

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

TEXAS BLOCKCHAIN COUNCIL, a nonprofit  
association; RIOT PLATFORMS, INC.,

*Plaintiffs,*

v.

DEPARTMENT OF ENERGY; JENNIFER M.  
GRANHOLM, in her official capacity as Secretary  
of Energy; ENERGY INFORMATION  
ADMINISTRATION; JOSEPH DECAROLIS, in  
his official capacity as Administrator of Energy  
Information Administration; OFFICE OF  
MANAGEMENT AND BUDGET; SHALANDA  
YOUNG, in her official capacity as Director of  
Office of Management and Budget,

*Defendants.*

Civil Action No. 6:24-cv-99

**ORAL ARGUMENT  
REQUESTED**

**PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING ORDER**

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## MOTION FOR TEMPORARY RESTRAINING ORDER

Plaintiffs Texas Blockchain Council (“TBC”) and Riot Platforms, Inc. (“Riot”) through their undersigned counsel, move under Federal Rule of Civil Procedure 65 for the following temporary restraining order against Defendants:

1. A temporary restraining order prohibiting Defendants Department of Energy (“DOE”) and Energy Information Administration (“EIA”) from requiring Plaintiffs, including TBC’s members, to respond to Cryptocurrency Mining Facilities Report Survey (EIA-862) (the “Survey”), from collecting such data, and sequestering any such data that Defendants have already received.

In support of this Motion, Plaintiffs rely on the accompanying Statement of Legal Points and Authorities, the attached Appendix (“Pls.’ App.”), and the Verified Complaint [Dkt. 1]. As Plaintiffs establish, they are entitled to immediate relief because (1) Plaintiffs are substantially likely to prevail on the merits, (2) Plaintiff Riot and Plaintiff TBC’s other members are and will continue to suffer irreparable harm without immediate relief from this Court, (3) the balance of equities tips in favor of Plaintiffs because they are under threat of criminal and civil prosecution and have incurred substantial compliance costs, and (4) the public interest is served whenever federal laws are enforced.

Plaintiffs respectfully request that this Court issue an *ex parte* temporary restraining order given the sufficiently imminent threat of enforcement, including criminal fines and civil penalties. Plaintiffs also request an opportunity to be heard on this Motion as soon as the Court’s schedule allows. A proposed order is attached.

### **CERTIFICATE OF REASONABLE EFFORTS TO GIVE NOTICE OF TRO**

Under Federal Rule of Civil Procedure 65(b)(1)(B) and Local Rule 7.1, I certify that counsel gave Defendants notice of their intent to seek a temporary restraining order under Rule 65 by email to DOE’s Assistant General Counsel for Litigation on February 22, 2024. In that email, Plaintiffs’ counsel notified DOE counsel that the survey was unlawful and asked that the initial survey response date be delayed from February 23, 2024 to April 26, 2024. DOE counsel responded on February 22—but did not agree to extend the initial response deadline to April 26, or for any time at all. Plaintiffs are required—under threat of criminal and civil penalty—to unlawfully disclose their highly confidential and proprietary information to Defendants by February 23, 2024, and further notice should not be required.

Consequently, Plaintiffs complied with 65(b)(1)(B)’s requirement that Defendants be given notice of Plaintiffs’ intent to seek a TRO.

/s/ Mark D. Siegmund  
Mark D. Siegmund  
State Bar Number 24117055

### **STATEMENT OF LEGAL POINTS AND AUTHORITIES**

The oft-cited proverb that “nothing is certain but death and taxes” needs to be modified for the modern era because in our current administrative state, it seems, nothing is certain but death, taxes—and paperwork. Decades ago, Congress recognized the government’s insatiable lust for information and the concomitant burdens it placed on citizens and businesses. To combat the government’s crushing paperwork demands, Congress passed the Paperwork Reduction Act (“PRA”), 44 U.S.C. § 3501 *et seq.* with overwhelming bipartisan support. But a statute can achieve its purposes only when the parties bound to comply with and administer it—federal agencies and the Office of Management and Budget (“OMB”), respectively—actually do so. Here, Defendants

DOE, EIA, OMB, and their respective agency heads all failed to fulfill their legal obligations, violating the PRA and exceeding their authority in the process.

All the Defendants failed in their basic obligations under the law and exceeded their authority in the process. This Court should therefore grant Plaintiffs' motion for a temporary restraining order to uphold the rule of law and to maintain the status quo pending further proceedings in this Court. Riot and TBC's other members should not have to expend resources to comply with or be forced to provide sensitive and propriety information to the EIA in response to its legally deficient information demands and accompanying threats of civil and criminal fines.

### STATEMENT OF FACTS

EIA has "information-gathering power" and is permitted to request information from businesses that are engaged in certain activities. 15 U.S.C. § 772(b); *see also* Dkt. 1, ¶¶ 17–28 (describing EIA's information collecting and enforcement powers). But before burdening private parties with an information collection, EIA must comply with the PRA. 44 U.S.C. § 3506(a)(1); 5 C.F.R. § 1320.7; *see also* Dkt. 1, ¶¶ 29–38 (describing the PRA's framework). The PRA provides a comprehensive scheme for submitting, reviewing, and approving collections of information. *Dole v. United Steelworkers of Am.*, 494 U.S. 26, 32 (1990). The process is overseen by OMB. *Id.* A core aspect of the PRA's scheme is public participation through agency outreach and notice-and-comment opportunities. *See, e.g.*, 44 U.S.C. § 3506(c)(2)(A); 44 U.S.C. § 3507(a)(1)(B). The standard clearance process usually requires at least one round of notice and comment, and consideration of the resulting input, before OMB can authorize a collection and assign it a control number. *Id.* The PRA also provides an emergency processing mechanism which permits agencies to request, and OMB to authorize, a collection for a limited time if certain conditions are met. 44 U.S.C. § 3507(j); 5 C.F.R. § 1320.13.



### ***Cryptocurrency and the Texas Cryptocurrency Mining Industry***

Cryptocurrencies are digital currencies designed to be used over the internet, whose transactions are vetted and tracked by blockchain technology. Dkt. 1, ¶¶ 39–41. Each transaction must be validated, and “miners” play a critical part in the cryptocurrency ecosystem by providing computing power to validate transactions. Dkt. 1, ¶¶ 42–43. They do this calculating the valid hashes<sup>1</sup> for the consensus mechanism to secure the blockchain and record transactions. Dkt. 1, ¶¶ 42–43. Miners ensure the integrity of the network through either a proof-of-work algorithm or a proof-of-stake algorithm. Dkt. 1, ¶ 44. To do this work, miners use powerful computers that have specialized hardware and software. Dkt. 1, ¶ 45. Because of the time, expense, and regulatory approvals involved, it typically takes more than a year to set up one of these data centers, and regularly takes several years. Dkt. 1, ¶ 46. Like other data centers, these mining data centers use electricity. A unique attribute of mining is that its electrical loads are highly flexible. Dkt. 1, ¶ 48. That is particularly true here in Texas where miners participate in voluntary curtailment programs with Electric Reliability Council of Texas (“ERCOT”), which enhances grid stability. Dkt. 1, ¶¶ 49–50, 52. But the industry is often criticized for its perceived harm to the environment, due primarily to “scope 2” emissions, which account for the fossil fuels used to create the electricity to power data centers. Dkt. 1, ¶ 45; *see also* ¶¶ 56–58, 65, 81; *but see* ¶ 53.

More than two dozen TBC members mine in Texas. Dkt. 1, ¶ 54.

### ***EIA’s Cryptocurrency Mining Facilities Report (EIA-862) Survey***

On January 24, 2024, EIA submitted an emergency request to OMB for the Cryptocurrency Mining Facilities Report Survey (EIA-862) seeking authorization to collect information regarding

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<sup>1</sup> “The hash is a 64-digit hexadecimal number that is the result of sending the information contained in a block through the SHA256 hashing algorithm.” Jake Frankenfield, *What Is Bitcoin Mining?*, Investopedia (updated October 11, 2023), <https://www.investopedia.com/terms/b/bitcoin-mining.asp>.

certain cryptocurrency mining companies’ operations, including those of Riot and other TBC members. Dkt. 1, ¶¶ 59–91 (describing EIA’s emergency request); *see also* Pls.’ App. Exs. 1–7 (EIA’s emergency request and supporting documents). OMB approved the emergency request two days later and assigned it a control number that expires on July 31, 2024, 189 days after OMB received EIA’s emergency request. Dkt. 1, ¶¶ 92–97; *see also* Pls.’ App. Ex. 8 (OMB’s Notice of Action); Pls.’ App. Ex. 9 (OMB’s full information collection request summary). After OMB approved the Survey, Pls.’ App. Ex. 10, EIA began sending the Survey out to miners including Riot and other TBC members. Dkt. 1, ¶¶ 98–100. The Survey is mandatory and miners are required to respond to it by **Friday, February 23, 2024**, and each month thereafter. Failing to respond to the Survey may subject miners to criminal fines and civil penalties. Dkt. 1, ¶¶ 108, 110, 119.<sup>2</sup>

As described in more detail below, the emergency request and the Survey’s authorization are legally deficient for several reasons, including: (1) EIA did not plausibly establish a bona fide emergency or that “public harm was reasonably likely” to occur if the Survey were initiated using the processes required by the PRA; (2) the collection was authorized for longer than permitted by the PRA and its implementing regulations; and, (3) EIA failed to consult with the public or provide required public notice and opportunity to comment.

## ARGUMENT

### I. TRO STANDARD

Temporary restraining orders apply the same standard as preliminary injunctions. *Texas v. United States*, 524 F. Supp. 3d 598, 651 (S.D. Tex. 2021) (citing *Clark v. Prichard*, 812 F.2d 991,

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<sup>2</sup> TBC’s standing is “derivative” of its members’ standing. *OCA-Greater Houston v. Texas*, 867 F.3d 604, 610 (5th Cir. 2017). Several TBC members, including Riot, have received the mandatory Survey and are required to respond to it by February 23, 2024 and each month thereafter through July 2024. Dkt. 1, ¶¶ 73, 100–104. As demonstrated below, Riot and other TBC members are suffering irreparable harm due to the Defendants’ unlawful actions that will be redressed by a favorable decision. They have standing to pursue this matter. *Ctr. for Biological Diversity v. EPA*, 937 F.3d 533, 536 (5th Cir. 2019).

993 (5th Cir. 1987)). For either relief to issue, a moving party must show “(1) a likelihood of success on the merits; (2) a substantial threat of irreparable injury; (3) that the threatened injury if the injunction is denied outweighs any harm that will result if the injunction is granted; and (4) that the grant of an injunction will not disserve the public interest.” *Ladd v. Livingston*, 777 F.3d 286, 288 (5th Cir. 2015). Each of the four prerequisite burdens must be met, and none have “fixed quantitative values.” *Texas v. United States*, 524 F. Supp. 3d at 651. “Rather, a sliding scale is utilized, which takes into account the intensity of each in a given calculus.” *State of Tex. v. Seatrain Int’l, S. A.*, 518 F.2d 175, 180 (5th Cir. 1975). However, the third and fourth factors—balancing of equities and considering the public interest—“merge when the Government is the opposing party.” *Nken v. Holder*, 556 U.S. 418, 435 (2009).

## **II. PLAINTIFFS ARE SUBSTANTIALLY LIKELY TO SUCCEED ON THE MERITS**

In their rush to approve the Survey, Defendants repeatedly failed to follow the law and exceeded their authority. Any one of the legal failures Plaintiffs highlight below is sufficient to show that they have a substantial likelihood of succeeding on the merits. Taken together, they show a slapdash and legally deficient process from start to finish. Plaintiffs should not be forced to comply with the unlawful Survey, and a temporary restraining order is warranted.

### **A. Defendants Failed to Show that Public Harm Was Reasonably Likely to Occur Unless the Survey Was Authorized**

The PRA and its implementing regulations provide an emergency processing mechanism that bypasses many of the procedures that are typically required when agencies request and OMB approves information collections. 44 U.S.C. § 3507(j)(1); 5 C.F.R. § 1320.13. Under the law, an emergency request is permitted only when the agency head makes certain determinations. 44 U.S.C. § 3507(j)(1); 5 C.F.R. § 1320.13(a). At issue here is EIA’s determination that it “[could] not reasonably comply with the normal clearance procedures ... because ... [p]ublic harm is

reasonably likely to result if normal clearance procedures are followed[.]” 5 C.F.R. § 1320.13(a). But EIA did not plausibly establish a bona fide emergency nor that “public harm is reasonably likely” to occur. Instead, EIA relied on mere speculation and conjecture to support its determination. In effect EIA assumed the results of the survey it is conducting. Such a determination is “arbitrary, capricious, [or] an abuse of discretion” under the Administrative Procedure Act (“APA”) and should be set aside. 5 U.S.C. § 706(2)(A).

EIA’s determination that “emergency” approval was necessary to prevent reasonably likely “public harm”—thereby allowing EIA to evade public notice and comment and other PRA safeguards—was facially absurd. In its emergency request EIA stated that the price of Bitcoin had risen and more miners would be incentivized to act, leading to increased energy consumption. Dkt. 1, ¶ 61.a.; Pls.’ App. Ex. 1 at 1. It then cited a recent “cold snap” in other parts of the country and a resulting “high electricity demand.” Dkt. 1, ¶ 61.b.; Pls.’ App. Ex. at 1. The emergency request asserted that the combination of mining activity and stressed systems was creating uncertainty. Dkt. 1, ¶ 61.c.; Pls.’ App. Ex. at 1. It also cited to a single instance in New York five years ago where it attributed increased consumer prices for electricity to mining activity. Dkt. 1, ¶ 61.d.; Pls.’ App. Ex. at 1. The emergency request stated that “conditions can materialize and dissipate rapidly.” Dkt. 1, ¶ 61.e.; Pls.’ App. Ex. at 1. Most notably, the emergency request admitted that EIA “cannot quantitatively assess the likelihood of public harm” but nonetheless declared an emergency based on a hunch: “we feel a sense of urgency to generate credible data that would provide insight into this unfolding issue.” Dkt. X, ¶ 61.f.; Pls.’ App. Ex. at 1 (emphasis added).

EIA’s subjectively felt “sense of urgency” is not tethered to any actual public harm, which EIA admitted it “cannot quantitatively assess[.]” Rather, EIA’s sense of urgency appears to be driven

by outside interests, including political pressure. Dkt. 1, ¶¶ 56-58, 65, 82-83. But political pressure and unquantifiable “feelings” cannot provide a basis for establishing that “[p]ublic harm is reasonably likely” to occur. Were this so, an agency could at any time make demands of disfavored persons or entities—rendering the PRA and its protections meaningless. While DOE and EIA may feel the clock ticking on their ability to get a rule written this year, *see* Dkt. 1, ¶ 65, that does not mean that EIA met the PRA’s emergency processing requirements.

“The appropriate starting point when interpreting any statute is its plain meaning.” *United States v. Elrawy*, 448 F.3d 309, 315 (5th Cir. 2006). “‘Likely’ means ‘having a better chance of existing or occurring than not.’” *United States v. Valera-Elizondo*, 761 F.2d 1020, 1025 n.7 (5th Cir. 1985) (quoting Webster’s Third New International Dictionary 1310 (1976)); *see also NMB Singapore Ltd. v. United States*, 28 C.I.T. 1252 (2004), *aff’d*, 140 F. App’x 268 (Fed. Cir. 2005) (“[T]he term ‘likely’ means probable.”). “[F]anciful, speculative, or remote possibilit[ies]” are not ones that are “likely” to occur. *United States v. Herrmann*, 75 M.J. 672, 675 (A. Ct. Crim. App. 2016), *aff’d*, 76 M.J. 304 (C.A.A.F. 2017). EIA did not establish that public harm was more likely to occur than not if it had followed normal clearance processes. Instead, EIA couched its determination in mere conjecture and speculation. Dkt. 1, ¶ 61.d.; Pls.’ App. Ex. at 1 (certain effects “*could* result in demand peaks” (emphasis added)); Dkt. 1, ¶ 61.f.; Pls.’ App. Ex. at 1 (admitting that EIA “*cannot quantitatively assess the likelihood of public harm*” (emphasis added)); Dkt. 1, ¶¶ 80; Pls.’ App. Ex. at 1 (“[T]he rapid increase in cryptocurrency mining activity on the electrical grid *may* contribute to public harm during an unexpected event” (emphasis added)). That is woefully insufficient to justify “emergency” approval under PRA and circumventing the normal notice-and-comment process and deliberation required before burying

private industry with intrusive government paperwork demands. EIA violated the PRA through its feigned emergency claim, and OMB violated the PRA by rubber-stamping it.<sup>3</sup>

### **B. The Survey Is Unlawful Because OMB Exceeded Its Statutory Authority**

It is a fundamental feature of our tripartite system of government that “[a]dministrative agencies are creatures of statute. They accordingly possess only the authority that Congress has provided.” *NFIB v. OSHA*, 595 U.S. 109, 117 (2022). In reviewing the validity of agency actions, it is necessary to determine whether Congress authorized the challenged action. Here that inquiry “must start with the actual words of the [PRA], for it is the words of the statute that set the metes and bounds of the authority granted by Congress.” *Thompson v. Goetzmann*, 337 F.3d 489, 495 (5th Cir. 2003). The APA requires courts to “hold unlawful and set aside agency action ... found to be ... in excess of statutory jurisdiction, authority, or limitations, or short of statutory right[.]” 5 U.S.C. § 706(2)(C). Thus, [a]gency action that disregards applicable law is arbitrary and capricious, and must be set aside.” *Am. Stewards of Liberty v. Dep’t of the Interior*, 370 F. Supp. 3d 711, 725 (W.D. Tex. 2019).

The PRA authorizes OMB to approve emergency collections only “for a maximum of 180 days after the date on which the Director received the request to authorize such collection.” 44 U.S.C. § 3507(j)(2). Any OMB approval that continues for more than 180 days from when the emergency request was received is not authorized by law. EIA’s emergency request was received by OMB on January 24, 2024. Dkt. 1, ¶ 93; Pls.’ App. Ex. 8. The Survey’s control number purports to expire on July 31, 2024. Dkt. 1, ¶ 95; Pls.’ App. Ex. 8. The July 31 expiration date is 189 days

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<sup>3</sup> In striking down OSHA’s “emergency” vaccine mandate, the Fifth Circuit noted that the agency’s “pretextual basis” for its action was one of the “hallmarks of unlawful agency actions.” *BST Holdings, L.L.C. v. Occupational Safety & Health Admin., United States Dep’t of Lab.*, 17 F.4th 604, 614 (5th Cir. 2021). The pretextual bases for the “emergency” here—bitcoin prices, a cold front, and a 2018 temporary event in New York—likewise reflect that the Survey is unlawful.

after OMB received EIA's emergency request. Thus, OMB exceeded its statutory authority by approving the Survey. Because OMB exceeded its authority, the Survey is not authorized under the PRA and EIA cannot lawfully require Riot or TBC's other members to provide responses to it.

### **C. Defendants Failed to Follow the PRA's Implementing Regulations**

Congressional authorization sets the outer bounds of an agency's authority. But agencies can, and do, place further restrictions on themselves through regulation. "Agency regulations are an extension of the legislative process and bind the agency with the force and effect of law. As with statutes, an agency must comply with its own regulations, and the court must review an agency's actions to ensure conformity with relevant regulations." *Am. Stewards of Liberty*, 370 F. Supp. 3d at 725 (citing *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 266-68 (1954) and collecting cases).

OMB has promulgated regulations implementing the PRA. *See generally* 5 C.F.R. Part 1320. Among those is OMB's emergency processing regulation, under which the Survey was approved. 5 C.F.R. § 1320.13. That regulation requires, among other things, that "[t]he agency shall submit information indicating that it has taken all practicable steps to consult with interested agencies and members of the public in order to minimize the burden of the collection of information." 5 C.F.R. § 1320.13(c). EIA made no such showing. In fact, despite having "identified a few commercial organizations and trade councils that provide information on the use of electricity by this sector," Riot and other members of the TBC were not contacted about the Survey or its emergency processing request until *after* the Survey was already approved by OMB. Dkt. 1, ¶¶ 87-88; Pls.' App. Ex. 2 at 5. OMB should have rejected EIA's emergency request because it did not comply with 5 C.F.R. § 1320.13(c).

OMB's emergency processing regulation also requires an agency to provide specific *advance* notice in the *Federal Register* in the form of "a statement that it is requesting emergency processing, and the time period [within which OMB should approve or disapprove the request]." 5 C.F.R. § 1320.13(d). This notice provision provides the public an important opportunity to provide comments to OMB about the proposed emergency collection. *See* 5 C.F.R. § 1320.5(a)(1)(iv); 5 C.F.R. § 1320.13(d). EIA admittedly did not publish the required notice in the *Federal Register* prior to making its emergency request. Dkt. 1, ¶ 89 Pls.' App. Ex. 2 at 6 ("This is an emergency survey request and there is currently no Federal Register Notice. A Federal Register Notice will be published subsequent to the ICR approval, if approved."). There is nothing in the public record suggesting that the notice requirement was waived. Dkt. 1, ¶ 90. OMB should have rejected EIA's emergency request because it did not comply with 5 C.F.R. § 1320.13(d).

EIA's failure to provide 5 C.F.R. § 1320.13(d)'s required notice and comment is problematic for another reason: the PRA provides Plaintiffs with a procedural right to notice and the opportunity to comment. *Cf. Texas v. Equal Emp. Opportunity Comm'n*, 933 F.3d 433, 447 (5th Cir. 2019) ("A violation of the APA's notice-and-comment requirements is one example of a deprivation of a procedural right."). Just as a violation of the APA's notice-and-comment requirements deprives a party of its procedural right, EIA's violation of the PRA's notice-and-comment requirements deprived Plaintiffs of their procedural rights. Failing to provide the required notice and comment also deprived EIA of valuable information. "Notice and comment gives affected parties fair warning of [agency actions] and an opportunity to be heard on those [actions]—and it affords the agency a chance to avoid errors and make a more informed decision." *Azar v. Allina Health Servs.*, 139 S. Ct. 1804, 1816 (2019) (discussing APA's notice-and-comment procedures). In their inexplicable haste to get the Survey approved and deployed, Defendants



deprived themselves of public and industry input and likely made the Survey more burdensome and less useful than it could have been.

Finally, OMB violated its emergency processing regulation because it approved the Survey for longer than permitted. Under 5 C.F.R. § 1320.13(f), when OMB approves an information collection and assigns it a control number, the control number is “valid for a maximum of 90 days after receipt of the agency submission.” But as already noted, the Survey’s control number is ostensibly valid until July 31, 2024—189 days after OMB received EIA’s emergency request. In approving the survey, OMB did not comply with 5 C.F.R. § 1320.13(f).

OMB chose to promulgate its emergency processing regulation and, having done so, OMB was bound to follow it—and verify that EIA had followed the regulation before approving its emergency request. *Am. Stewards of Liberty*, 370 F. Supp. 3d at 726 (citing *Nat’l Ass’n of Home Builders v. Norton*, 340 F.3d 835, 841, 852 (9th Cir. 2003)). But OMB failed to follow its regulation in multiple respects. As a result, the Survey is not lawfully authorized under the PRA, and EIA cannot lawfully require Riot, nor TBC’s other members, to provide responses to it.

### **III. PLAINTIFFS HAVE SUFFERED AND WILL CONTINUE TO SUFFER IRREPARABLE HARM WITHOUT IMMEDIATE RELIEF FROM THIS COURT**

“A showing of irreparable harm requires a demonstration of ‘harm for which there is no adequate remedy at law.’” *Louisiana v. Biden*, 55 F.4th 1017, 1033–34 (5th Cir. 2022) (quoting *Daniels Health Scis., L.L.C. v. Vascular Health Scis., L.L.C.*, 710 F.3d 579, 585 (5th Cir. 2013)). And “[e]ven purely economic costs may count as irreparable harm “where they cannot be recovered ‘in the ordinary course of litigation.’” *Texas v. EPA*, 829 F.3d 405, 434 & n.41 (5th Cir. 2016) (quoting *Wis. Gas Co. v. FERC*, 758 F.2d 669, 674 (D.C. Cir. 1985)). When the defendant is the government, “costs are not recoverable because the government-defendant enjoys sovereign immunity from monetary damages, [and] irreparable harm is generally satisfied.” *Nat’l Ass’n for*

*Gun Rts., Inc. v. Garland*, No. 4:23-CV-00830-O, 2023 WL 6613080, at \*16 (N.D. Tex. Oct. 7, 2023) (citing *Wages & White Lion Invs., L.L.C. v. FDA*, 16 F.4th 1130, 1142 (5th Cir. 2021)). Plaintiffs have met this standard.

#### **A. Nonrecoverable Compliance Costs Are Irreparable Harm**

The Fifth Circuit has recognized that “the nonrecoverable costs of complying with a putatively invalid [agency action] typically constitute irreparable harm.” *Restaurant Law Center v. Dep’t of Labor*, 66 F.4th 593, 597 (5th Cir. 2023); *see also Louisiana v. Biden*, 55 F.4th at 1034 (“[C]omplying with [an agency action] later held invalid almost *always* produces the irreparable harm of nonrecoverable compliance costs[.]” (quoting *Texas v. EPA*, 829 F.3d at 433)). Such compliance costs need to “be based on more than ‘speculat[ion]’ or ‘unfounded fears.’” *Id.* (quoting *Louisiana v. Biden*, 55 F.4th at 1034). The core of the irreparable costs’ inquiry “is ‘not so much the magnitude but the irreparability.’” *Id.* (quoting *Texas v. EPA*, 829 F.3d at 433–34). Compliance costs do not have to be converted “into a specific dollar amount.” *Id.* at 600. The alleged costs must only “constitute ‘more than *de minimis*’ harm[.]” *Id.* (quoting *Louisiana v. Biden*, 55 F.4th at 1035).

Riot has already incurred nonrecoverable costs to comply with and respond to the Survey. *See* Dkt. 1 ¶¶ 73, 119, 125; *see also Restaurant Law Center*, 66 F.4th at 600. Riot estimates that its employees have collectively spent at least 40 hours attempting to respond to the initial Survey. Dkt. 1 ¶ 124. Notably, that is *80 times more* than the Survey’s estimated burden of 0.5 hours and nearly a sixth of the aggregate estimated burden for all miners over the six-month emergency collection. *See* Pls.’ App. Ex. 10 at 1; *see also* Ex. 2 at 7 (discussing hour burden and how that was calculated); *see also Restaurant Law Center*, 66 F.4th at 598 (noting that uncontested evidence of member businesses’ time burdens “project[ed] ... ongoing management costs” that exceed

agency's "rosy" estimated burden).<sup>4</sup> Likewise, TBC has heard from its affected members that the Survey is taking multiple employees many hours to complete. Dkt. 1 ¶ 125. For each Riot or other TBC member employee dedicating time to completing the Survey, instead of performing their actual job functions, the companies suffer nonrecoverable harm, as there is no way to recover compliance costs from the United States government. This irreparable harm is ongoing and will continue to occur unless the Defendants are restrained from collecting the Survey information.

### **B. Credible Threat of Prosecution Is Irreparable Harm**

Riot and TBC's other members "place themselves in potential jeopardy by bringing this challenge" to the Survey. *Cf. Nat'l Ass'n for Gun Rts., Inc.*, 2023 WL 6613080, at \*16. The Survey is mandatory, Dkt. 1 ¶¶ 104, 108, 110, and Riot and other affected TBC miners are presented with a Hobson's choice: complete an unlawful information collection authorized in excess of Defendants' statutory authority or risk substantial daily criminal fines and civil penalties, Dkt. 1 ¶¶ 25–28, 110, 119–122. The deprivation of statutory rights—here, among other things, the right to be free from collections of information in excess of authority under the law—is an irreparable injury. *Nat'l Ass'n for Gun Rts., Inc.*, 2023 WL 6613080, at \*17 (citing *Opulent Life Church v. City of Holly Springs, Miss.*, 697 F.3d 279, 297 (5th Cir. 2012)).

As the Survey makes clear, compliance is mandatory, and Riot and the other affected TBC members *must* complete the Survey and provide their responses to EIA no later than Friday, February 23, 2024, and monthly thereafter for an additional five months. Dkt. 1 ¶¶ 73, 102, 104, 108, 110. This requirement causes an immediate, irreparable, and ongoing harm. Defendants should be restrained from collecting the Survey information.

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<sup>4</sup> If Defendants had chosen not to circumvent that statute and regulations, they would have known that the estimated burden was completely divorced from reality. And they could have worked with parties like the Plaintiffs to ensure that the survey was modified accordingly. This is exactly what the PRA and its protections are intended for.

### C. The Disclosure of Proprietary Information Is Not Recoverable

One of the more troubling aspects of the Survey is that it seeks sensitive and highly proprietary information. Dkt. 1 ¶ 115–116. That information, taken together with the facility’s electrical consumption, could permit competitors in the U.S. and abroad to reverse engineer a company’s mining operation. *Id.* There are also few restrictions on EIA’s sharing that information for “nonstatistical purposes” including law enforcement purposes. Dkt. 1 ¶ 86, n.2. Likewise, EIA has said that the information may also be made available to “any Committee of Congress” or other federal agencies. Dkt. 1 ¶ 85. Given that the “emergency” appears to be a contrived political one, *see* Dkt. 1 ¶ 56–58, 64–65, 83, being forced to provide such sensitive and highly proprietary information—under threat of prosecution, with no guarantees that it will be protected—is alarming. And the potential for economic loss is untold and not recoverable. Defendants should be restrained from collecting the Survey information. To the extent they have already received responses, they should be required to sequester such responses from disclosure.

### IV. THE BALANCE OF HARMS AND PUBLIC INTEREST FAVORS PLAINTIFFS

The balance of harms favors Plaintiffs. “The equities favor a stay if it would benefit the [movant] more than it would harm the nonmovants.” *Robinson v. Ardoin*, 37 F.4th 208, 228 (5th Cir. 2022). And “[o]nce a court has ‘concluded that [the movant’s] harm is irreparable ... [the nonmovant] would need to present powerful evidence of harm to its interests to prevent [the movant] from meeting this requirement.’” *Texas Bankers Ass’n v. CFPB*, No. 7:23-CV-00144, 2023 WL 4872398, at \*7 (S.D. Tex. July 31, 2023) (quoting *Opulent Life Church*, 697 F.3d at 297). The Government cannot meet this high threshold. Plaintiffs’ harm is irreparable. They have incurred or will incur substantial compliance costs because of Defendants’ actions, and they will significantly benefit from not being forced to divulge sensitive and proprietary information, *see* Dkt. 1, ¶¶ 85–86, 115–116, 119, in response to a legally deficient Survey under threat of

prosecution. On the other hand, if this Court issues the requested immediate and preliminary relief, the Defendants will suffer virtually no harm.

The final factor also favors Plaintiffs because there is considerable public interest “in having governmental agencies abide by the federal laws that govern their existence and operations.” *Texas v. Biden*, 10 F.4th 538, 559 (5th Cir. 2021) (per curiam) (quotation omitted). That is because “[t]here is generally no public interest in the perpetuation of unlawful agency action.” *Id.* at 560 (quoting *League of Women Voters of U.S. v. Newby*, 838 F.3d 1, 12 (D.C. Cir. 2016)); see also *Louisiana v. Biden*, 55 F.4th at 1035 (same). As the Supreme Court has observed, “our system does not permit agencies to act unlawfully even in pursuit of desirable ends.” *Alabama Ass’n of Realtors v. Dep’t of Health & Hum. Servs.*, 141 S. Ct. 2485, 2490 (2021). In their haste to get the Survey approved and deployed, Defendants ignored mandatory PRA processes and exceeded their statutory authority. The public interest is served by granting Plaintiffs’ requested relief.

#### **V. THE TEMPORARY RESTRAINING ORDER NOTICE REQUIREMENT IS SATISFIED**

Plaintiffs have shown a right to relief under Rule 65(b). Rule 65(b) states that the “court may issue a temporary restraining order without written or oral notice to the adverse party or its attorney only if: (a) specific facts in an affidavit or verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and (b) the movant’s attorney certifies in writing any efforts made to give notice and the reasons why it should be required.” See Fed. R. Civ. 65(b). Here, Plaintiffs’ have satisfied both requirements. First, Plaintiffs have shown through their verified complaint, affidavit, and supporting documentation, as well as through this Motion, that they will suffer immediate and irreparable harm if the temporary restraining order is not issued before Defendants can be heard. Namely, Plaintiffs are required—under threat of criminal and civil penalty—to unlawfully disclose

their highly confidential and proprietary information to Defendants by February 23, 2024. Finally, Plaintiffs have certified in writing their efforts to give notice (which Plaintiffs did), and additionally why this notice was more than sufficient and further notice was not required given the imminent harm to Plaintiffs.<sup>5</sup>

#### **VI. RULE 65(c)'S SECURITY REQUIREMENT SHOULD BE WAIVED**

While Rule 65(c) provides that “[t]he court may issue ... a temporary restraining order only if the movant gives security in an amount that the court considers proper,” the amount required is a matter of a trial court’s discretion and the court may order no bond at all. *Kaepa, Inc. v. Achilles Corp.*, 76 F.3d 624, 628 (5th Cir. 1996). Trial courts can, and often do, waive the bond requirement when the case seeks to protect a litigant’s right to prevent governmental encroachments. *City of Atlanta v. Metro. Atlanta Rapid Transit Auth.*, 636 F.2d 1084, 1094 (5th Cir. 1981) (“[P]laintiffs were engaged in public-interest litigation, an area in which the courts have recognized an exception to the Rule 65 security requirement.”).

#### **CONCLUSION**

For the foregoing reasons, Plaintiffs respectfully ask that the Court grant their motion for a temporary restraining order.

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<sup>5</sup> Moreover, contemporaneously with this filing, Plaintiffs have also hand delivered a copy of Plaintiffs’ Complaint and this Motion to the United States Attorney’s Office for the Western District of Texas.

Dated this 22nd day of February 2024.

Respectfully,

/s/ Mark D. Siegmund

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*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I certify that on February 22, 2024, a true and correct copy of the foregoing document was transmitted using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record. Hand service is being made to the United States Attorney's Office for the Western District of Texas at:

U.S. Attorney's Office  
903 San Jacinto Blvd., Suite 334  
Austin, Texas 78701

/s/ Mark D. Siegmund  
Mark D. Siegmund



**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

TEXAS BLOCKCHAIN COUNCIL, a nonprofit  
association; RIOT PLATFORMS, INC.,

*Plaintiffs,*

v.

DEPARTMENT OF ENERGY; JENNIFER M.  
GRANHOLM, in her official capacity as Secretary  
of Energy; ENERGY INFORMATION  
ADMINISTRATION; JOSEPH DECAROLIS, in  
his official capacity as Administrator of Energy  
Information Administration; OFFICE OF  
MANAGEMENT AND BUDGET; SHALANDA  
YOUNG, in her official capacity as Director of  
Office of Management and Budget,

*Defendants.*

Civil Action No. 6:24-cv-99

**APPENDIX OF EVIDENCE IN SUPPORT OF PLAINTIFFS' MOTION FOR A  
TEMPORARY RESTRAINING ORDER**

Plaintiffs Texas Blockchain Council ("TBC") and Riot Platforms, Inc., submit evidence, attached hereto, in support of Plaintiffs' Motion for a Temporary Restraining Order:

1. Attached as Exhibit 1 is a Letter from Joseph F. DeCarolis to Dominic J. Mancini requesting emergency review and clearance of the Proposed Cryptocurrency Mining Facilities Survey.
2. Attached as Exhibit 2 is Supporting Statement A for the Cryptocurrency Mining Facilities Survey.
3. Attached as Exhibit 3 is Supporting Statement B for the Cryptocurrency Mining Facilities Survey.

4. Attached as Exhibit 4 is a draft Welcome Letter to crypto mining facilities selected to respond to the Survey.

5. Attached as Exhibit 5 is a draft Reminder Letter to crypto mining facilities selected to respond to the Survey.

6. Attached as Exhibit 6 is a draft Escalation Letter to crypto mining facilities selected to respond to the Survey that did not submit their report by EIA's deadline.

7. Attached as Exhibit 7 is a draft of Form EIA-862, the Cryptocurrency Mining Facilities Report (OMB No. 1905-XXXX) (the Survey).

8. Attached as Exhibit 8 is the Office of Management and Budget's Notice of Action regarding its approval of EIA's emergency request for review of the Cryptocurrency Mining Facilities Survey.

9. Attached as Exhibit 9 is the Office of Management and Budget's Information Collection Request (ICR) Package for the Cryptocurrency Mining Facilities Survey.

10. Attached as Exhibit 10 is Form EIA-862, the Cryptocurrency Mining Facilities Report (OMB No. 1905-0213) (the Survey).

[Remainder of page intentionally left blank.]

Dated this 22nd day of February 2024.

Respectfully,

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*Counsel for Plaintiffs*

# Exhibit 1



## Department of Energy

Washington, DC 20585

January 24, 2024

Dominic J. Mancini  
Deputy Administrator  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
Washington, DC

Subject: Cryptocurrency Mining Facilities – Request for Emergency Review and Clearance

Dear Dr. Mancini:

Pursuant to Office of Management and Budget (OMB) procedures established at 5 CFR Part 1320, Controlling Paperwork Burdens on the Public, I request that the proposed information collection project, “Proposed Emergency Survey – Cryptocurrency Mining Facilities” be processed as an Emergency Revision Request in accordance with Section 1320.13, Emergency Processing. I have determined that the information should be collected prior to the expiration of time period established under Part 1320. I am making this request under 1320.13.2.i because public harm is reasonably likely if normal clearance procedures are followed.

As evidence, the price of Bitcoin has increased roughly 50% in the last three months, and higher prices incentivize more cryptomining activity, which in turn increases electricity consumption. At the time of this writing, much of the central United States is in the grip of a major cold snap that has resulted in high electricity demand. The combined effects of increased cryptomining and stressed electricity systems create heightened uncertainty in electric power markets, which could result in demand peaks that affect system operations and consumer prices, as happened in Plattsburgh, New York in 2018.<sup>1</sup> Such conditions can materialize and dissipate rapidly. Given the emerging and rapidly changing nature of this issue and because we cannot quantitatively assess the likelihood of public harm, we feel a sense of urgency to generate credible data that would provide insight into this unfolding issue.

EIA has engaged in a rigorous evaluation of U.S. cryptocurrency mining activity using publicly available information. We estimate that cryptocurrency mining activity has grown rapidly over the last few years and currently represents as much as 2.2% of U.S. electricity consumption. As noted above, more localized concerns include strains to the electricity grid during periods of peak demand and the potential for higher electricity prices among consumers. Local media in states such as Georgia, New York and Texas, where cryptocurrency mining activity has seen comparatively high growth, have observed the positive correlation between cryptocurrency mining and retail prices. Furthermore, the economics of cryptocurrency mining are partly driven by the prevailing price of electricity. Given the modular nature of the mining equipment, mining companies are able to relocate quickly to new areas with lower electricity prices, which could further complicate the grid planning process. The North American Electric Reliability Corporation (NERC) indicates in their latest long-term reliability assessment that “due to

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<sup>1</sup> <https://crsreports.congress.gov/product/pdf/R/R45863>



unique characteristics of the operations associated with cryptocurrency mining, potential growth can have a significant effect on demand and resource projections as well as system operations.”<sup>2</sup>

We have consulted with other federal agencies, including other DOE departmental elements, the U.S. Environmental Protection Agency, and the Department of the Treasury, but have not identified an authoritative data source of U.S. cryptocurrency mining energy consumption. Other government and industry efforts to determine the effects of cryptocurrency mining on the energy system have generally taken the form of studies, which lack the comprehensive, standardized, timely and consistent nature of a formal data collection. Data gathered during this emergency clearance will provide critical insight that informs our approach for the regular clearance process.

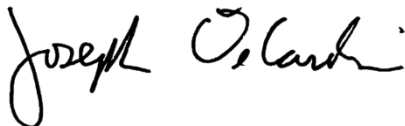
Due to the speed with which this activity has potentially disrupted the electric power industry, the time required to request data collection under normal clearance will exceed the need to urgently collect this information. This proposed emergency survey is necessary for EIA to fulfill its mission to provide timely data collection to promote sound policymaking, efficient markets, and public understanding of energy and its interaction with the economy and the environment. EIA has determined that the collection of information monthly is required to adequately monitor the effects of cryptocurrency mining.

EIA designed this survey as a company-level form that reports for company facilities. Companies, which have responsibility for the management of the facilities and often centralize resources, can participate in a more efficient reporting process without burdening individual facilities. EIA will field a survey of 82 cryptocurrency mining companies and are requesting they report basic information on the facilities they own and/or operate. EIA estimates that it will take each respondent 0.5 hours to complete the survey every month, resulting in a total burden estimate of 246 hours if OMB approves this emergency ICR for the maximum of 180 days.

We plan to publish the data described above following the completion of data collection. Publication would take the form of a series of articles presented on the EIA website. Publications would be released in the latter half of 2024.

With your emergency approval, EIA is ready to deploy the Cryptocurrency Mining Facilities survey on January 29, 2024. We commit to publishing a public notice about this information collection in the Federal Register within 30 days of approval. We appreciate your understanding of this urgent request and look forward to your response.

Respectfully,



Joseph F. DeCarolis  
Administrator  
U.S. Energy Information Administration

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<sup>2</sup> [https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC\\_LTRA\\_2023.pdf](https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC_LTRA_2023.pdf)

# **Exhibit 2**

## Supporting Statement – Part A

### Emergency Survey – Cryptocurrency Mining Facilities

OMB No. 1905 - XXXX

#### Introduction

The U.S. Energy Information Administration (EIA) is the statistical and analytical agency within the Department of Energy (DOE). EIA's mission is to collect, analyze, and disseminate independent and impartial energy information to promote sound policymaking, efficient markets, and public understanding of energy and its interaction with the economy and the environment. EIA is the Nation's premier source of energy information and, by law, its data, analyses, and forecasts are independent of approval by any other officer or employee of the United States Government. EIA conducts a relevant, reliable, and timely data collection program that covers the full spectrum of energy sources, end uses, and energy flows; generates short- and long-term domestic and international energy projections; and performs informative energy analyses. EIA communicates its statistical and analytical products primarily through its website and customer contact center.

To meet this obligation, EIA's Office of Energy Statistics (OES) conducts surveys that collect information about the national energy balance and key activities that affect that balance. Increases in electricity demand can have important effects on electric transmission and distribution systems. Consequently, the rapid increase in cryptocurrency mining activity on the electrical grid may contribute to public harm during an unexpected event. As a result, EIA requests that the Office of Management and Budget (OMB) approve a mandatory proposed emergency survey to explore ways to better quantify these effects. Additionally, these data will inform the public on the impact of recent increases in U.S. cryptocurrency mining activity on both the supply and demand side of the electric power system.

The mining of cryptocurrency is an energy-intensive activity that requires substantial amounts of electricity. Several cryptocurrencies, most notably Bitcoin, use a *proof of work* approach that requires cryptocurrency miners to validate blocks of transactions by solving complex cryptographic puzzles that require significant computational power. Each mining facility operates thousands of computers that run continuously to add virtual currency transactions to a distributed ledger. The computational equipment must be cooled, which further increases the associated electricity consumption. Given its high rate of consumption, companies, organizations and government agencies engaged in the electricity business require detailed information about how much electric power is being consumed by cryptocurrency miners and where it is occurring. EIA has engaged in a rigorous evaluation of U.S. cryptomining activity using publicly available information. We estimate cryptomining activity to represent as much as 2.2% of U.S. electricity consumption. Furthermore, there is evidence that this electricity consumption is growing rapidly. For example, the hash rate, which represents the computational power of a network mining cryptocurrency and is directly proportional to electricity consumption, has doubled in the last year.

Due to the speed with which this activity has potentially disrupted the electric power industry, the time needed to request data collection will exceed the need to urgently collect this information. This proposed emergency survey is necessary for EIA to fulfill its mission to provide timely data collection to promote sound policymaking, efficient markets, and public understanding of energy



and its interaction with the economy and the environment. EIA has determined that the collection of information monthly is required to adequately monitor the effects of cryptocurrency mining.

If approved, data collection could begin as soon as February 2024 from approximately 82 cryptocurrency mining companies. EIA would reassess the results of the data collection and send a supplemental request to OMB that reflects the experience and knowledge gains from operating this emergency survey. If EIA finds that less frequent data collection satisfies the need for information, we will reduce the frequency of data collection when pursuing a normal clearance.

**SECTION A.****1. Legal Justification**

The authority for this mandatory information collection is provided by the following general provisions:

- Title 15 U.S. Code §772, which established the mandatory requirement of owners and operators of businesses in the U.S. to report energy supply and consumption data to the EIA Administrator.
- Title 15 U.S. Code §764, which established the EIA Administrator's powers to plan, direct, and conduct mandatory and voluntary energy programs that are designed and implemented in a fair and efficient manner. These powers include duties to collect, evaluate, assemble, and analyze energy information on U.S. reserves, production, demand, and related economic data, while obtaining the cooperation of business, labor, consumer, and other interests.
- Title 15 U.S. Code §790a, which established the National Energy Information System (NEIS) that is the enclave containing the energy data collected by EIA, which allows EIA to describe and analyze energy supply and consumption in the U.S. NEIS allows EIA to perform statistical and forecasting activities to meet the needs of the U.S. Department of Energy and Congress, as well as the needs of the States to the extent required by the Natural Gas Act [Title 15 U.S. Code §717 et seq.] and the Federal Power Act [Title 16 U.S. Code §791a et seq.].

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The proposed data collection would inform several ongoing federal activities related to cryptomining, including the President's Executive Order on Ensuring the Responsible Development of Digital Assets, which is designed to coordinate federal activities on this issue. With respect to EIA, both the White House Office of Science and Technology Policy and a group of Senators, led by Senator Warren, have recommended that EIA collect energy-relevant data on U.S. cryptomining activity. Concerns expressed to EIA include strains to the electricity grid during periods of peak demand, the potential for higher electricity prices, as well as effects on energy-related carbon dioxide (CO<sub>2</sub>) emissions. At the national scale, such data could indicate how the industry is evolving, identify geographic areas of high growth, and quantify the sources of electricity used to meet cryptomining demand. At the regional level, such information is also necessary to help electric grid operators determine how much additional generating capacity is required to be in service to ensure the electric grid reliably meets the increased demand. Also, state agencies such as Public Utility Commissions require this information to help gauge the impact of mining activity on the current and future price for electricity in different regions of the country. And finally, agencies that estimate electric sector emissions need better data to track potential negative environmental impacts.

There is precedent for EIA conducting approved emergency fuel surveys caused by emergencies or the lingering effects of emergencies. For example, the EIA-878 survey

provided daily estimates from April 29, 1996, through August 2, 1996, to Congress, Federal officials, and the transportation industry in order to monitor rapid price increases at both regional and national levels. During the 1991 Iraq war, the data were used by Congress and Federal officials to monitor the retail price of gasoline daily. After Hurricane Sandy in 2012, the EIA-878 and EIA-888 were used to evaluate the availability of gasoline and diesel in the New York City metropolitan area. In addition, the New York State Energy Research Development Authority used the EIA-878 retail gasoline price estimates for New York State to monitor supply conditions and price levels in the State.

An example of previous uses for emergency fuel survey data collection include:

[https://www.eia.gov/special/disruptions/archive/hurricane/sandy/gasoline\\_updates.php](https://www.eia.gov/special/disruptions/archive/hurricane/sandy/gasoline_updates.php)

There is also precedent for EIA to collect information on the use of electricity by individual sectors of the economy. In its Form EIA-861, Annual Electric Power Industry Report, EIA collects data on different sectors, ranging from residential customers to commercial and industrial consumers. The data is valuable to help companies, organizations and government agencies make plans to meet demand for electricity in the future. Collection of data on the business of cryptocurrency mining is made even more urgent since it is a relatively new sector in the U.S. economy, having more than tripled in size since 2019.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The emergency data collection will initially use Paper-and-Pencil Interviews (PAPI) and Computer-Assisted Telephone Interviews (CATI) as the primary data collection until the respondent's email is provided. The emergency data collection will then transition to Computer-Assisted Self-Interviews (CASI) as the primary data collection mode. In addition, it is anticipated that most routine contact with respondents (e.g., notification that a survey has opened for a collection cycle) will be performed using email.

Computer-Assisted Self-Interviews (CASI) allows respondents to enter their data directly into the EIA survey database, which reduces the time needed for data collection and processing. The system also identifies data that fail edits prior to submission, which allows respondents to make necessary corrections or explain unusual events affecting the reported data prior to submission. This data editing process reduces respondent burden by reducing the number of times a respondent must resubmit forms prior to acceptance by EIA. It also improves the timeliness of reporting the information to the public. The respondent only requires an internet connection.

EIA will continue to make all survey forms and instructions available for printing or downloading from the EIA website for respondents who cannot or will not use CASI.

- 4. Describe efforts to identify duplication.**

There is no other known source available to provide a comprehensive and time-sensitive source of data on the use of electricity by the cryptocurrency mining business. Other government and industry efforts to determine the effects of cryptocurrency mining on the

energy system have generally taken the form of studies, which lack the comprehensive, standardized, timely and consistent nature of a formal data collection. EIA attempted to use the Commercial Building Energy Consumption Survey (Form EIA-871) as part of an effort to understand data center energy consumption but found that seeking data directly from the facilities on a voluntary basis was an ineffective survey approach. EIA has incorporated the knowledge gained from that effort into designing this emergency survey.

EIA has identified a few commercial organizations and trade councils that provide information on the use of electricity by this sector, but none provide data on the use and supply of electricity in a timely and regular manner. Organizations involved with balancing or regulating electricity demand and supply require data that is updated on a regular and consistent basis.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

Minimizing burden to small businesses is a primary concern to EIA. EIA designed this survey as a company level form that reports for company facilities, so that individual facilities themselves are not subject to the reporting requirements. Companies, which have responsibility for the management of the facilities and often centralize resources, can participate in a more efficient reporting process.

In addition, the significant asset requirements needed to support commercial-scale cryptocurrency mining activity acts as a barrier to small business participation. EIA has identified the larger companies for this emergency survey and will consider the development of a reporting threshold to avoid unnecessary burden on small businesses.

Finally, EIA will employ technology in its data collection system to reduce the need for data entry, which will minimize respondent burden by eliminating paperwork and reducing the need for follow-up calls and resubmissions of the forms.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

In just a few years, the mining of cryptocurrency has become one of the larger users of electricity in the United States, accounting for as much as 2.2% of total consumption in the United States. The ability to understand the potential for greater use by mining operations in the future, especially in certain regions of the country, is critical for electric grid operators and government agencies to formulate plans that account for the cost, reliability, and environmental impacts associated with the continued rapid growth in cryptomining activity. Since adding new electric generating capacity to the grid can take years and is expensive, having accurate and timely data is essential for helping to make better decisions. Furthermore, the economics of cryptomining is partly driven by the prevailing price of electricity. Given the modular nature of the mining equipment, miners are able to relocate to new areas with lower electricity prices, which could further complicate the grid planning process.

Additionally, the monthly reporting by these facilities would provide important seasonal and geographical information, including changes in the mining activity rate, necessary for EIA to provide monthly estimates of electricity use for the companies in the sample.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner requiring respondents to report information to the agency more often than quarterly;**

Since the production and consumption of electricity is time-sensitive, with seasonal variations affecting its availability and cost, it is important to collect this data no less frequently than monthly. That frequency could help users of EIA data better understand when the use of electricity by cryptocurrency miners has the greatest impact on electricity markets.

There is precedence for EIA to collect information on the use of electricity on a monthly basis; for that matter, on an hourly basis. Form EIA-923, Monthly Generation and Fuel Consumption Time Series collects data regularly from every utility-scale U.S. power generation source. In its Form EIA-930, Hourly Electric Grid Monitor, EIA collects data on electricity consumption and generation on an hourly basis. These two sources of data assist all EIA data users to better understand seasonal and daily shifts in electricity markets. EIA considers a monthly collection of cryptocurrency energy use to be similarly informative of the significant and rapid changes that characterize industry activity.

**8. Provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments**

This is an emergency survey request and there is currently no Federal Register Notice. A Federal Register Notice will be published subsequent to the ICR approval, if approved.

**9. Explain any decision to provide any payment or gift to respondents.**

EIA will not provide any payments or gifts to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

All information associated with the "Survey Contact", the "Supervisor of Contact Person for Survey" on Schedule 1, and the electricity bills (if provided) will be protected 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 Department of Energy (DOE) regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905.

The Federal Energy Administration Act also requires EIA to provide company-specific data to other Federal agencies when requested for official use. The information reported on these forms may also be made available, upon request, to another component of DOE; to any Committee of Congress; the Government Accountability Office; or other federal

agencies authorized by law to receive such information. A court of competent jurisdiction may obtain this information in response to an order. The information may be used for non-statistical purposes such as administrative, regulatory, law enforcement, or adjudicatory purposes.

**11. Provide additional justification for any questions of a sensitive nature.**

No questions of a sensitive nature are anticipated in this proposed emergency data collection.

**12. Provide estimates of the hour burden of the collection of information. The statement should indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.**

The 82 selected cryptocurrency mining companies will have a total burden estimate of 246 hours if OMB approves this emergency ICR for the maximum of 180 days. The estimated total additional cost to respondents for the burden hours is estimated to be \$21,491 dollars, i.e., 246 hours times \$87.36 per hour. (The average loaded salary plus benefits for an EIA employee is \$87.36 per hour).

Table 1.

Number of Cryptomining Companies	Burden Hours	Frequency	Duration	Total Burden Hours
82	0.5 hours	Once per month	6 months	246 hours

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.**

The estimated total additional cost to respondents for the burden hours is estimated to be \$21,491 dollars, i.e., 246 hours times \$87.36 per hour. (The average loaded salary plus benefits for an EIA employee is \$87.36 per hour).

**14. Provide estimates of annualized cost to the Federal government; provide a description of the method used to estimate cost which should include quantification of hours, operational expenses (equipment, overhead, printing, and staff), and any other expense that would not have been incurred without this collection of information.**

The expected cost of operating this emergency survey is estimated at \$193,152 and includes federal staff time for survey-related activities, such as frame maintenance, collection, processing, dissemination, and data systems maintenance.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I (reasons for changes in burden).**

This is a new collection request.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

Upon receipt of these data, EIA will produce a summary of the energy use associated with cryptocurrency mining activities of the companies in the sample only, so that the implications of this significant and growing demand can be quantifiably assessed. However, population estimates will not be produced due to coverage error, a result of the challenges of defining the target population. The purpose of the survey is to only produce descriptive statistics of the population in the sample. The need for timeliness compels the collection of these data monthly. Upon authorization to conduct the survey, EIA will contact respondents, providing a baseline of facilities for which the companies should report and expanding or adjusting the population of facilities based on respondent feedback. Ongoing survey operations during the emergency data collection may require monthly adjustments of the company and facility inventory.

Below are EIA's objectives for this survey and the associated publication plan:

- **Objective 1:** Develop a baseline snapshot of the cryptomining companies in the sample. **Publication plan:** Publish aggregate statistics on cryptocurrency mining activities across all companies and their facilities in the sample, including miner counts, miner age, miner electricity load, and miner hash rate. These aggregate statistics will include the total count of companies and facilities surveyed.
- **Objective 2:** Quantify the rate of change in cryptomining activity among the companies in the sample. **Publication plan:** Publish aggregate statistics on monthly facility-level energy consumption and hash rate of the companies in the sample; identify interesting trends in miner equipment characteristics.
- **Objective 3:** Identify electricity sources for US cryptominers in the sample. **Publication plan:** Publish aggregate statistics indicating the ownership, sources, and carbon intensity of the electricity used to support U.S. cryptomining activity.
- **Objective 4:** Identify regions of the United States with concentrated cryptomining activity based off the companies in the sample. **Publication plan:** Publish aggregated state-level statistics on cryptomining hash rate and energy consumption. If areas of highly concentrated cryptomining activity at the balancing authority level are identified, EIA may release facility-level energy consumption data along with its location.

Since this data will be collected using an emergency clearance, all published data will be marked as provisional. In addition, publication plans will be adjusted accordingly based on the response rates and the consistency of responses across all respondents.

If this emergency clearance is approved, data collection will begin in February and conclude at the end of July. Publication of these data described above would take place following all data collection and would take the form of a series of articles that appear on the EIA website. Publications would be released in the latter half of 2024.

EIA does not see technical challenges to the design and operation of the data collection.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

EIA will display the expiration date for OMB approval on the information collection instrument(s).

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions" of OMB Form 83-I.**

No exceptions to the Certification Statement should be required. If so, OMB approval will be requested in advance of conducting the survey.



# **Exhibit 3**

## **Supporting Statement – Part B**

### **Emergency Survey – Cryptocurrency Mining Facilities**

**OMB No. 1905 - XXXX**

#### **SECTION B.**

##### **B.1. Respondent Universe**

Form EIA-862 is an emergency market study survey of identified cryptocurrency mining companies reporting at the facility level intended to meet the needs identified in Supporting Statement – Part A. Cryptocurrency mining companies are commercial businesses who operate or lease facilities that engage in proof-of-work (PoW) consensus mechanisms to add and verify transactions on cryptocurrency blockchain networks. Cryptocurrency mining companies are exclusive of individuals who may engage in cryptocurrency mining outside of cryptocurrency mining facilities, such as with personal computers in households. The target population is the universe of cryptocurrency companies that operate or lease facilities conducting PoW cryptocurrency mining in all 50 U.S. states and the District of Columbia. Based on reviews of online resources and articles, state business registration data, and existing EIA survey data, EIA has constructed a survey frame with 82 cryptocurrency mining companies operating approximately 150 facilities. Based on EIA's research and the scale of identified cryptocurrency mining facilities in terms of megawatt capacity, cryptocurrency mining companies consist of most of the electricity consumption associated with cryptocurrency mining activities in the U.S. At this time, EIA does not have an estimate for the coverage of the survey frame for total U.S. cryptocurrency mining electricity consumption. For this reason, EIA will not use the survey data to do population-based inference either by using weighting adjustments or model-based methods. The collected data will only be representative of the identified respondents in this market study survey. EIA will review the respondent data to understand the possible scope of total U.S. cryptocurrency mining electricity consumption to determine coverage levels for future survey clearance requests.

Form EIA-862 is a new emergency survey, and EIA has not collected data from this target population before. Because of this condition, EIA does not have a historical reference survey response rate. On the survey frame, EIA has been able to identify the cryptocurrency mining megawatt capacities of most companies, particularly what EIA estimates are the top 25 largest cryptocurrency mining companies by capacity. These largest companies represent approximately 95% of the identified U.S. existing cryptocurrency mining capacity. EIA believes these largest companies are likely to participate in this survey based on public information they present on their websites, in public presentations, and in news articles. Based on EIA's experience receiving high response rates of over 95% on comparable establishment surveys, EIA is expecting a greater than 90% response rate based on a weighted existing cryptocurrency mining capacity basis.

## **B.2. Statistical Methods**

Form EIA-862 is an emergency market study survey of all identified cryptocurrency mining companies and uses no sampling methods. Cryptocurrency mining is a relatively new and rapidly changing industry. Limited, readily available information exists about this industry's effects on U.S. electricity consumption. The emergency market study survey methodology provides EIA with the ability to gain insight into this industry to accomplish the purposes of the survey data outlined in Supporting Statement – Part A. Since Form EIA-862 is a market study survey of all identified companies, EIA will use simple aggregation and descriptive statistics of respondent data to better understand industry characteristics and electricity consumption based on the reported size of facility operations and geographic locations.

EIA uses data validation/editing processes and software (programmed edits checks) to detect probable reporting errors and flag them for resolution by analysts, either through confirmation of the data by the respondent or submission of amendments to the previously filed data.

If the unit level non-responses cannot be resolved within a survey cycle, EIA uses nonresponse weight adjustment and/or donor-based imputation methods. If the item level non-responses cannot be resolved within a survey cycle, EIA uses model-based imputation methods. These imputation methods use previously reported data for the non-respondents and the current period's reported data for the respondents.

The data this survey aims to collect are all factual information, though some of it may be approximated or estimated by the respondent at the time of reporting. The precisions of the responses are implicit in the survey question items, such as the unit of electricity consumption and the number of decimal places in percentages. An individual respondent is expected to provide the respondent's best responses without falsifications, but EIA will verify data with reasonable review efforts. Individual data points will be aggregated to create summary statistics such as the means and totals, and some of the remaining uncorrected individual response errors may cancel out in the aggregates.

There are no "unusual problems requiring specialized sampling procedures" in the proposed survey.

The proposed survey is scheduled to run monthly. The survey frame may be updated each month, removing ineligible entities and adding new potential respondents. All entities in the survey frame at the time of the survey will be potential respondents for that survey cycle. After the first few months, depending on the quality of the responses, EIA will use pre-population of known survey responses from prior cycles (dependent interviewing) to reduce respondent burden.

## **B.3. Maximizing Response Rates**

To maximize response rates, Form EIA-862 is designed and written for clarity and conciseness. Data that are not expected to change from month to month will use dependent interviewing (pre-population) to reduce respondent burden. Notifications will be emailed early during the reporting period to maximize the time that respondents have to complete the survey.

After an initial round of data collection using a paper questionnaire, EIA expects respondents will primarily respond to the survey using Computer-Assisted Self-Interviews (CASI). As noted in

Supporting Statement – Part A, EIA’s internet data collection system makes forms available online as soon as respondents obtain a unique link directly emailed to them. Form due dates are the same each period so that respondents can schedule their completion activities.

EIA will contact any non-respondents by email, telephone, and letter to request data submission until an insignificant or zero non-response rate is obtained. Follow-up email messages citing sanctions for failing to file the required form(s) are sent to all non-respondents. If the follow-up email messages do not result in a response, EIA sends additional correspondence requesting immediate submission to the supervisor of the primary contact and, if necessary, to higher-level management officials at the nonresponding entity.

Respondents who submit their data using CASI will have the opportunity to either correct or explain unusual data during their submission. EIA will review these explanations. EIA will contact respondents if further clarification is needed. For those respondents who do not file via CASI, but rather on a hard copy of the form, email messages are sent, and/or telephone calls are made to confirm corrections or clarifications of any data suspected to be in error.

Changes in company ownership and/or contacts have contributed in the past to non-response. To address this issue, EIA has a dedicated frame management team that uses centralized processes and tools to manage frames so that all survey staff have almost immediate knowledge of changes in entity ownership and/or contacts.

Form EIA-862 does not use a sample and all collected data will be representative of the identified companies only.

#### **B.4. Test Procedures and Form Consultations**

The Form EIA-862 survey design is reviewed by EIA survey methodologists and modified as necessary to improve clarity and reduce burden.

#### **B.5. Statistical Consultations**

For additional information concerning this proposed information collection, please contact Glenn McGrath at 202-586-4325, or at [electricity2023@eia.gov](mailto:electricity2023@eia.gov).

# Exhibit 4



**Department of Energy**  
Washington, DC 20585

<Current MMDDYYYY>

<Mr./Ms. Respondent Name>

<Account Name>

<Address Line 1>

<City>, <State> <Zip Code>

Reference: OMB NO. <OMB No.> (Expiration Date: <Expiration Date>)

Dear <Mr./Ms. Respondent Name>,

Welcome to the U.S. Energy Information Administration (EIA), the statistical and analytical agency within the U.S. Department of Energy. Your company has been selected by the EIA as a respondent to the Form EIA-862, the "Cryptocurrency Mining Facilities Report". These data are collected pursuant to the Federal Energy Administration (FEA) Act of 1974, Public Law 93-275.

Form EIA-862 collects data on the energy usage and related characteristics of all the commercial cryptocurrency mining facilities in the U.S. The data are used to monitor the status and patterns of energy usage by cryptocurrency mining in the U.S. and its current and future impact(s) on the energy sector.

The reporting period for this iteration of data collection is for [MONTH YEAR]. Please provide the requested data in Form EIA-862 for that timeframe.

Response to this survey is **mandatory** under the FEA Act and is **due [the last Friday of the month following the data reporting period (previous month)]**. Please submit your response in either of the following ways:

- By Mail: Fill out the paper form and return it in the provided envelope with the pre-paid postage and EIA's return address.
- By Email: Download and fill out an Excel version of the form from [EIA-862 EXCEL FILE LINK] and return it via email to [EIA4USA@eia.gov](mailto:EIA4USA@eia.gov).

If you have any questions, please contact us directly at [EIA4USA@eia.gov](mailto:EIA4USA@eia.gov) or call 1-855-EIA-4USA (1-855-342-4872) Monday through Friday, 8:00 AM-6:00 PM ET.

We are very excited to provide you with a way of submitting and receiving data from the U.S. Energy Information Administration. Thank you for supporting EIA's data collection activities.

Sincerely,

Joseph Wilson  
Director, Office of Survey Operations  
U.S. Energy Information Administration  
U.S. Department of Energy

# **Exhibit 5**





**Department of Energy**  
Washington, DC 20585

<Current MMDDYYYY>

<Mr./Ms. Respondent Name>

<Account Name>

<Address Line 1>

<City>, <State> <Zip Code>

Reference: OMB NO. <OMB No.> (Expiration Date: <Expiration Date>)

Dear <Mr./Ms. Respondent Name>,

This is a reminder that your company has not yet responded to the Form EIA-862, the "Cryptocurrency Mining Facilities Report". The reporting period for this iteration of data collection is for [MONTH YEAR] and response to this survey is **due [the last Friday of the month following the data reporting period (previous month)]**.

These data are collected pursuant to the Federal Energy Administration (FEA) Act of 1974, Public Law 93-275 and your response is **mandatory** under the FEA Act.

Form EIA-862 collects data on the energy usage and related characteristics of all the commercial cryptocurrency mining facilities in the U.S. The data are used to monitor the status and patterns of energy usage by cryptocurrency mining in the U.S. and its current and future impact(s) on the energy sector.

Please submit your response in either of the following ways:

- By Mail: Fill out the paper form and return it in the provided envelope with the pre-paid postage and EIA's return address.
- By Email: Download and fill out an Excel version of the form from [EIA-862 EXCEL FILE LINK] and return it via email to [EIA4USA@eia.gov](mailto:EIA4USA@eia.gov).

If you have any questions, please contact us directly at [EIA4USA@eia.gov](mailto:EIA4USA@eia.gov) or call 1-855-EIA-4USA (1-855-342-4872) Monday through Friday, 8:00 AM-6:00 PM ET.

Thank you for supporting EIA's data collection activities.

Sincerely,

Joseph Wilson  
Director, Office of Survey Operations  
U.S. Energy Information Administration  
U.S. Department of Energy

# Exhibit 6



**Department of Energy**  
Washington, DC 20585

<Current MMDDYYYY>

<Mr./Ms. Respondent Name>

<Account Name>

<Address Line 1>

<City>, <State> <Zip Code>

Reference: OMB NO. <OMB No.> (Expiration Date: <Expiration Date>)

Dear <Mr./Ms. Respondent Name>,

<Entity Name> has not filed its report with the U.S. Energy Information Administration (EIA) for Form EIA-862, "Cryptocurrency Mining Facilities Report" for the following periods: <Missing Survey Cycle(s) (i.e. June 2017, January – February 2018, etc.)>. Your reports were due to EIA by [**the last Friday of the month following the data reporting period (previous month)**].

We have attempted to contact <Entity Name> staff by mail since <Month & Year when outreach started> to resolve these issues, but without success. Our primary contact at <Entity Name> is <Mr./Ms. Respondent Name>.

Please report for the missing month(s) on Form EIA-862 no later than <Due Date>. If you continue to refuse to file your report, EIA will request further action to compel the production of all information, documents, reports, records, and accounts needed to complete the reporting requirements for your company.

Please submit your response in either of the following ways:

- By Mail: Fill out the paper form and return it in the provided envelope with the pre-paid postage and EIA's return address.
- By Email: Download and fill out an Excel version of the form from [EIA-862 EXCEL FILE LINK] and return it via email to [EIA4USA@eia.gov](mailto:EIA4USA@eia.gov).

If you are **no longer** the person submitting the Form EIA-862, then please provide the following information in an email reply to [EIA4USA@eia.gov](mailto:EIA4USA@eia.gov):

Name of New Preparer:

New Preparer's Address:

New Preparer's Telephone #:

New Preparer's Email Address:

This report is **mandatory** under Title 15 U.S.C. §772(b). Failure to comply may result in criminal fines, civil penalties and other sanctions as provided by Title 15 U.S.C. §797. 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.

The timely submission of Form EIA-862 by those required to report is mandatory under 15 USC 772(b), as amended. Failure to respond may result in a civil penalty of not more than \$10,633 each day for each 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.

EIA has a legal mandate to carry out a central, comprehensive, and unified energy data and information program. All persons owning or operating facilities or business premises who are engaged in any phase of energy supply shall make available to the EIA Administrator such information and periodic reports. By law the EIA Administrator has the authority to conduct mandatory information collections and obtain the information by issuing subpoenas, conducting physical inspections or by other means identified in 15 U.S.C. 779.

Your assistance in promptly resolving these issues would be greatly appreciated. If you have questions, you can contact [EIA4USA@eia.gov](mailto:EIA4USA@eia.gov), or 855-EIA-4USA (855-342-4872).

Sincerely,

Joseph Wilson  
Director, Office of Survey Operations  
U.S. Energy Information Administration  
U.S. Department of Energy

cc: <CEO/Owner/President/General Counsel>

# **Exhibit 7**



**EIA-862**  
**CRYPTOCURRENCY MINING**  
**FACILITIES REPORT**

## **INSTRUCTIONS**

### **YOUR RESPONSE IS REQUIRED BY LAW**

This report is **mandatory** under the Federal Energy Administration Act of 1974 (Public Law 93-275). Failure to comply may result in criminal fines, civil penalties and other sanctions as provided by law. For further information concerning sanctions and data protections, see the provision on sanctions and the provision concerning confidentiality of information in the instructions. **Title 18 USC 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.**

### **REQUIRED RESPONDENTS**

Respondents to the Form EIA-862 who are required to complete this form are all commercial cryptocurrency mining facilities in the United States.

### **PURPOSE**

Form EIA-862 collects data on the energy usage, and related characteristics, of commercial cryptocurrency mining facilities in the United States. The data are used to monitor the current status and patterns of energy usage by cryptocurrency mining in the United States.

### **DUE DATE**

The status information provided on the EIA-862 should be the status of the facility as of the end of the data reporting period. The report is due on approximately the last Friday of the month following the data reporting period (previous month).

### **HOW TO FILE A RESPONSE**

By mail: Complete Form EIA-862 and return it in the prepaid postage envelope to the address below.

U.S. Department of Energy (EI-23)

ATTN: EIA-862

Ben Franklin Station

PO Box 279

Washington, DC 20044-0279

By phone: Call 1-855-EIA-4USA (1-855-342-4872) Monday through Friday, 8:00 AM to 6:00 PM E.T. to complete EIA-862 with an interviewer.

### **QUESTIONS**

If you have a question about this survey or the data requested, contact the EIA Survey Support Team:

By email: [eia4usa@eia.gov](mailto:eia4usa@eia.gov)

By phone: 1-855-EIA-4USA (1-855-342-4872) Monday through Friday, 8:00 AM to 6:00 PM E.T.



Independent Statistics & Analysis  
 U.S. Energy Information  
 Administration

**EIA-862**  
**CRYPTOCURRENCY MINING**  
**FACILITIES REPORT**

OMB No. 1905-XXXX  
 Approval Expires: XX/XX/2024  
 Burden Hours: 0.5 hours

Company ID:

Reporting Period:

**SCHEDULE 1. IDENTIFICATION**

**Company:**

What is the company for which this survey is being completed?

Company Name	<input type="text"/>		
Mailing Address	<input type="text"/>		
Mailing City	<input type="text"/>		
Mailing State	<input type="text"/>	Mailing Zip Code	<input type="text"/>

Please complete if the Company's Location Address is different from its Mailing Address:

Location Address	<input type="text"/>		
Location City	<input type="text"/>		
Location State	<input type="text"/>	Location Zip Code	<input type="text"/>

**Survey Contact:**

Who is the survey contact for this company?

First Name	<input type="text"/>		
Last Name	<input type="text"/>		
Title	<input type="text"/>		
Email	<input type="text"/>		
Telephone	<input type="text"/>	FAX	<input type="text"/>

**Survey Contact's Supervisor:**

Who is the survey contact's supervisor?

First Name	<input type="text"/>		
Last Name	<input type="text"/>		
Title	<input type="text"/>		
Email	<input type="text"/>		
Telephone	<input type="text"/>	FAX	<input type="text"/>



Company ID: Reporting Period: **SCHEDULE 1 CONTINUED****Cryptocurrency Activities:**

Does this company serve as a cryptocurrency **validator** that involves using a proof-of-stake (PoS) consensus mechanism to validate transactions on a blockchain network(s)? Please answer regardless of ownership of any facilities, equipment, cryptocurrency, etc.

 YES NO DON'T KNOW

Does this company engage in cryptocurrency **mining** that involves using a proof-of-work (PoW) consensus mechanism to add and verify transactions on a blockchain network(s)? Please answer regardless of ownership of any facilities, equipment, cryptocurrency, etc.

 YES (continue to next question below) NO (skip to Schedule 4 Comments section) DON'T KNOW (skip to Schedule 4 Comments section)**Number of Cryptocurrency Mining Facilities:**

How many cryptocurrency mining facilities did this company own and/or operate in the United States at the end of the reporting period? Please answer regardless of ownership of the facility, equipment, cryptocurrency, etc.

A "cryptocurrency mining facility" houses electronic equipment that is used for mining cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network. Facilities may include other activities, such as data storage, cloud computing, etc., but must include cryptocurrency mining.

Number of facilities 

**Please complete Schedule 2 for each cryptocurrency mining facility (e.g. Schedule 2A for the first facility, Schedule 2B for the second, and so on).** If there are more facilities to report for than there are Schedule 2s in this survey, you can download this entire survey in Excel format or download and print additional Schedule 2s from EIA's website: <https://www.eia.gov/survey/#eia-862>

**If there are not any cryptocurrency mining facilities that this company owns and/or operates, please explain in the Schedule 4 Comments section and submit the form to EIA.**



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**SCHEDULE 2A. CRYPTOCURRENCY MINING FACILITY #1**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #1 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name

Location Address

Location City

Location State  Location Zip Code

Geographic Coordinates: Latitude  Longitude

**Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.**

**Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2A CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2B. CRYPTOCURRENCY MINING FACILITY #2**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #2 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name

Location Address

Location City

Location State  Location Zip Code

Geographic Coordinates: Latitude  Longitude

**Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.**

**Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2B CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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**SCHEDULE 2C. CRYPTOCURRENCY MINING FACILITY #3**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #3 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name

Location Address

Location City

Location State  Location Zip Code

Geographic Coordinates: Latitude  Longitude

**Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.**

**Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2C CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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**SCHEDULE 2D. CRYPTOCURRENCY MINING FACILITY #4**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #4 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name

Location Address

Location City

Location State  Location Zip Code

Geographic Coordinates: Latitude  Longitude

**Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.**

**Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider



Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2D CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

<i>Energy Supplier 1</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 2</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 3</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 4</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 5</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

<i>Mining Unit Count:</i>	<i>Maximum</i>	<input type="text"/>	units	<i>Average</i>	<input type="text"/>	units
<i>Mining Unit Age:</i>	<i>Newest</i>	<input type="text"/>	months	<i>Average</i>	<input type="text"/>	months
<i>Mining Electric Load:</i>	<i>Highest</i>	<input type="text"/>	MW	<i>Average</i>	<input type="text"/>	MW
<i>Mining Hash Rate:</i>	<i>Maximum</i>	<input type="text"/>	TH/s	<i>Average</i>	<input type="text"/>	TH/s



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**SCHEDULE 2E. CRYPTOCURRENCY MINING FACILITY #5**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #5 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name

Location Address

Location City

Location State  Location Zip Code

Geographic Coordinates: Latitude  Longitude

**Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.**

**Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2E CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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**SCHEDULE 2F. CRYPTOCURRENCY MINING FACILITY #6**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #6 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name

Location Address

Location City

Location State  Location Zip Code

Geographic Coordinates: Latitude  Longitude

**Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.**

**Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2F CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

<i>Energy Supplier 1</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 2</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 3</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 4</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 5</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<b>100%</b>					

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

<i>Mining Unit Count:</i>	<i>Maximum</i>	<input type="text"/>	units	<i>Average</i>	<input type="text"/>	units
<i>Mining Unit Age:</i>	<i>Newest</i>	<input type="text"/>	months	<i>Average</i>	<input type="text"/>	months
<i>Mining Electric Load:</i>	<i>Highest</i>	<input type="text"/>	MW	<i>Average</i>	<input type="text"/>	MW
<i>Mining Hash Rate:</i>	<i>Maximum</i>	<input type="text"/>	TH/s	<i>Average</i>	<input type="text"/>	TH/s



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**SCHEDULE 2G. CRYPTOCURRENCY MINING FACILITY #7**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #7 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name

Location Address

Location City

Location State  Location Zip Code

Geographic Coordinates: Latitude  Longitude

**Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.**

**Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2G CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

<i>Energy Supplier 1</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 2</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 3</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 4</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 5</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

<i>Mining Unit Count:</i>	<i>Maximum</i>	<input type="text"/>	units	<i>Average</i>	<input type="text"/>	units
<i>Mining Unit Age:</i>	<i>Newest</i>	<input type="text"/>	months	<i>Average</i>	<input type="text"/>	months
<i>Mining Electric Load:</i>	<i>Highest</i>	<input type="text"/>	MW	<i>Average</i>	<input type="text"/>	MW
<i>Mining Hash Rate:</i>	<i>Maximum</i>	<input type="text"/>	TH/s	<i>Average</i>	<input type="text"/>	TH/s



Independent Statistics &amp; Analysis

U.S. Energy Information  
Administration

**EIA-862**  
**CRYPTOCURRENCY MINING**  
**FACILITIES REPORT**

OMB No. 1905-XXXX  
Approval Expires: XX/XX/2024  
Burden Hours: 0.5 hours

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2H. CRYPTOCURRENCY MINING FACILITY #8**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #8 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name

Location Address

Location City

Location State  Location Zip Code

Geographic Coordinates: Latitude  Longitude

**Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.**

**Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider



Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2H CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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Approval Expires: XX/XX/2024  
Burden Hours: 0.5 hours

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2I. CRYPTOCURRENCY MINING FACILITY #9**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #9 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name

Location Address

Location City

Location State  Location Zip Code

Geographic Coordinates: Latitude  Longitude

**Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.**

**Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2I CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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Burden Hours: 0.5 hours

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2J. CRYPTOCURRENCY MINING FACILITY #10**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #10 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name

Location Address

Location City

Location State  Location Zip Code

Geographic Coordinates: Latitude  Longitude

**Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.**

**Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2J CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
<b>100%</b>					

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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Approval Expires: XX/XX/2024  
Burden Hours: 0.5 hours

Company ID:

Reporting Period:

**SCHEDULE 3. ELECTRICITY BILLS**

**Electricity Bills:**

**Please submit a copy to EIA of the electricity bill(s) for the reporting period for each cryptocurrency mining facility reported on in the Schedule 2s of this survey.** The bill(s) can be sent to EIA along with this survey via mail, or sent via email to [eia4usa@eia.gov](mailto:eia4usa@eia.gov).

If the bill(s) does not cover the full reporting period, submit the bill(s) that covers the most of it. If any bill(s) includes multiple facilities, indicate the account number and charges associated with each facility reported on in Schedule 2. If there are bills from multiple electricity suppliers, please include the bill(s) from each one. If any facilities get multiple bills from one supplier (e.g., for multiple meters), submit a copy of each.

**If you are unable to submit a copy of any facility's electricity bill(s), please explain why in the space below.** Indicate the Schedule 2 for each facility in the comment (e.g., "For Facility #1 reported in Schedule 2A...").



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Approval Expires: XX/XX/2024  
Burden Hours: 0.5 hours

Company ID:

Reporting Period:

**SCHEDULE 4 - COMMENTS**

Report any comments in the space below and then return the EIA 862 survey to EIA.

If you report any comments about a specific cryptocurrency mining facility, please indicate the Schedule 2 for that facility in the comment (e.g., "For Facility #1 reported in Schedule 2A...").



**EIA-862**  
**CRYPTOCURRENCY MINING**  
**FACILITIES REPORT**

**ADDITIONAL INFORMATION**

**DEFINITIONS**

A glossary with some key terms is available online at: [www.eia.gov/glossary/index.html](http://www.eia.gov/glossary/index.html)

**REPORTING BURDEN**

Public reporting burden for this collection of information is estimated to average 0.5 hours per response, including the time for 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 U.S. Energy Information Administration, Office of Survey Development and Statistical Integration, Mail Stop EI-21 Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 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.

**DISCLOSURE OF INFORMATION**

The following information reported on this survey will be protected and not disclosed to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the Department of Energy (DOE) regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905: All information associated with the "Survey Contact" and the "Survey Contact's Supervisor" on Schedule 1, and the "Electricity Bill(s)" (if provided). All other information reported on Form EIA-862 is public information and may be publicly released in company identifiable form.



# Exhibit 8

**NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION**

Date 01/26/2024

Department of Energy  
Energy Information Administration

FOR CERTIFYING OFFICIAL: Sandra Logan  
FOR CLEARANCE OFFICER: Kenneth Pick

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 01/24/2024

ACTION REQUESTED: New collection (Request for a new OMB Control Number)

TYPE OF REVIEW REQUESTED: Emergency

ICR REFERENCE NUMBER: 202401-1905-002

AGENCY ICR TRACKING NUMBER:

TITLE: Cryptocurrency Mining Facilities Survey

LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change

OMB CONTROL NUMBER: 1905-0213

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 07/31/2024

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	0	0	0
New	492	246	21,491
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	492	246	21,491
Change due to Agency Adjustment	0	0	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE: OMB approves this emergency request, consistent with the requirements for emergency approval under 5 cfr 1320.13. Recognizing that this emergency collection is experimental and provisional with the understood intention that EIA wants to build to a new standard collection, OMB approves this emergency collection contingent on the commitments identified in Supporting Statements A and/or B and the additional terms spelled out here. these terms include that EIA will cognitively test identified content in parallel with data collected in the 6-month period approved here, and with the understanding that EIA will submit non-substantive change requests to OMB for any changes to methods or content for the current approved collection. In Supporting Statement B, language is clear that survey results from this emergency collection will not be used for population-based inference either by using weighting adjustments or model-based methods, and that the collected data will only be representative of the identified respondents in this market study survey. EIA agrees to publish a notice in the federal register to solicit public comment on this collection for no fewer than 60 days.

OMB Authorizing Official: Dominic J. Mancini  
Deputy Administrator,  
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Cryptocurrency Mining Facilities Report	EIA-862	Cryptocurrency Mining Facilities Report	5 CFR 1320.8

# Exhibit 9

Display additional information by clicking on the following:  All  Brief and OIRA conclusion

Abstract/Justification  Legal Statutes  Rulemaking  FR Notices/Comments  IC List  Burden  Misc.

Common Form Info.  Certification

[View Information Collection \(IC\) List](#) [View Supporting Statement and Other Documents](#)

Please note that the OMB number and expiration date may not have been determined when this Information Collection Request and associated Information Collection forms were submitted to OMB. The approved OMB number and expiration date may be found by clicking on the Notice of Action link below.

### View ICR - OIRA Conclusion

**OMB Control No:** 1905-0213 **ICR Reference No:** 202401-1905-002

**Status:** Historical Active **Previous ICR Reference No:**

**Agency/Subagency:** DOE/EIA **Agency Tracking No:**

**Title:** Cryptocurrency Mining Facilities Survey

**Type of Information Collection:** New collection (Request for a new OMB Control Number) **Common Form ICR:** No

**Type of Review Request:** Emergency **Approval Requested By:** 01/29/2024

**OIRA Conclusion Action:** Approved without change **Conclusion Date:** 01/26/2024

[Retrieve Notice of Action \(NOA\)](#) **Date Received in OIRA:** 01/24/2024

**Terms of Clearance:** OMB approves this emergency request, consistent with the requirements for emergency approval under 5 cfr 1320.13. Recognizing that this emergency collection is experimental and provisional with the understood intention that EIA wants to build to a new standard collection, OMB approves this emergency collection contingent on the commitments identified in Supporting Statements A and/or B and the additional terms spelled out here. these terms include that EIA will cognitively test identified content in parallel with data collected in the 6-month period approved here, and with the understanding that EIA will submit non-substantive change requests to OMB for any changes to methods or content for the current approved collection. In Supporting Statement B, language is clear that survey results from this emergency collection will not be used for population-based inference either by using weighting adjustments or model-based methods, and that the collected data will only be representative of the identified respondents in this market study survey. EIA agrees to publish a notice in the federal register to solicit public comment on this collection for no fewer than 60 days.

	Inventory as of this Action	Requested	Previously Approved
Expiration Date	07/31/2024	6 Months From Approved	
Responses	492	0	0
Time Burden (Hours)	246	0	0
Cost Burden (Dollars)	21,491	0	0

**Abstract:** Form EIA-862, the Cryptocurrency Mining Facilities Report, will collect information from commercial cryptocurrency companies in the United States. Specifically, it will develop a baseline snapshot of the cryptomining companies in the sample; quantify the rate of change in cryptomining activity among the companies in the sample; identify electricity sources for US cryptominers in the sample; and, identify regions of the United States with concentrated cryptomining activity is located based off the companies in the sample.

**Emergency Justification:** Pursuant to Office of Management and Budget (OMB) procedures established at 5 CFR Part 1320, Controlling Paperwork Burdens on the Public, EIA requests that the proposed information collection project, "Proposed Emergency Survey – Cryptocurrency Mining Facilities" be processed as an Emergency Revision Request in accordance with Section 1320.13, Emergency Processing. EIA has determined that the information should be collected prior to the expiration of time period established under Part 1320. EIA is making this request under 1320.13.2.i because public harm is reasonably likely if normal clearance procedures are followed. As evidence, the price of Bitcoin has increased roughly 50% in the last three months, and higher prices incentivize more cryptomining activity, which in turn increases electricity consumption. At the time of this writing, much of the central United States is in the grip of a major cold snap that has resulted in high electricity demand. The combined effects of increased cryptomining and stressed electricity systems create heightened uncertainty in electric power markets, which could result in demand peaks that affect system operations and consumer prices, as happened in Plattsburgh, New York in 2018. Such conditions can materialize and dissipate rapidly. Given the emerging and rapidly changing nature of this issue and because we cannot quantitatively assess the likelihood of public harm, EIA feels a sense of urgency to generate credible data that would provide insight into this unfolding issue.

**Authorizing Statute(s):** US Code: [15 USC 764](#) Name of Law: Federal Energy Administration Act of 1974  
US Code: [15 USC 790a](#) Name of Law: Federal Energy Administration Act of 1974  
US Code: [15 USC 772](#) Name of Law: Federal Energy Administration Act of 1974

**Citations for New Statutory Requirements:** None

#### Associated Rulemaking Information

<b>RIN:</b>	<b>Stage of Rulemaking:</b>	<b>Federal Register Citation:</b>	<b>Date:</b>
	Not associated with rulemaking		

#### Federal Register Notices & Comments

**Did the Agency receive public comments on this ICR?** No

**Number of Information Collection (IC) in this ICR:** 1

IC Title	Form No.	Form Name
<a href="#">Cryptocurrency Mining Facilities Report</a>	EIA-862	<a href="#">Cryptocurrency Mining Facilities Report</a>

#### ICR Summary of Burden

Total Approved	Previously Approved	Change Due to New Statute	Change Due to Agency Discretion	Change Due to Adjustment in	Change Due to Potential Violation of

					Estimate		the PRA
Annual Number of Responses	492	0	0	492	0		0
Annual Time Burden (Hours)	246	0	0	246	0		0
Annual Cost Burden (Dollars)	21,491	0	0	21,491	0		0

**Burden increases because of Program Change due to Agency Discretion:** Yes  
**Burden Increase Due to:** Miscellaneous Actions  
**Burden decreases because of Program Change due to Agency Discretion:** No  
**Burden Reduction Due to:**  
**Short Statement:** New Emergency Data Collection Request

**Annual Cost to Federal Government:** \$193,152

**Does this ICR contain surveys, censuses, or employ statistical methods?** Yes [Part B of Supporting Statement](#)

**Does this ICR request any personally identifiable information (see [OMB Circular No. A-130](#) for an explanation of this term)? Please consult with your agency's privacy program when making this determination.** No

**Does this ICR include a form that requires a Privacy Act Statement (see [5 U.S.C. §552a\(e\)\(3\)](#))? Please consult with your agency's privacy program when making this determination.** No

**Is this ICR related to the Affordable Care Act [Pub. L. 111-148 & 111-152]?** No

**Is this ICR related to the Dodd-Frank Wall Street Reform and Consumer Protection Act, [Pub. L. 111-203]?** No

**Is this ICR related to the American Recovery and Reinvestment Act of 2009 (ARRA)?** No

**Is this ICR related to the Pandemic Response?** No

**Agency Contact:** Kenneth Pick 202 586-5562 [kenneth.pick@eia.gov](mailto:kenneth.pick@eia.gov)

**Common Form ICR:** No

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9 and the related provisions of 5 CFR 1320.8(b)(3).

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous language that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8 (b)(3) about:
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected.
- (i) It uses effective and efficient statistical survey methodology (if applicable); and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item by leaving the box unchecked and explain the reason in the Supporting Statement.

**Certification Date:** 01/24/2024



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# **Exhibit 10**



Independent Statistics and Analysis

**U.S. Energy Information  
Administration****EIA-862  
CRYPTOCURRENCY MINING  
FACILITIES REPORT**OMB No. 1905-0213  
Approval Expires: 7/31/2024  
Burden Hours: 0.5 hours**INSTRUCTIONS****YOUR RESPONSE IS REQUIRED BY LAW**

This report is **mandatory** under the Federal Energy Administration Act of 1974 (Public Law 93-275). Failure to comply may result in criminal fines, civil penalties and other sanctions as provided by law. For further information concerning sanctions and data protections, see the provision on sanctions and the provision concerning confidentiality of information in the instructions. **Title 18 USC 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.**

**REQUIRED RESPONDENTS**

Respondents to the Form EIA-862 who are required to complete this form are all commercial cryptocurrency mining facilities in the United States.

**PURPOSE**

Form EIA-862 collects data on the energy usage, and related characteristics, of commercial cryptocurrency mining facilities in the United States. The data are used to monitor the current status and patterns of energy usage by cryptocurrency mining in the United States.

**DUE DATE**

The status information provided on the EIA-862 should be the status of the facility as of the end of the data reporting period. The report is due on approximately the last Friday of the month following the data reporting period (previous month).

**HOW TO FILE A RESPONSE**

By mail: Complete Form EIA-862 and return it in the prepaid postage envelope to the address below.

U.S. Department of Energy (EI-23)

ATTN: EIA-862

Ben Franklin Station

PO Box 279

Washington, DC 20044-0279

By phone: Call 1-855-EIA-4USA (1-855-342-4872) Monday through Friday, 8:00 AM to 6:00 PM E.T. to complete EIA-862 with an interviewer.

**QUESTIONS**

If you have a question about this survey or the data requested, contact the EIA Survey Support Team:

By email: [eia4usa@eia.gov](mailto:eia4usa@eia.gov)

By phone: 1-855-EIA-4USA (1-855-342-4872) Monday through Friday, 8:00 AM to 6:00 PM E.T.





**EIA-862**  
**CRYPTOCURRENCY MINING**  
**FACILITIES REPORT**

Company ID:

Reporting Period:

**SCHEDULE 1. IDENTIFICATION**

**Company:**

What is the company for which this survey is being completed?

Company Name	<input type="text"/>		
Mailing Address	<input type="text"/>		
Mailing City	<input type="text"/>		
Mailing State	<input type="text"/>	Mailing Zip Code	<input type="text"/>

Please complete if the Company's Location Address is different from its Mailing Address:

Location Address	<input type="text"/>		
Location City	<input type="text"/>		
Location State	<input type="text"/>	Location Zip Code	<input type="text"/>

**Survey Contact:**

Who is the survey contact for this company?

First Name	<input type="text"/>		
Last Name	<input type="text"/>		
Title	<input type="text"/>		
Email	<input type="text"/>		
Telephone	<input type="text"/>	FAX	<input type="text"/>

**Survey Contact's Supervisor:**

Who is the survey contact's supervisor?

First Name	<input type="text"/>		
Last Name	<input type="text"/>		
Title	<input type="text"/>		
Email	<input type="text"/>		
Telephone	<input type="text"/>	FAX	<input type="text"/>

Company ID: Reporting Period: **SCHEDULE 1 CONTINUED****Cryptocurrency Activities:**

Does this company serve as a cryptocurrency **validator** that involves using a proof-of-stake (PoS) consensus mechanism to validate transactions on a blockchain network(s)? Please answer regardless of ownership of any facilities, equipment, cryptocurrency, etc.

 YES NO DON'T KNOW

Does this company engage in cryptocurrency **mining** that involves using a proof-of-work (PoW) consensus mechanism to add and verify transactions on a blockchain network(s)? Please answer regardless of ownership of any facilities, equipment, cryptocurrency, etc.

 YES (continue to next question below) NO (skip to Schedule 4 Comments section) DON'T KNOW (skip to Schedule 4 Comments section)**Number of Cryptocurrency Mining Facilities:**

How many cryptocurrency mining facilities did this company own and/or operate in the United States at the end of the reporting period? Please answer regardless of ownership of the facility, equipment, cryptocurrency, etc.

A "cryptocurrency mining facility" houses electronic equipment that is used for mining cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network. Facilities may include other activities, such as data storage, cloud computing, etc., but must include cryptocurrency mining.

Number of facilities 

**Please complete Schedule 2 for each cryptocurrency mining facility (e.g. Schedule 2A for the first facility, Schedule 2B for the second, and so on).** If there are more facilities to report for than there are Schedule 2s in this survey, you can download this entire survey in Excel format or download and print additional Schedule 2s from EIA's website: <https://www.eia.gov/survey/#eia-862>

**If there are not any cryptocurrency mining facilities that this company owns and/or operates, please explain in the Schedule 4 Comments section and submit the form to EIA.**



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CRYPTOCURRENCY MINING  
FACILITIES REPORTOMB No. 1905-0213  
Approval Expires: 7/31/2024  
Burden Hours: 0.5 hoursCompany ID:  Facility ID:  Reporting Period: **SCHEDULE 2A. CRYPTOCURRENCY MINING FACILITY #1**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #1 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name Location Address Location City Location State Location Zip Code 

Geographic Coordinates:

Latitude Longitude **Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.****Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption 

MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining 

%

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2A CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>	
		<b>100%</b>				

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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Burden Hours: 0.5 hoursCompany ID:  Facility ID:  Reporting Period: **SCHEDULE 2B. CRYPTOCURRENCY MINING FACILITY #2**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #2 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name Location Address Location City Location State Location Zip Code 

Geographic Coordinates:

Latitude Longitude **Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.****Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2B CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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Burden Hours: 0.5 hoursCompany ID:  Facility ID:  Reporting Period: **SCHEDULE 2C. CRYPTOCURRENCY MINING FACILITY #3**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #3 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name Location Address Location City Location State  Location Zip Code Geographic Coordinates: Latitude  Longitude **Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.****Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2C CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s





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Burden Hours: 0.5 hoursCompany ID:  Facility ID:  Reporting Period: **SCHEDULE 2D. CRYPTOCURRENCY MINING FACILITY #4**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #4 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name Location Address Location City Location State Location Zip Code 

Geographic Coordinates:

Latitude Longitude **Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.****Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption 

MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining 

%

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2D CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>	
		<b>100%</b>				

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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Burden Hours: 0.5 hoursCompany ID:  Facility ID:  Reporting Period: **SCHEDULE 2E. CRYPTOCURRENCY MINING FACILITY #5**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #5 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name Location Address Location City Location State Location Zip Code 

Geographic Coordinates:

Latitude Longitude **Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.****Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2E CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>	
		<b>100%</b>				

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #6 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name Location Address Location City Location State Location Zip Code 

Geographic Coordinates:

Latitude Longitude **Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.****Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2F CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

<i>Energy Supplier 1</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 2</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 3</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 4</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
<i>Energy Supplier 5</i>	<input type="text"/>	%	→	<i>Company Name</i>	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

<i>Mining Unit Count:</i>	<i>Maximum</i>	<input type="text"/>	units	<i>Average</i>	<input type="text"/>	units
<i>Mining Unit Age:</i>	<i>Newest</i>	<input type="text"/>	months	<i>Average</i>	<input type="text"/>	months
<i>Mining Electric Load:</i>	<i>Highest</i>	<input type="text"/>	MW	<i>Average</i>	<input type="text"/>	MW
<i>Mining Hash Rate:</i>	<i>Maximum</i>	<input type="text"/>	TH/s	<i>Average</i>	<input type="text"/>	TH/s



Independent Statistics and Analysis

U.S. Energy Information  
AdministrationEIA-862  
CRYPTOCURRENCY MINING  
FACILITIES REPORTOMB No. 1905-0213  
Approval Expires: 7/31/2024  
Burden Hours: 0.5 hoursCompany ID:  Facility ID:  Reporting Period: **SCHEDULE 2G. CRYPTOCURRENCY MINING FACILITY #7**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #7 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name Location Address Location City Location State Location Zip Code 

Geographic Coordinates:

Latitude Longitude **Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.****Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption 

MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining 

%

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2G CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>	
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>	
		<b>100%</b>				

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s





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FACILITIES REPORTOMB No. 1905-0213  
Approval Expires: 7/31/2024  
Burden Hours: 0.5 hoursCompany ID:  Facility ID:  Reporting Period: **SCHEDULE 2H. CRYPTOCURRENCY MINING FACILITY #8**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #8 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name Location Address Location City Location State Location Zip Code 

Geographic Coordinates:

Latitude Longitude **Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.****Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption 

MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining 

%

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2H CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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CRYPTOCURRENCY MINING  
FACILITIES REPORTOMB No. 1905-0213  
Approval Expires: 7/31/2024  
Burden Hours: 0.5 hoursCompany ID:  Facility ID:  Reporting Period: **SCHEDULE 2I. CRYPTOCURRENCY MINING FACILITY #9**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #9 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name Location Address Location City Location State Location Zip Code 

Geographic Coordinates:

Latitude Longitude **Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.****Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption 

MWh

**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining 

%

**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2I CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



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Approval Expires: 7/31/2024  
Burden Hours: 0.5 hoursCompany ID:  Facility ID:  Reporting Period: **SCHEDULE 2J. CRYPTOCURRENCY MINING FACILITY #10**

A "cryptocurrency mining facility" means a facility that houses electronic equipment used for mining of cryptocurrency, which involves a proof-of-work consensus mechanism to add and verify new transactions on a blockchain network.

**Facility #10 Identification:**

What is the facility for which this Schedule is being completed?

Facility Name Location Address Location City Location State  Location Zip Code Geographic Coordinates: Latitude  Longitude **Answer the remaining questions regardless of ownership of facility, equipment, or cryptocurrency.****Electricity Consumption:**

During the reporting period, what was the electricity consumption for the entire facility, in megawatthours (MWh)? Please include all electricity consumption at the facility (not just for cryptocurrency mining, if applicable) from all electricity suppliers.

Entire Facility Electricity Consumption  MWh**Electricity for Cryptocurrency Mining:**

What percentage of all the facility's electricity consumption during the reporting period was used only for cryptocurrency mining? Exclude any other activities that could be in the facility, like data storage, cloud computing, space cooling and heating, lighting, etc. If actual data are not available, please provide your best estimate.

Percent of Electricity Used for Cryptocurrency Mining  %**Electric Service Provider:**

Please report the company name of the facility's electric service provider. The electric service provider is the company that provides electricity services to the facility and to other end-users that are located in its service territory. It may or may not supply the energy component of the service to the facility.

Electric Service Provider

Company ID:  Facility ID:  Reporting Period:

**SCHEDULE 2J CONTINUED**

**Energy Suppliers:**

Please report the average percentage of all the electricity consumed at this facility during the reporting period that was purchased from each energy supplier and the name of each energy supplier. If actual data are not available, provide your best estimates.

An "energy supplier" includes any entities, such as the electric service provider, wholesalers, retailers, delivery companies, power plants, utilities, etc. that energy for the facility was purchased from via a monthly rate, power purchase agreement, contract, or other arrangement. If there are more than five suppliers, report the five that the most energy for the facility was purchased from during the reporting period.

Energy Supplier 1	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 2	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 3	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 4	<input type="text"/>	%	→	Company Name	<input type="text"/>
Energy Supplier 5	<input type="text"/>	%	→	Company Name	<input type="text"/>
		<b>100%</b>			

**Cryptocurrency Mining Equipment Characteristics:**

In the space below, please report each of the following characteristics about cryptocurrency mining equipment at the facility. If actual data are not available, please provide your best estimates.

"Mining equipment" represents an individual processing unit (e.g., an Application-Specific Integrated Circuit [ASIC] unit, Graphic Processing Unit [GPU], etc.) used for mining cryptocurrency.

- Mining Equipment Unit Counts: the maximum number and average number of mining units that were in operation during the reporting period.
- Mining Equipment Unit Age: the age, in months, of the newest mining unit and the average age, in months, of all mining units that were in operation at the end of the reporting period.
- Mining Equipment Electric Load: the megawatts (MW) needed by all mining equipment when operating at the highest, peak capacity and the average megawatts needed for mining equipment that was in operation during the reporting period.
- Mining Equipment Hash Rate: the maximum hash rate reached during the reporting period and the average overall hash rate for the reporting period, in terahashes per second (TH/s).

Mining Unit Count:	Maximum	<input type="text"/>	units	Average	<input type="text"/>	units
Mining Unit Age:	Newest	<input type="text"/>	months	Average	<input type="text"/>	months
Mining Electric Load:	Highest	<input type="text"/>	MW	Average	<input type="text"/>	MW
Mining Hash Rate:	Maximum	<input type="text"/>	TH/s	Average	<input type="text"/>	TH/s



**EIA-862  
CRYPTOCURRENCY MINING  
FACILITIES REPORT**

Company ID:

Reporting Period:

**SCHEDULE 3. ELECTRICITY BILLS**

**Electricity Bills:**

**Please submit a copy to EIA of the electricity bill(s) for the reporting period for each cryptocurrency mining facility reported on in the Schedule 2s of this survey.** The bill(s) can be sent to EIA along with this survey via mail, or sent via email to [eia4usa@eia.gov](mailto:eia4usa@eia.gov).

If the bill(s) does not cover the full reporting period, submit the bill(s) that covers the most of it. If any bill(s) includes multiple facilities, indicate the account number and charges associated with each facility reported on in Schedule 2. If there are bills from multiple electricity suppliers, please include the bill(s) from each one. If any facilities get multiple bills from one supplier (e.g., for multiple meters), submit a copy of each.

**If you are unable to submit a copy of any facility's electricity bill(s), please explain why in the space below.** Indicate the Schedule 2 for each facility in the comment (e.g., "For Facility #1 reported in Schedule 2A...").



Independent Statistics and Analysis

**U.S. Energy Information  
Administration**

**EIA-862**

**CRYPTOCURRENCY MINING  
FACILITIES REPORT**

OMB No. 1905-0213  
Approval Expires: 7/31/2024  
Burden Hours: 0.5 hours

Company ID:

Reporting Period:

**SCHEDULE 4 - COMMENTS**

Report any comments in the space below and then return the EIA 862 survey to EIA.

If you report any comments about a specific cryptocurrency mining facility, please indicate the Schedule 2 for that facility in the comment (e.g., "For Facility #1 reported in Schedule 2A...").



## ADDITIONAL INFORMATION

### **DEFINITIONS**

A glossary with some key terms is available online at: [www.eia.gov/glossary/index.html](http://www.eia.gov/glossary/index.html)

### **SANCTIONS**

The timely submission of Form EIA-862 by those required to report is mandatory under 15 U.S.C. §772(b), as amended. Failure to respond may result in a civil penalty of not more than \$12,937 each day for each 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.

### **REPORTING BURDEN**

Public reporting burden for this collection of information is estimated to average 0.5 hours per response, including the time for 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 U.S. Energy Information Administration, Office of Statistical Methods and Research, Mail Stop EI-21 Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 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.

### **DISCLOSURE OF INFORMATION**

The following information reported on this survey will be protected and not disclosed to the extent that it satisfies the criteria for exemption under the Freedom of Information Act (FOIA), 5 U.S.C. §552, the Department of Energy (DOE) regulations, 10 C.F.R. §1004.11, implementing the FOIA, and the Trade Secrets Act, 18 U.S.C. §1905: All information associated with the "Survey Contact" and the "Survey Contact's Supervisor" on Schedule 1, and the "Electricity Bill(s)" (if provided). All other information reported on Form EIA-862 is public information and may be publicly released in company identifiable form.

**PIN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

TEXAS BLOCKCHAIN COUNCIL, a nonprofit  
association; RIOT PLATFORMS, INC.,

*Plaintiffs,*

v.

DEPARTMENT OF ENERGY; JENNIFER M.  
GRANHOLM, in her official capacity as Secretary  
of Energy; ENERGY INFORMATION  
ADMINISTRATION; JOSEPH DECAROLIS, in  
his official capacity as Administrator of Energy  
Information Administration; OFFICE OF  
MANAGEMENT AND BUDGET; SHALANDA  
YOUNG, in her official capacity as Director of  
Office of Management and Budget,

*Defendants.*

Civil Action No. 6:24-cv-99

**TEMPORARY RESTRAINING ORDER**

Before the Court is Plaintiffs' Motion for Temporary Restraining Order (the "Motion"). Pursuant to Federal Rule of Civil Procedure 65(b) and for the reasons below, the Court **GRANTS** the Motion and **ORDERS** the relief described below.

Based on the Court's review of the Motion, the Verified Complaint, and Plaintiffs' supporting evidence, the Court finds that a temporary restraining order is warranted. Plaintiffs have demonstrated a substantial likelihood of success on the merits, and if a temporary restraining order is not entered, Plaintiffs will likely incur irreparable injury. In particular, Plaintiffs will be deprived of statutory rights—including the right to be free from collections of information in excess of authority under the law. *Nat'l Ass'n for Gun Rts., Inc. v. Garland*, No. 4:23-CV-00830-O, 2023

WL 6613080, at \*17 (N.D. Tex. Oct. 7, 2023) (citing *Opulent Life Church v. City of Holly Springs, Miss.*, 697 F.3d 279, 297 (5th Cir. 2012)).

[This order is being issued without notice because Plaintiffs’ and their members’ responses to Cryptocurrency Mining Facilities Report Survey (EIA-862) (the “Survey”) are due on February 23, 2023. If they do not respond by that date, they could incur criminal and civil penalties as a result of their failure to respond to the Survey. Accordingly, they would suffer immediate and irreparable damage if the temporary restraining order was not issued before Defendants can be heard in opposition. In addition, Plaintiffs’ attorney has certified in writing efforts to give notice and why it was not required.]

Accordingly, the Defendants:

1. are restrained from requiring Plaintiffs or their members to respond to the Survey,
2. are restrained from collecting data required by the Survey, and
3. shall sequester and not share any such data that Defendants have already received.

This order shall be promptly filed in the clerk's office and entered in the record. It shall expire 14 days from the date of entry—unless before that time the Court, for good cause, extends it for a like period, or Defendants consent to a longer extension.

**IT IS SO ORDERED** this \_\_ day of \_\_\_\_\_, 2024.

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UNITED STATES DISTRICT JUDGE