

Energy, Infrastructure, Project and Asset Finance

Summary of FERC Meeting Agenda

July 2013

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Below are brief summaries of the agenda items for the Federal Energy Regulatory Commission's July 18, 2013 meeting, pursuant to the agenda as issued on July 11, 2013. Agenda items E-14, E-15, E-16, E-17, E-19 and E-21 have not been summarized as they were omitted from the agenda.

Administrative Items

A-1: (Docket No. AD02-1-000)

This administrative item will address Agency Business Matters.

A-2: (Docket No. AD02-7-000)

This administrative item will address Customer Matters, Reliability, Security and Market Operations.

Electric Items

E-1: Louisville Gas and Electric Company and Kentucky Utilities Company (Docket No. ER13-897-000); Alabama Power Company (Docket No. ER13-908-000); Ohio Valley Electric Corporation (Docket No. ER13-913-000)

On February 7 and 8, 2013, Louisville Gas and Electric Company and Kentucky Utilities Company, the Southern Companies (Alabama Power Company, Georgia Power Company, Gulf Power Company and Mississippi Power Company), and Ohio Valley Electric Corporation (on behalf of itself and its subsidiary Indiana-Kentucky Electric Corporation) submitted their Order No. 1000 (*Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*) compliance filings. The companies proposed to adopt the Southeastern Regional Transmission Planning Process (SERTP) as their transmission planning region and to adopt the SERTP's regional and local planning process. The companies noted that SERTP (which was originally formed in 2006 by the transmission providers and owners in the Southeastern region of SERC) has previously been accepted as compliant with Order No. 890 and that it has been expanded to comply with the requirements of Order No. 1000. Agenda item E-1 may be an order on the Order No. 1000 compliance filings.



Each month, White & Case provides brief summaries of the agenda items for the Federal Energy Regulatory Commission's monthly meeting.

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E-2: Southwest Power Pool, Inc. (Docket Nos. ER13-366-000, ER13-367-000); Public Service Company of Colorado (Docket No. ER13-75-000) Kansas City Power & Light Company (Docket No. ER13-100-000)

On November 13, 2012, the Southwest Power Pool, Inc. (SPP) submitted its Order No. 1000 compliance filing, arguing that as a result of its Integrated Transmission process and Highway/Byway and other cost-allocation methodologies, it already complies with the majority of the Order No. 1000 requirements with only minor modifications needed. Kansas City Power & Light Company (KCP&L) and KCP&L Greater Missouri Operations Company submitted an Order No. 1000 compliance filing, explaining that the Order No. 1000 requirements are addressed in SPP's compliance filing. In addition, Public Service Company of Colorado (PSCo) and Southwestern Public Service Company (SPS) submitted a joint Order No. 1000 compliance filing. SPS noted that while most of its Order No. 1000 compliance will be addressed by SPP's compliance filing, it proposed changes to its local transmission planning process to address public policy requirements for those transmission facilities not under SPP's functional control. PSCo, which is not a member of SPP, proposed to use its participation in WestConnect to satisfy its Order No. 1000 requirements. Agenda item E-2 may be an order on the Order No. 1000 compliance filings.

E-3: Interstate Power and Light Company v. ITC Midwest, LLC (Docket No. EL12-104-000)

On September 14, 2012, Interstate Power and Light Company (IPL) submitted a complaint against ITC Midwest, LLC (ITCM), arguing that a provision of Attachment FF of the Midwest Independent Transmission System Operator, Inc. (MISO) tariff that allows generator interconnection service customers of ITCM to recover from ITCM up to 100 percent of their reimbursable interconnection-related network upgrade costs is unjust, unreasonable and unduly discriminatory in its application to IPL and its customers. IPL states that ITCM rolls these costs into its zonal transmission cost of service and passes them on to its customers, with IPL (as the largest customer in the ITCM pricing zone) and its customers bearing a large portion of the costs. IPL argues that a different version of this provision of Attachment FF applies in most other MISO pricing zones. In response, ITCM argued that the complaint should be dismissed as IPL did not meet its burden of proof and that the complaint is a collateral attack on FERC's order accepting that provision of Attachment FF. Agenda item E-3 may be an order on the complaint.

E-4: Standards for Business Practices and Communication Protocols for Public Utilities (Docket No. RM05-05-022)

On September 18, 2012, the North American Energy Standards Board (NAESB) submitted a report to FERC regarding its approval of Version 003 of the NAESB Wholesale Electric Quadrant (WEQ) standards, which are used to support the implementation of Order No. 890. NAESB provided a summary of the standards that were created or modified as part of Version 003, as well as a description of its standards development effort on Public Key Infrastructure standards on November 30, 2012. On January 29, 2013, NAESB submitted a report on modification to the NAESB Public Key Infrastructure standards and other related standards. Agenda item E-4 may be an order on the NAESB filings.

E-5: Frequency Response and Frequency Bias Setting Reliability Standard (Docket No. RM13-11-000)

On March 29, 2013, the North American Electric Reliability Corporation (NERC) submitted a petition for FERC approval of proposed Reliability Standard BAL-003-1 (Frequency Response and Frequency Bias Setting), as well as associated definitions, implementation plan, Violation Risk Factors and Violation Severity Levels and the retirement of the currently effective Reliability Standard and definition. According to NERC, the proposed Reliability Standard would require the use of a consistent measurement methodology for both Frequency Response and Frequency Bias Setting calculations, which is intended to ensure that Balancing Authorities provide the Frequency Response needed to avoid the point where coordinated under frequency load shedding (UFLS) relays are set to curtail load. Agenda item E-5 may be an order on NERC's petition.

E-6: Revisions to Modeling, Data, and Analysis Reliability Standard (Docket No. RM12-19-000)

On March 21, 2013, in response to a petition from NERC, FERC issued a Notice of Proposed Rulemaking (NOPR) in which it proposed to approve Reliability Standard MOD-028-2. As compared to the currently effective version, the proposed Reliability Standard contains one change related to the information a transmission service provider must include when calculating Total Transfer Capability using the area interchange methodology for the on-peak and off-peak intra-day and next-day time periods. NERC and Southern Company Services, Inc. filed comments in support of the proposed Reliability Standard. Agenda item E-6 may be an order on the NOPR.

E-7: Protection System Maintenance Reliability Standard (Docket No. RM13-7-000)

On February 26, 2013, NERC submitted a petition for FERC approval of proposed Reliability Standard PRC-005-2 (Protection System Maintenance), as well as associated definitions, implementation plan, Violation Risk Factors and Violation Severity Levels and the retirement of four Reliability Standards. NERC states that the proposed Reliability Standard will establish minimum acceptable maintenance activities and maximum allowable maintenance intervals, provide entities with the flexibility to implement condition-based maintenance and specify requirements for effective implementation of performance-based maintenance programs. In addition, the proposed Reliability Standard consolidates the four currently effective Reliability Standards that NERC is proposing to retire. Agenda item E-7 may be an order on NERC's petition.

E-8: Regional Reliability Standard BAL-002-WECC-2—Contingency Reserve (Docket No. RM13-13-000)

On April 12, 2013, NERC and the Western Electricity Coordinating Council (WECC) submitted a joint petition for FERC approval of proposed Regional Reliability Standard BAL-002-WECC-2 (Contingency Reserve), to be effective only in the WECC footprint, as well as the implementation plan, Violation Risk Factors and Violation Severity Levels and revision of NERC's glossary. The proposed Regional Reliability Standard, which is more stringent than the generally applicable Reliability Standard BAL-002-1a, details the quantity and types of Contingency Reserves required to ensure reliability under normal and abnormal conditions. Agenda item E-8 may be an order on NERC's and WECC's joint petition.

E-9: South Louisiana Electric Cooperative Association, (Docket No. RC13-4-000)

On January 29, 2013, the South Louisiana Electric Cooperative Association (SLECA) filed an appeal of the denial by NERC to remove SLECA from the NERC Compliance Registry. SLECA voluntarily registered as a Distribution Provider (DP) and Load Serving Entity (LSE) in 2008. Subsequently, SLECA determined it was not required to be registered with NERC because it is a "radial transmission facilit[y] serving only load with one transmission source;" however, both the SERC Reliability Corporation and NERC denied SLECA's request for removal from NERC's Compliance Registry. NERC claims SLECA is connected to the Bulk Electric System (BES) via a connection to the Louisiana Generating L.L.C. system, and therefore, its connection to the BES requires that it continue to be registered with NERC as a DP and LSE. Agenda item E-9 may be a decision on SLECA's appeal.

E-10: Interstate Power and Light Company and ITC Midwest LLC (Docket Nos. ER11-2715-000, -001, -003); Resale Power Group of Iowa and WPPI Energy v. ITC Midwest LLC and Interstate Power and Light Company (Docket Nos. EL10-68-000, -001); Resale Power Group of Iowa and WPPI (Docket No. EL09-71-001)

These proceedings involve an Operation and Transmission (O&T) Agreement addressing adjacent transmission facilities originally filed and accepted in 1993. The O&T Agreement contained provisions that allowed IPL's predecessor to operate two separately owned transmission facilities as an integrated transmission system (ITS). The O&T Agreement allowed IPL's predecessor and another entity, not subject to Commission jurisdiction, to use each other's system without charge, but required pre-approval by both parties prior to either party providing transmission to third parties on the ITS. In time, IPL became a member of the MISO, which, in turn, provided transmission service previously provided by IPL under the terms of the O&T Agreement. The nonjurisdictional party objected to MISO providing transmission service over the ITS without compensation, which led to a long and protracted dispute. IPL subsequently sold its transmission facilities to ITCM in 2007. ITCM assumed all of IPL's transmission-related obligations and also succeeded IPL as a transmission-owning member of the MISO. The parties did not file the revised O&T Agreement or the Succession Agreement with the Commission. Subsequently, a complaint was filed alleging that IPL and ITCM had made unauthorized changes to the O&T Agreement without making the required Federal Power Act Section 205 filing. On February 1, 2012, the parties filed a Stipulation and Agreement to the Presiding Settlement Judge to resolve all outstanding issues and the many pleadings pending in the above-captioned dockets, as well as litigation that has been continuing between the parties before the Iowa State Court, federal courts and the Commission for more than eight years. Agenda item E-10 may be a further order on the Stipulation and Agreement.

E-11: ITC Midwest LLC and Interstate Power and Light Company (Docket No. ER10-2142-000)

On February 29, 2012, ITCM and IPL filed an uncontested Settlement Agreement to resolve all issues arising from an August 3, 2010 filing by ITCM and IPL of a proposed Operations Services Agreement for 34.5 kV Transmission Facilities. The Agreement was contested with respect to the cost allocation formula to be used by IPL to assess charges to ITCM. Agenda item E-11 may be a further order related to the Settlement Agreement.

E-12: Louisiana Public Service Commission v. Entergy Corporation, Entergy Services Inc., Entergy Louisiana, LLC, Entergy Arkansas, Inc., Entergy Mississippi, Inc., Entergy New Orleans, Inc., Entergy Gulf States Louisiana, L.L.C., Entergy Texas, Inc. (Docket No. EL10-65-002)

On January 11, 2012, the Administrative Law Judge assigned to this proceeding certified an uncontested Settlement Agreement filed on November 18, 2011, which resolved the acquisition adjustment issue set for hearing. Agenda item E-12 may be a further order related to the Settlement Agreement.

E-13: Electric Energy, Inc. (Docket No. ER13-73-000)

On October 10, 2012, Electric Energy, Inc. petitioned for waiver of the Order No. 1000 requirements. Agenda item E-13 may be an order on Electric Energy's request.

E-18: PJM Interconnection, L.L.C. (Docket No. ER12-1178-002)

On November 29, 2012, the Commission accepted a compliance filing by PJM Interconnection, L.L.C. (PJM) containing revisions to Schedule 6 of its Regional Transmission Expansion Planning (RTEP) process to enable PJM to: (1) expand its analysis beyond the tests currently used as part of its reliability and market efficiency analyses and to consider public policy; (2) provide more transparency; and (3) clarify the opportunities for stakeholder participation throughout its transmission-planning process. The Public Service Enterprise Group (PSEG) companies filed for rehearing of the November order. Agenda item E-18 may be an order on rehearing.

E-20: Puget Sound Energy, Inc. v. All Jurisdictional Sellers of Energy and/or Capacity at Wholesale Into Electric Energy and/or Capacity Markets in the Pacific Northwest, Including Parties to the Western System Power Pool Agreement (Docket No. EL01-10-122)

On April 3, 2013, the Commission issued an Order Approving Contested Settlement, which approved a settlement between the City of Seattle, Washington and TransCanada Energy, Ltd. (TransCanada). That order provided, among other things, that testimony and exhibits in the proceeding submitted by the City of Seattle that reference TransCanada would be withdrawn from the record only with respect as to TransCanada. Rehearing or clarification of the order was requested regarding the removal of evidence from the record. Agenda item E-20 may be an order on rehearing and/or clarification.

E-22: Third-Party Provision of Ancillary Services (Docket No. RM11-24-000); Accounting and Financial Reporting for New Electric Storage Technologies (Docket No. AD10-13-000)

On June 21, 2012, the Commission issued a NOPR, based on comments received to a previous Notice of Inquiry on the subject, proposing to revise policies governing the sale of ancillary services at market-based rates. The NOPR proposed revisions to certain parts of its market-based rate regulations, ancillary services requirements under the pro forma Open Access Transmission Tariff (OATT), and accounting and reporting requirements. In particular, the NOPR proposed revisions to what is known as the *Avista* restriction, which governs the sale of ancillary services at market-based rates to public utility transmission providers under Parts 35 and 37 of the Commission's regulations. Agenda item E-22 may be a final order stemming from the NOPR.

E-23: Bangor Hydro Electric Company, Maine Public Service Company (Docket No. EC13-81-000)

On March 19, 2013, Bangor Hydro Electric Company (Bangor Hydro) and Maine Public Service Company (Maine Public) filed an application under Section 203 of the Federal Power Act for authorization to allow Bangor Hydro to acquire, among other things, all the jurisdictional assets of Maine Public, its affiliate. Agenda item E-23 may be an order on the application.

E-24: Bangor Hydro Electric Company (Docket No. ER13-1125-000)

On March 19, 2013, Bangor Hydro, in connection with its merger with Maine Public discussed above in Agenda item E-23, filed for a waiver of the Commission's regulations to allow it to maintain two OATTs. Bangor Hydro states that the two systems (it and Maine Public) are not and will not be directly interconnected and that it is a transmission-owning member of ISO New England, Inc. while Maine Public maintains its OATT subject to the oversight of the Northern Maine Independent System Administrator, Inc. Following the merger, Bangor Hydro plans to maintain two OATTs—one for the "Northern Division" (former Maine Public transmission facilities) and the other for the "Southern Division" (legacy Bangor Hydro transmission facilities). Agenda item E-24 may be an order on the requested waiver.

E-25: Southwest Power Pool, Inc. (Docket No. ER12-550-001)

On December 17, 2012, SPP submitted a compliance filing to address the requirements of an October 18, 2012 order that accepted SPP's initial tariff filing to implement the SPP Integrated Marketplace, subject to additional compliance filings. SPP's initial filing included, among other things, day-ahead and real-time energy and operating reserve markets, market-based congestion management and the consolidation of the 15 current Balancing Authorities into a single Balancing Authority operated by SPP. Agenda item E-25 may be an order on SPP's December compliance filing.

E-26: Jeffers South, LLC v. Midwest Independent Transmission System Operator, Inc. (Docket Nos. EL10-86-002, -003)

On April 16, 2012, the Administrative Law Judge (ALJ) issued an Initial Decision regarding Jeffers South, LLC's (Jeffers South) complaint that the MISO violated its obligations with respect to the study of network upgrades that are needed to accommodate Jeffers South's requested generator interconnection and that Jeffers South should be exempted from any additional requirement to complete any mandated restudy process. The ALJ found that Jeffers South is not entitled to any relief and that the complaint should be dismissed. FERC had issued a January 7, 2011 order on the complaint and set the case for hearing and settlement judge procedures. In an order on rehearing issued on February 29, 2012, FERC found that Jeffers South's project was never in suspension. MISO filed a request for rehearing on this finding or, in the alternative, clarification that the ALJ could make a different finding on the suspension issues based on evidence presented at the hearing. Agenda item E-26 may be an order on the initial decision and/or on the request for rehearing or, in the alternative, clarification.

E-27: PJM Interconnection, L.L.C. (Docket Nos. ER12-1204-003, -004, ER12-2391-002, -003) (not consolidated)

On January 15, 2013, PJM submitted a compliance filing in response to a November 16, 2012 order on PJM's Order No. 755 (Frequency Regulation Compensation in the Organized Wholesale Power Markets) tariff filing. Order No. 755 established a two-part market-based rate compensation methodology for the provision of frequency regulation service in Regional Transmission Organization and Independent System Operator markets. Also, on August 2, 2012, PJM submitted a companion filing to its Order No. 755 compliance filings with proposed revisions to its tariff and Operating Agreement to (1) provide ex-post make-whole payments based on individual regulation resources' opportunity costs; (2) establish the use of the benefits factor in all aspects of the regulation market-clearing and settlement process to ensure PJM compensates each resource based on the benefit it provides to system control; and (3) adjust each regulation resource's lost opportunity costs in the regulation market-clearing process, three-pivotal supplier test and capability payment by its accuracy score. In the November 16 order, the Commission conditionally accepted in part and rejected in part the August 2 filing subject to revisions and a further compliance filing, which PJM also made on January 15, 2013. Agenda item E-27 may be an order on PJM's January 15 compliance filings.

E-28: California Independent System Operator Corporation (Docket No. ER11-4100-001)

On December 15, 2011, FERC issued an order accepting in part, subject to further compliance, and rejecting in part the California Independent System Operator Corporation's (CAISO) Order No. 745 (Demand Response Compensation in Organized Wholesale Energy Markets) compliance filing. CAISO filed a request for rehearing regarding FERC's directive in the December 15, 2011 order for CAISO to eliminate the use of the default-load adjustment mechanism established in the currently effective CAISO Tariff. CAISO argued that the default-load adjustment mechanism is not a cost-allocation methodology and is intended to ensure that market participants do not receive double payment for the same reductions in demand. Agenda item E-28 may be an order on CAISO's request for rehearing.

E-29: California Independent System Operator Corporation (Docket Nos. ER11-4100-002, -003, ER11-3616-003, -004, -005)

On March 14, 2012, as amended on March 15, 2012 and supplemented on September 26, 2012, CAISO submitted a compliance filing in response to FERC's December 15, 2011 demand response compensation order (described above in Agenda item 28) and FERC's February 16, 2012 order rejecting CAISO's proposed tariff changes regarding reliability demand response resources. In its compliance filings, CAISO proposed tariff revisions for its net benefits test and cost-allocation methodology and removed its tariff revisions regarding reliability demand response resources. In addition, CAISO requested rehearing of FERC's February 16, 2012 decision that CAISO's proposal to permit reliability demand response resource to participate in CAISO's market does not satisfy the requirements of Order No. 745. Agenda item E-29 may be an order on CAISO's compliance filings and/or CAISO's request for rehearing.

Miscellaneous Item

M-1: Communication of Operational Information Between Natural Gas Pipelines and Electric Transmission Operators (Docket No. RM13-17-000)

This is a new rulemaking docket.

Gas Items

G-1: Revisions to Procedural Regulations Governing Transmission by Intrastate Pipelines (Docket No. RM12-17-000)

On October 18, 2012, the Commission issued a NOPR proposing to revise its regulations to provide optional notice procedures for processing proposed rate filings or operating conditions by intrastate pipelines providing interstate services and Hinshaw pipelines providing interstate services made pursuant to section 284.123 of the Commission's regulations. The NOPR proposes that if no protest is made to a filing made under the new notice procedures set forth in the NOPR, the filing would be deemed approved without a Commission order. The NOPR states that these filings by Section 311 and Hinshaw pipelines present few, if any, contested issues, and therefore, the new procedures would provide an expedited and less burdensome method of processing filings. Many parties filed comments on the NOPR. Agenda item G-1 may be a final order stemming from the NOPR.

G-2: Revisions to Page 700 of FERC Form No. 6 (Docket No. RM12-18-000)

On September 20, 2012, the Commission issued a NOPR proposing to modify Page 700 of FERC Form No. 6 (Form 6) to facilitate the calculation of a pipeline's actual return on equity. The NOPR requested comments on a proposal to expand the information provided regarding rate base (line 5), rate of return (line 6), return on rate base (line 7) and income tax allowance (line 8). Several parties filed comments on the NOPR. Agenda item G-2 may be a final order stemming from the NOPR.

G-3: Enbridge Energy Partners (Docket No. IS13-17-000)

On October 22, 2012, Enbridge Energy Partners (Enbridge) submitted a proposed tariff which revised its downstream Nomination Verification Procedure used to validate shipper nominations. The currently effective Nomination Verification Procedure limits shipper nominations to the highest volume delivered to each delivery facility during the 24-month period leading up to July 2010. Enbridge's proposed tariff replaces the historical 24-month period with a procedure based on the capability of each delivery facility to receive volumes from Enbridge. Many parties filed protests and/or comments in the proceeding. On December 20, 2012, FERC issued an order accepting and suspending the tariff and establishing a technical conference which was held January 2013. Agenda item G-3 may be a further order on Enbridge's tariff filing.

G-4: ExxonMobil Canada Energy, Flint Hills Resources Canada, LP, Imperial Oil, NOVA Chemicals (Canada) Ltd., PBF Holding Company LLC and Toledo Refining Company LLC, Pennzoil-Quaker State Canada, Inc., (operating as Shell Trading Canada), Phillips 66 Canada, ULC, St. Paul Park Refining Co., LLC, Suncor Energy Marketing, Inc., and United Refining Company v. Enbridge Energy Partners (Docket No. OR13-15-000)

On March 5, 2013, the above-named parties (Joint Complainants) filed a complaint alleging that Enbridge's Nomination Verification Procedure (discussed above in Agenda item G-3) imposes unjust and unreasonable, unjustly discriminatory and unduly preferential terms and conditions for the use of Enbridge's mainline pipeline. The Joint Complainants argue that Enbridge's interpretation of its tariff that historical-based caps on nominations do not apply to nominations for service for delivery to connecting pipelines is causing and will continue to cause unjust and unreasonable rates. Agenda item G-4 may be an order on the complaint.

G-5: ProLiance Energy, LLC (Docket No. RP13-990-000)

On June 18, 2013, ProLiance Energy, LLC filed a petition for temporary waiver of capacity-release regulations in order to enable it to transfer via a permanent release its jurisdictional natural gas transportation and storage capacity and to facilitate the acquisition by ProLiance Energy Marketing, LLC of all ProLiance Energy, LLC's non-affiliated interstate natural gas marketing portfolio, as part of a single integrated multi-step process to allow ProLiance Energy, LLC to exit from the natural gas marketing business. Agenda item G-5 may be an order on ProLiance Energy LLC's petition for temporary waiver.

**G-6: Algonquin Gas Transmission, LLC
(Docket Nos. RP13-238-000, -001, RP12-39-000, -001,
-002, RP13-1040-000)**

These dockets relate to Algonquin Gas Transmission, LLC's (Algonquin) annual update to the Fuel Reimbursement Percentages (FRP) that apply to transportation service on the Algonquin pipeline system. On November 30, 2011, the Commission accepted by Letter Order the 2011 FRP filing made by Algonquin. Rehearing of that Letter Order was granted for further consideration on January 30, 2012. On October 31, 2012, Algonquin made its 2012 FRP filing, and on November 28, 2012, the Commission issued an order accepting and suspending, subject to refund and to the outcome of the issues raised in Algonquin's 2011 FRP proceeding, the 2012 FRP filing. The November order required that a technical conference be held to address the issues raised by the FRP filings. The technical conference was held in January 2013. In addition, rehearing of the November 2012 order for further consideration was granted on January 28, 2013. Agenda item G-6 may be an order on rehearing with respect to the annual FRP filings submitted by Algonquin.

**G-7: Texas Eastern Transmission, LP
(Docket No. RP13-237-000)**

On October 31, 2012, Texas Eastern Transmission, LP (Texas Eastern) submitted revised tariff provisions proposing changes in Applicable Shrinkage Adjustment (ASA) percentages for system customers. The Commission accepted and suspended the tariff records, subject to refund and a technical conference, which was held January 15, 2013. Agenda item G-7 may be a further order on Texas Eastern's ASA filing.

**G-8: Enbridge Pipelines (Southern Lights) LLC
(Docket Nos. IS10-399-003, IS11-146-000)**

On June 5, 2012, the Administrative Law Judge issued her initial decision in this proceeding which involves two rate filings made by Enbridge Pipelines (Southern Lights) LLC (ESL) to establish initial rates for the US portion of a 1,582-mile pipeline ESL owns and constructed from Manhattan, Illinois to Edmonton, Alberta. Agenda item G-8 may be a final order on the initial decision.

**G-9: BP Pipelines (Alaska) Inc. (Docket Nos. IS09-348-000,
-007, IS09-395-000, -007, IS10-204-000, -005, IS10-491-000,
IS11-335-000, OR11-10-000); ConocoPhillips Transportation
Alaska, Inc. (Docket Nos. IS09-384-000, -007, IS10-205-000,
-001, -006, IS10-476-000, IS11-306-000); ExxonMobil
Pipeline Company (Docket Nos. IS09-391-000, -007, IS09-
177-000, -008, IS10-200-000, -005, IS10-547-000, IS11-336-
000); Unocal Pipeline Company (Docket Nos. IS09-176-
000, -007, IS10-52-000, -004, IS10-490-000, IS11-3-000,
IS11-546-000, OR10-3-000, -005); Koch Alaska Pipeline
Company, L.L.C. (Docket Nos. IS10-54-000, -004, IS10-496-
000, IS11-328-000)**

These proceedings above ultimately relate to the cost-pooling mechanism associated with the ownership of the Trans Alaska Pipeline System (TAPS). On September 25, 2012, an Offer of Settlement and Application for Approval of Voluntary Pooling Agreement was submitted in these dockets to resolve cost-pooling issues. Agenda item G-9 may be an order on the offer of settlement.

Hydro Items

H-1: Turlock Irrigation District (Docket No. UL11-1-001); Modesto Irrigation District (Docket No. P-2299-079)

On June 10, 2011, the National Marine Fisheries Service (NMFS) filed an inquiry concerning the status of the unlicensed La Grange Hydroelectric Project, located on the Tuolumne River near the town of La Grange in Stanislaus and Tuolumne Counties, California. Commission Staff undertook a review of the project to determine whether it is subject to the Commission's mandatory licensing jurisdiction under Part I of the Federal Power Act (FPA) and determined that La Grange Hydroelectric Project requires licensing. A request for rehearing and stay was filed by Turlock Irrigation District and Modesto Irrigation District on the basis that the assertion of jurisdiction over the La Grange Dam and related facilities, which were constructed 120 years ago for irrigation purposes, and over the La Grange Powerhouse, which was constructed nearly 90 years ago and not materially modified since then, is contrary to law, arbitrary and capricious, and an abuse of discretion. Agenda item H-1 may be an order on rehearing.

H-2: Alaska Energy Authority (Docket No. P-14241-004)

This proceeding stems from a study dispute determination issued April 26, 2013 regarding certain studies included in Alaska Energy Authority's revised study plan regarding the proposed Susitna-Watana Hydroelectric Project. Agenda item H-2 may be a further order regarding the study dispute determinations.

Certificate Item

C-1: Transcontinental Gas Pipe Line Company, LLC (Docket No. CP12-497-000)

On August 8, 2012, Transcontinental Gas Pipe Line Company, LLC (Transco), filed an application for authorization to replace approximately 2,167 feet of existing 30-inch pipeline on Transco's mainline in East Brandywine and East Caln Townships, Chester County, Pennsylvania with a 42-inch pipeline. On February 28, 2012, the Commission issued its Environmental Assessment for the project. Agenda item C-1 may be an order on Transco's application.

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