground, or 'S/U' or 'U/S' for a blend of Underground and Surface coal. 'S/U' or 'U/S' will result in a 0.67/0.33 allocation.
State: Enter the USPS abbreviation for State. Example: WV for West Virginia.
County: Enter the three-digit FIPS county code. Enter '999' for imported coal. Example: 041 for Lewis County of West Virginia.

IX. Supplier:

Coal: Enter the name of the company, broker, or mine. Example: Reliant Energy

Oil: Enter the name of the company or broker.

Gas: Enter the name of the pipeline, distributor, broker, or producer.

X. Quantity Received:

Coal: To be reported in Tons. Example: 1892 Tons

Oil: To be reported in Barrels. Example: 1050 Barrels

Gas: To be reported in thousands of Cu Ft. (MCF). Example: 22910 MCF
(Do not report in Cu. Ft. or Million Btus purchased.)

XI. BTU Content:

Coal: To be reported in MMBtu/Ton. Example: 25.02 MMBtu/ Ton
(Do not report in Pounds.)

Oil: To be reported in MMBtu/Barrel. Example: 5.79 MMBtu/ Barrel
(Do not report in Gallons.)

Gas: To be reported in MMBtu/MCF. Example: 1.02 MMBtu/MCF
(Do not report in Cu. Ft.)

XII. Sulfur Content:

Enter sulfur content (show to nearest 0.01%) for all fuels except Gas. Example:
1.66 for BIT Coal.

XIII. Ash Content:

Enter ash content (show to nearest 0.01%) for all fuels except Gas. Example: 8.71
for BIT Coal.

XIV. Fuel Cost:

To be reported in **cents** per million Btu to nearest 0.1 cents. Example: 157.7 cents
for BIT Coal. (Do not report in dollars/MMBtu.)

(The cost includes all commodity, freight, taxes, and other costs incurred in the
delivery of fuel to the plant. It does not include unloading costs. A current month
fuel cost should reflect only costs associated with the current month fuel deliveries.)

XV. Footnotes:

Add any comments/footnotes. (If this submission is a revision to a previous month,
indicate (1) that it is a *revision*, (2) the *month* that is being revised, (3) *what* has
been revised, and (4) the *date* of the revision.)