

FERC

Meeting Agenda Summary

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14 May 2019

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Below are brief summaries of the agenda items for the Federal Energy Regulatory Commission's May 16, 2019 meeting, pursuant to the agenda as issued on May 9, 2019.

Electric

E-1 – Electric Storage Participation in Markets Operated by Regional Transmission Organizations and Independent System Operators; Electric Storage Participation in Regions with Organized Wholesale Electric Markets (Docket Nos. RM16-23-001 and AD16-20-001). On February 15, 2018, the Commission issued Order No. 841 requiring each Regional Transmission Organizations (RTOs) and Independent System Operators (ISOs) to revise its tariff to establish a participation models that recognize the physical and operational characteristics of electric storage resources. Order No. 841 requires compliance filings by the RTOs and ISOs within 270 days after the effective date, with an additional 365 days to implement the tariff revisions. Numerous parties filed requests for rehearing and/or clarification of Order No. 841. Agenda item E-1 may be an order on the requests for rehearing and/or clarification of Order No. 841.

E-2, E-3, E-4, and E-5 – *Tilton Energy LLC v. Midcontinent Independent System Operator, Inc.; American Municipal Power, Inc. v. Midcontinent; Independent System Operator, Inc. Northern Illinois Municipal Power Agency v. PJM Interconnection, L.L.C.; American Municipal Power, Inc. v. PJM Interconnection, L.L.C.; and Dynegy Marketing and Trade, LLC and Illinois Power; Marketing Company v. Midcontinent Independent System Operator, Inc.* (Docket Nos. EL16-108-000, EL17-29-000, EL17-31-000, EL17-37-000, and EL17-54-000 (consolidated)). The above-referenced proceedings concern complaints filed by parties pursuant to sections 206 and 306 of the Federal Power Act (FPA) against the Midcontinent Independent System Operator, Inc. (MISO) and PJM Interconnection, L.L.C. (PJM) with respect to resources pseudo-tied into PJM. Specifically, the complainants allege that MISO and PJM have failed to comply with the terms of their tariffs by imposing duplicative charges for congestion and losses on pseudo-tied resources. The complainants seek a

Commission order directing MISO and PJM to cease assessing charges to pseudo-tied resources and to refund duplicative congestion and losses charges. Agenda items E-2, E-3, E-4, and E-5 may be an order regarding the complaints filed against MISO and PJM in the above-referenced dockets.

E-6 – Standards for Business Practices and Communication Protocols for Public Utilities (Docket No. RM05-5-027). On December 8, 2017, in accordance with Commission Order Nos. 890 and 676-H, the North American Energy Standards Board (NAESB) voluntarily submitted a report providing a summary of Version 003.2 of the Wholesale Electric Quadrant (WEQ) Business Practice Standards. Included in Version 003.2 of the publication are modifications, reservations and/or additions to the following WEQ Business Practice Standards: WEQ-000 Abbreviations, Acronyms, and Definition of Terms Business Practice Standards, WEQ-001 Open Access Same-Time Information Systems (OASIS) Business Practice Standards, WEQ-002 OASIS Standards and Communication Protocols Business Practice Standards, WEQ-003 OASIS Data Dictionary Business Practice Standards, WEQ-004 Coordinate Interchange Business Practice Standards, WEQ-006 Manual Time Error Business Practice Standards, WEQ-008 Transmission Loading Relief (TLR) – Eastern Interconnection Business Practice Standards, WEQ-013 OASIS Implementation Guide Business Practice Standards, WEQ-015 Measurement and Verification of Wholesale Electricity Demand Response Business Practice Standards, WEQ-018 Specifications for Wholesale Standard Demand Response Signals Business Practice Standards, WEQ-020 Smart Grid Standards Data Elements Table Business Practice Standards, and WEQ-022 Electric Industry Registry (EIR) Business Practice Standards. Agenda item E-6 may be an order regarding the modifications contained in NAESB's Version 003.2 of the WEQ Business Practice Standards.

E-7 – Midcontinent Independent System Operator, Inc., ALLETE, Inc., Montana-Dakota Utilities Co. Northern Indiana Public Service Company, Otter Tail Power Company, Southern Indiana Gas & Electric Company, and Midcontinent Independent System Operator, Inc. (Docket Nos. EL18-138-000 and ER18-1739-001). On April 27, 2018, the Commission issued an order instituting a proceeding pursuant to section 206 of the FPA under Docket No. EL18-138 to examine the methodology utilized by the above-referenced MISO transmission owners (Certain MISO TOs) for calculating Accumulated Deferred Income Tax (ADIT) balances in their projected test year calculations for their transmission formula rate templates. On June 4, 2018, pursuant to section 205 of the FPA, MISO and the Certain MISO TOs filed in Docket No. ER18-1739 proposed revisions to the transmission formula rate templates with respect to the calculation of ADIT balances. On December 20, 2018, the Commission issued an order rejecting the June 4 filing and requiring the parties to submit a compliance filing revising their transmission formula rate templates. On January 22, 2019, MISO submitted a compliance filing in Docket No. ER18-1739-001 as directed by the Commission's December 20 order. Agenda item E-7 may be an order regarding the section 206 proceeding and/or MISO's compliance filing.

E-8 – American Transmission Company, LLC; Midcontinent Independent System Operator, Inc. (Docket Nos. EL18-157-000 and ER19-838-000). On June 21, 2018, the Commission issued an order instituting a proceeding pursuant to section 206 of the FPA under Docket No. EL18-157 to examine the methodology utilized by American Transmission Company, LLC (ATC) for calculating ADIT balances in its project test year and/or annual true-up calculations for its transmission formula rate. On December 20, 2018, the Commission issued an order directing ATC to submit a compliance filing revising its transmission formula rate. On January 22, 2019, MISO, on behalf of ATC, submitted a compliance filing in Docket No. ER19-838 as directed by the Commission's December 20 order. Agenda item E-8 may be on order regarding the section 206 proceeding and/or ATC's proposed revised transmission formula rate.

E-9 – GridLiance West LLC (Docket Nos. EL18-158-000 and ER17-706-006). On June 21, 2018, the Commission issued an order instituting a proceeding pursuant to section 206 of the FPA under Docket No. EL18-158 to examine the methodology utilized by GridLiance West LLC (GridLiance) for calculating ADIT balances in its project test year and/or annual true-up calculations for its transmission formula rate. On December 20, 2018, the Commission issued an order directing GridLiance to submit a compliance filing revising its transmission formula rate. On January 22, 2019, GridLiance submitted a compliance filing in Docket No. ER17-706-006 as directed by the Commission's December 20 order. Agenda item E-9 may be an order regarding the section 206 proceeding and/or GridLiance's proposed revised transmission formula rate template.

E-10 – International Transmission Company, et. al (Docket Nos. EL18-159-000, EL18-160-000, ER18-2323-002). On June 21, 2018, in Docket Nos. EL18-159-000 and EL18-160-000, the Commission instituted a

proceeding pursuant to Section 206 of the Federal Power Act (FPA) to examine the methodology used by International Transmission Company (ITC) and ITC Midwest, LLC (ITC Midwest) for calculating Accumulated Deferred Income Tax (ADIT) balances in certain calculations for their transmission formula rates. On August 27, 2018, in Docket No. ER18-2323-000, Midcontinent Independent System Operator, Inc. (MISO), ITC, ITC Midwest, and Michigan Electric Transmission Company, LLC (METC), filed proposed revisions to the transmission formula rate templates for ITC, ITC Midwest, and METC to address the concerns regarding ADIT balance calculations the Commission raised in its June 21 Order. On December 20, 2018, the Commission rejected the proposed revisions to transmission formula rate templates and directed ITC and ITC Midwest to submit a compliance filing within 30 days. On January 22, 2019, MISO, ITC, and ITC Midwest submitted additional proposed revisions to transmission formula rate templates in response to the December 20 Order. Agenda item E-10 may be an order accepting the revisions proposed by MISO, ITC, and ITC Midwest.

E-11 – Southern California Edison Company (Docket Nos. EL18-164-000, ER19-845-000). On June 21, 2018, the Commission instituted a proceeding pursuant to Section 206 of the FPA to examine the methodology used by Southern California Edison Company (SCE) for calculating Accumulated Deferred Income Tax balances in certain calculations for its transmission formula rates. On August 27, 2018, SCE filed an initial brief, stating that it opposed revisions suggested by the Commission in the June 21 Order and that it was preparing a request to the Internal Revenue Service for a private letter ruling on the issue. Various entities intervened and submitted initial briefs and responses. On December 20, 2018, the Commission issued an order directing SCE to make a compliance filing within 30 days. On January 22, 2019, SCE submitted proposed revisions to its transmission formula rate in compliance with the December 20 Order. Agenda item E-11 may be an order addressing SCE's proposed revisions.

E-12 – TransCanyon DCR, LLC (Docket Nos. EL18-165-000, ER15-1682-006). On June 21, 2018, the Commission instituted a proceeding pursuant to Section 206 of the FPA to examine the methodology used by TransCanyon DCR, LLC (TransCanyon) for calculating ADIT balances in certain calculations for its transmission formula rates. On August 24, 2018, TransCanyon filed an initial brief, stating that it did not oppose revisions suggested by the Commission in the June 21 Order. On December 20, 2018, the Commission directed TransCanyon to submit revisions to its transmission formula rate, and TransCanyon submitted proposed revisions on January 18, 2019. Agenda item E-12 may be an order addressing TransCanyon's proposed revisions.

E-13 – Virginia Electric and Power Company, et al (Docket Nos. EL18-167-000, ER19-839-001). On June 21, 2018, the Commission instituted a proceeding pursuant to Section 206 of the FPA to examine the methodology used by Virginia Electric and Power Company (Virginia Electric) for calculating ADIT balances in certain calculations for its transmission formula rates. On August 27, 2018, Virginia Electric filed an initial brief in response to revisions suggested by the Commission in the June 21 Order. Various entities intervened and submitted initial briefs and responses. On December 20, 2018, the Commission issued an order directing Virginia Electric to make a compliance filing within 30 days, and on January 22, 2019 and March 21, 2019, Virginia Electric submitted proposed revisions to its transmission formula rate in compliance with the December 20 Order. Agenda item E-13 may be an order addressing Virginia Electric's proposed revisions.

E-14 – Michigan Electric Transmission Company, LLC, et. al (Docket Nos. EL19-16-000, ER18-2323-001). On August 27, 2018, in Docket No. ER18-2323-000, Midcontinent Independent System Operator, Inc. (MISO) and Michigan Electric Transmission Company, LLC (METC) filed proposed revisions to METC's transmission formula rate templates to address concerns raised by the Commission in Docket Nos. EL18-159-000 and EL18-160-000 regarding the calculation of ADIT balances for transmission formula rates. On December 20, 2018, in Docket No. EL19-16-000, the Commission rejected the proposed revisions to transmission formula rate templates and instituted a Section 206 proceeding with respect to METC. On January 22, 2019, MISO and METC submitted additional proposed revisions to transmission formula rate templates in response to the December 20 Order, and on January 23, 2019, METC filed an initial brief in the Section 206 proceeding arguing that the Commission should terminate the Section 206 proceeding as moot. Agenda item E-14 may be an order addressing the proposed revisions.

E-15 – American Municipal Power, Inc. (Docket No. EL18-172-000). On June 15, 2018, American Municipal Power, Inc. (AMP) submitted a proposed revenue requirement for the provision of reactive service by the Cannelton Hydroelectric Facility. On August 30, 2018, the Commission accepted the proposed revenue

requirement for filing and established hearing and settlement judge procedures. On February 13, 2019, the participants filed an Offer of Settlement, on April 4, 2019, the settlement judge certified the uncontested offer of settlement, and on April 17, 2019, settlement judge procedures were terminated. Agenda item E-15 may be an order in the proceeding.

E-16 – American Municipal Power, Inc. (Docket No. EL18-174-000). On June 19, 2018, American Municipal Power, Inc. (AMP) filed an application for approval of revenue requirement for reactive power service. AMP requests Commission authorization for the provision of Reactive Supply and Voltage Control from Generation or Other Sources Service in MISO from the reactive power production capability of the Smithland Hydroelectric Facility (Smithland). The requested effective date is the first day of the month following the order issued by the Commission accepting the revenue requirement. On August 8, 2018, AMP notified the Commission that MISO had made the determination that Smithfield satisfied the technical criteria application to a Qualified Generator under the MISO Tariff. The Commission issued an order on August 30, 2018 accepting the proposed revenue requirement and setting the matter for hearing and settlement judge procedures, as the justness and reasonableness of the Reactive Service rate. On February 12, 2019, AMP submitted a unilateral, unopposed Offer of Settlement seeking to resolve the lone issue at hand in the proceeding, the allocation of a just and reasonable Reactive Supply and Voltage Control revenue requirement for Smithland. AMP states it would be willing to reduce the revenue requirement from \$1,011,501.91 per year to \$1,002,025.70 per year. On April 4, 2019, the settlement judge recommended that settlement procedures be terminated stemming from the certification of uncontested settlement filed on the same day. Agenda item E-16 may be an order approving the settlement and terminating the proceeding.

E-17 – Florida Municipal Power Agency v. Duke Energy Florida, LLC (Docket No. EL19-40-000). On January 30, 2019, Florida Municipal Power Agency (FMPA) filed a complaint against Duke Energy Florida, LLC (Duke), alleging that Duke violated its Tariff by rejecting requests for transmission delivery service submitted by FMPA and its members for deliveries from a solar facility to be located in Florida. Duke asserts that it is permitted to reject transmission service requests until after a generator interconnection agreement has been executed for the facility; however, FMPA states that contravenes long-standing Commission precedent allowing interconnection and transmission delivery service requests to be submitted simultaneously under the pro forma Tariff. On February 19, 2019, Duke submitted an Answer to the complaint, explaining that its rejection of the requests from FMPA was just and reasonable and that it was not compelled to designate the proposed solar facility as a Network Resource. Duke also stated the rejection was consistent with its Tariff and Business Practices and therefore the Commission should deny the complaint. Agenda item E-17 may be an order on the complaint or an order settling the matter for hearing.

E-18 – LS Power Grid New York, LLC; LS Power Grid New York Corporation I (Docket No. EL19-30-000). On January 7, 2019, LS Power Grid New York, LLC and LS Power Grid New York Corporation (collectively, LSPG-NY) filed a petition for a declaratory order approving abandonment recovery under incentive rate treatment. LSPG-NY specifically seeks Commission authorization to recover the full prudently-incurred costs in the event the Project is abandoned due to reasons beyond its direct control. The facilities have been approved by the New York Independent System Operator, Inc. (NYISO) in the AC Transmission Public Policy Transmission Planning Process as AC Transmission Upgrades. The anticipated in-service date is December 2023 with an attendant capital cost of \$1,113-\$1,229 million. On April 10, 2019, LSPG-NY filed an update on the petition, confirming that the NYISO Board of Directors issued its approval on April 8, 2019 for the major portion of the proposed facilities. Accordingly, LSPG-NY informed the Commission that project development activities and expenditures will begin in earnest in the near future, and that a prompt Commission order on early abandonment recovery is appropriate. Agenda item E-18 may be an order on the petition for declaratory order.

E-19 – Clearway Energy Group LLC; Clearway Energy, Inc. (Docket No. EC19-68-000). On March 18, 2019, Clearway Energy Group LLC and Clearway Energy, Inc. (collectively, Clearway) filed an application for blanket approval pursuant to section 203 of the Federal Power Act (FPA) for direct or indirect transfers of interests in certain public utilities from Clearway Group to Clearway Energy. Agenda item E-19 may be an order on the application for blanket approval.

E-20 – Public Service Company of Colorado (Docket Nos. ER19-366-000; ER19-366-001). On November 19, 2018, Public Service Company of Colorado (PSCo) filed proposed revisions to the Xcel Energy Operating

Companies FERC Electric Tariff in order to modify the Large Generator Interconnection Process (LGIP) applicable to the PSCo transmission system in the Western interconnection. PSCo brought forward the proposed revisions to transition its LGIP from a first-come, first-served model to a first-ready, first-served model. The Commission suggested in its 2008 Technical Conference order that this protocol could more optimally suit the queue management approach while remaining aligned with the goals of Order No. 2003. On January 31, 2019, the Commission issued an order rejecting the proposed Tariff revisions without prejudice. The Commission found the filing to be inadequate in several aspects but offered guidance to PSCo in potentially refiling. Namely, the PSCo revisions did not sufficiently clarify the Tariff language regarding cost allocation of network upgrades; PSCo did not demonstrate that its financial milestone proposal and proposed Site Control requirements are consistent with or superior to the pro forma LGIP. On March 4, 2019, PSCo filed a request for rehearing or clarification, asserting the January 31 order contained three material portions that should be revised or clarified. PSCo stated that it intends to file a revised queue reform proposal that will capture the concerns outlined by the Commission in its rejection order. Agenda item E-20 may be an order on the request for rehearing or clarification.

Miscellaneous

M-1 – Enforcement of Statutes, Regulations, and Orders (Docket No. PL10-2-003). Agenda item M-1 may establish a new sub-docket relating to the issuance of a Preliminary Notice of Violations from the Commission's Office of Enforcement.

Gas

G-1 – Enable Mississippi River Transmission, LLC (Docket Nos. RP18-923-000; RP18-923-002; RP18-923-003; RP18-923-005). On June 29, 2018, pursuant to section 4(e) of the Natural Gas Act (NGA), Enable Mississippi River Transmission, LLC (MRT) submitted revised tariff records to be part of its FERC Gas Tariff (Tariff), to support a general increase in MRT's rates, and to propose certain changes to MRT's rates, rate schedules, and Tariff General Terms and Conditions. On July 31, 2018, the Commission issued an order accepting and suspending MRT's Tariff records to be effective January 1, 2019, subject to refund, the outcome of hearing and settlement procedures, and a future technical conference. On January 31, 2019, the Commission's chief settlement judge issued an order terminating settlement judge procedures due to the participants in the proceeding reaching an impasse in settlement negotiations (January Order). The January Order designated an administrative law judge for the purpose of conducting a hearing and issuing an initial decision. Agenda item G-1 may be an order involving MRT's rate case proceeding.

G-2 – Apache Corporation; Red Wolf Acquisitions, LLC (Docket No. RP19-996-000). On March 28, 2019, pursuant to Rule 207(a)(5) of the Commission's Rules of Practice and Procedure, Apache Corporation (Apache) and Red Wolf Acquisitions, LLC (Red Wolf, and collectively with Apache, Petitioners) filed a petition for temporary waivers of the Commission's capacity release regulations and policies and of the tariff provisions of ANR Pipeline Company. Petitioners filed their petition to facilitate the transfer of firm pipeline transportation agreement capacity, as part of a larger transaction involving the sale of approximately 56,000 net acres and associated natural gas production facilities in Oklahoma by Apache to Red Wolf. Agenda item G-2 may be an order on Petitioners' request for waivers.

G-3 – Transcontinental Gas Pipe Line Company, LLC (Docket Nos. RP18-987-001; RP18-990-001). On August 16, 2018, the Commission issued an order accepting eleven negotiated rate agreements containing non-conforming language filed by Transcontinental Gas Pipe Line Company, LLC (Transco) (August Order). The negotiated rate agreements are between Transco and its customers and relate to Transco's Atlantic Sunrise Project. On September 17, 2018, the North Carolina Utilities Commission and the New York State Public Service Commission (collectively, the State Commissions) requested rehearing of the August Order. Agenda item G-3 may be an order on the State Commissions' request for rehearing.

Hydro

H-1 – Eugene Water & Electric Board (Docket No. P-2242-078). On November 24, 2006, the Eugene Water & Electric Board (EWEB) submitted an application for a new 50-year license for the existing Carmen-Smith

Hydroelectric Project, FERC Project No. 2242, located near McKenzie Bridge, Oregon (Project). The application states that the Project was completed in 1963, with a 50-year (1958) license from the Federal Power Commission that expires on November 30, 2008. At the time of filing, EWEB stated that the Project provided power to over 80,000 Eugene and area residents and represented almost half of EWEB's total generation capacity. On September 17, 2009, Commission staff issued an Environmental Assessment for the Project. On November 30, 2016, EWEB filed an amended settlement agreement on behalf of itself and numerous governmental agencies and other organizations. On May 12, 2017, EWEB filed revised exhibits to update the 2006 license application. Agenda item H-1 may be an order on EWEB's license application.

Certificates

C-1 – Alliance Pipeline L.P. (Docket No. CP19-34-000). On December 21, 2018, pursuant to section 7(c) of the NGA, Alliance Pipeline L.P. (Alliance) submitted an abbreviated application for limited amendment to previously granted certificate authorizations for Alliance's Tioga Lateral Project, an approximately 80-mile lateral pipeline that extends from a gas processing facility near Tioga, North Dakota to an interconnect near Sherwood, North Dakota. Alliance's abbreviated application seeks to restate the certificated design capacity of its Tioga Lateral from 126,400 Mcf/d to 96,000 Mcf/d. Alliance states in its application that it is not proposing to construct, remove, or modify any facilities as part of the amendment and also that it is not proposing any changes to its rates or tariff. Agenda item C-1 may be an order on Alliance's abbreviated certificate application.

C-2 – Freeport LNG Development, L.P.; FLNG Liquefaction 4, LLC (Docket No. CP17-470-000). On June 29, 2017, pursuant to section 3 of the NGA, Freeport LNG Development, L.P. (Freeport LNG Development) and FLNG Liquefaction 4, LLC (collectively, Freeport LNG) submitted a certificate application seeking authorization to site, construct, and operate additional natural gas liquefaction facilities at Freeport LNG Development's existing Quintana Island Terminal in Brazoria County, Texas, as well as associated pretreatment and pipeline facilities, for the purpose of producing liquefied natural gas (LNG) for export (the Project). Freeport LNG stated in its application that the Project will add a fourth liquefaction train, for additional export capacity of a 5.1 million tonnes per annum of LNG. On November 2, 2018, Commission staff issued an Environmental Assessment for the Project. Agenda item C-2 may be an order on Freeport LNG's certificate application.

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