

# FERC

## Meeting Agenda Summary

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**Authors:** Daniel Hagan, Jane E. Rueger

Below are brief summaries of the agenda items for the Federal Energy Regulatory Commission's February 20, 2020 meeting, pursuant to the agenda as issued on February 13, 2020. Agenda items E-25 and C-3 have not been summarized due to omission from the agenda.

### Electric

**E-1 – Arizona Public Service Company (Docket No. ER19-1939-001).** In Order No. 845, the Federal Energy Regulatory Commission (FERC or Commission) adopted revisions to the Commission's pro forma Large Generator Interconnection Procedures (LGIP) and pro forma Large Generator Interconnection Agreement (LGIA) to, among other things, enable a new interconnection customer to utilize the unused portion of an existing interconnection customer's interconnection service within specific parameters. Order No. 845 required that a transmission provider's tariff must: (1) include a definition of surplus interconnection service; (2) provide an expedited interconnection process outside of the interconnection queue for surplus interconnection service; (3) allow affiliates of the original interconnection customers to use surplus interconnection service for another interconnecting generating facility; (4) allow for the transfer of surplus interconnection service that the original interconnection customer or one of its affiliates does not intend to use; and (5) specify what reliability-related studies and approvals are necessary to provide surplus interconnection service and ensure the reliable use of surplus interconnection service. On May 22, 2019, Arizona Public Service Company (APS) submitted, pursuant to the directives in Commission Orders No. 845 and 845-A, a compliance filing containing revisions to the APS Open Access Transmission Tariff (OATT) LGIP and LGIA. Agenda item E-1 may be an order addressing APS' compliance filing.

**E-2 – California Independent System Operator, Inc. (Docket No. ER19-1950-000).** In Order No. 845, the Federal Energy Regulatory Commission (FERC or Commission) adopted revisions to the Commission's pro forma Large Generator Interconnection Procedures (LGIP) and pro forma Large Generator Interconnection Agreement (LGIA) to, among other things, enable a new interconnection customer to utilize the unused portion of an existing

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interconnection customer's interconnection service within specific parameters. Order No. 845 required that a transmission provider's tariff must: (1) include a definition of surplus interconnection service; (2) provide an expedited interconnection process outside of the interconnection queue for surplus interconnection service; (3) allow affiliates of the original interconnection customers to use surplus interconnection service for another interconnecting generating facility; (4) allow for the transfer of surplus interconnection service that the original interconnection customer or one of its affiliates does not intend to use; and (5) specify what reliability-related studies and approvals are necessary to provide surplus interconnection service and ensure the reliable use of surplus interconnection service. On May 22, 2019, the California Independent System Operator, Inc. (CAISO) submitted, pursuant to the directives in Commission Orders No. 845 and 845-A, a compliance filing containing revisions to the CAISO Open Access Transmission Tariff (OATT) LGIP and LGIA. Agenda item E-2 may be an order addressing CAISO's compliance filing.

**E-3 – Cube Yadkin Transmission LLC (Docket Nos. ER19-1956-000, ER19-1956-001).** In Order No. 845, the Federal Energy Regulatory Commission (FERC or Commission) adopted revisions to the Commission's *pro forma* Large Generator Interconnection Procedures (LGIP) and *pro forma* Large Generator Interconnection Agreement (LGIA) to, among other things, enable a new interconnection customer to utilize the unused portion of an existing interconnection customer's interconnection service within specific parameters. Order No. 845 required that a transmission provider's tariff must: (1) include a definition of surplus interconnection service; (2) provide an expedited interconnection process outside of the interconnection queue for surplus interconnection service; (3) allow affiliates of the original interconnection customers to use surplus interconnection service for another interconnecting generating facility; (4) allow for the transfer of surplus interconnection service that the original interconnection customer or one of its affiliates does not intend to use; and (5) specify what reliability-related studies and approvals are necessary to provide surplus interconnection service and ensure the reliable use of surplus interconnection service. On May 22, 2019, Cube Yadkin Transmission LLC (Cube Yadkin) submitted, pursuant to the directives in Commission Orders No. 845 and 845-A, a compliance filing containing revisions to the UNS Open Access Transmission Tariff (OATT) LGIP and LGIA. On June 13, 2019, the Director of the Office of Energy Market Regulation issued, pursuant to 18 C.F.R. § 375.307 (b)(3)(ii) (2018), a deficiency letter requesting an explanation of how Cube Yadkin's filing provide for an expedited process for surplus interconnection service. On July 15, 2019, Cube Yadkin submitted an amendment to its May 22, 2019 compliance filing proposing additional revisions to its LGIP and LGIA. Agenda item E-3 may be an order addressing Cube Yadkin's compliance filing.

**E-4 – Deseret Generation & Transmission Co-operative, Inc. (Docket No. ER19-1902-001).** In Order No. 845, the Federal Energy Regulatory Commission (FERC or Commission) adopted revisions to the Commission's *pro forma* Large Generator Interconnection Procedures (LGIP) and *pro forma* Large Generator Interconnection Agreement (LGIA) to, among other things, enable a new interconnection customer to utilize the unused portion of an existing interconnection customer's interconnection service within specific parameters. Order No. 845 required that a transmission provider's tariff must: (1) include a definition of surplus interconnection service; (2) provide an expedited interconnection process outside of the interconnection queue for surplus interconnection service; (3) allow affiliates of the original interconnection customers to use surplus interconnection service for another interconnecting generating facility; (4) allow for the transfer of surplus interconnection service that the original interconnection customer or one of its affiliates does not intend to use; and (5) specify what reliability-related studies and approvals are necessary to provide surplus interconnection service and ensure the reliable use of surplus interconnection service. On May 20, 2019, Deseret Generation & Transmission Co-operative, Inc. (Deseret) submitted, pursuant to the directives in Commission Orders No. 845 and 845-A, a compliance filing containing revisions to the Deseret Open Access Transmission Tariff (OATT) LGIP and LGIA. On June 13, 2019, the Director of the Office of Energy Market Regulation issued, pursuant to 18 C.F.R. § 375.307 (b)(3)(ii) (2018), a deficiency letter requesting an explanation of how Deseret's filing provide for an expedited process for surplus interconnection service. On July 11, 2019, Deseret submitted an amendment to its May 22, 2019 compliance filing proposing additional revisions to its LGIP and LGIA. Deseret submitted a clarification to its July 11 compliance filing on July 24, 2019. Agenda item E-4 may be an order addressing Deseret's compliance filing.

**E-5 – El Paso Electric Company (Docket No. ER19-1953-000).** In Order No. 845, the Federal Energy Regulatory Commission (FERC or Commission) adopted revisions to the Commission's *pro forma* Large Generator Interconnection Procedures (LGIP) and *pro forma* Large Generator Interconnection Agreement (LGIA)

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to, among other things, enable a new interconnection customer to utilize the unused portion of an existing interconnection customer's interconnection service within specific parameters. Order No. 845 required that a transmission provider's tariff must: (1) include a definition of surplus interconnection service; (2) provide an expedited interconnection process outside of the interconnection queue for surplus interconnection service; (3) allow affiliates of the original interconnection customers to use surplus interconnection service for another interconnecting generating facility; (4) allow for the transfer of surplus interconnection service that the original interconnection customer or one of its affiliates does not intend to use; and (5) specify what reliability-related studies and approvals are necessary to provide surplus interconnection service and ensure the reliable use of surplus interconnection service. On May 22, 2019, El Paso Electric Company (EPE) submitted, pursuant to the directives in Commission Orders No. 845 and 845-A, a compliance filing containing revisions to EPE's Open Access Transmission Tariff (OATT) LGIP and LGIA. Agenda item E-5 may be an order addressing EPE's compliance filing.

**E-6 – Louisville Gas and Electric Company (Docket Nos. ER19-1916-000, ER19-1916-001).** In Order No. 845, the Federal Energy Regulatory Commission (FERC or Commission) adopted revisions to the Commission's *pro forma* Large Generator Interconnection Procedures (LGIP) and *pro forma* Large Generator Interconnection Agreement (LGIA) to, among other things, enable a new interconnection customer to utilize the unused portion of an existing interconnection customer's interconnection service within specific parameters. Order No. 845 required that a transmission provider's tariff must: (1) include a definition of surplus interconnection service; (2) provide an expedited interconnection process outside of the interconnection queue for surplus interconnection service; (3) allow affiliates of the original interconnection customers to use surplus interconnection service for another interconnecting generating facility; (4) allow for the transfer of surplus interconnection service that the original interconnection customer or one of its affiliates does not intend to use; and (5) specify what reliability-related studies and approvals are necessary to provide surplus interconnection service and ensure the reliable use of surplus interconnection service. On May 21, 2019, Louisville Gas and Electric Company and Kentucky Utilities Company (LG&E/KU) submitted, pursuant to the directives in Commission Orders No. 845 and 845-A, a compliance filing containing revisions to the Deseret Open Access Transmission Tariff (OATT) LGIP and LGIA. On June 13, 2019, the Director of the Office of Energy Market Regulation issued, pursuant to 18 C.F.R. § 375.307 (b)(3)(ii) (2018), a deficiency letter requesting an explanation of how Deseret's filing provide for an expedited process for surplus interconnection service. On July 10, 2019, LG&E/KU submitted an amendment to its May 21, 2019 compliance filing proposing additional revisions to its LGIP and LGIA. Agenda item E-6 may be an order addressing LG&E/KU's compliance filing.

**E-7 – New York Independent System Operator (Docket No. ER19-1949-000).** In Order No. 845, the Federal Energy Regulatory Commission (FERC or Commission) adopted revisions to the Commission's *pro forma* Large Generator Interconnection Procedures (LGIP) and *pro forma* Large Generator Interconnection Agreement (LGIA) to, among other things, enable a new interconnection customer to utilize the unused portion of an existing interconnection customer's interconnection service within specific parameters. Order No. 845 required that a transmission provider's tariff must: (1) include a definition of surplus interconnection service; (2) provide an expedited interconnection process outside of the interconnection queue for surplus interconnection service; (3) allow affiliates of the original interconnection customers to use surplus interconnection service for another interconnecting generating facility; (4) allow for the transfer of surplus interconnection service that the original interconnection customer or one of its affiliates does not intend to use; and (5) specify what reliability-related studies and approvals are necessary to provide surplus interconnection service and ensure the reliable use of surplus interconnection service. On May 22, 2019, the New York Independent System Operator, Inc. (NYISO) submitted, pursuant to the directives in Commission Orders No. 845 and 845-A, a compliance filing containing revisions to the NYISO Open Access Transmission Tariff (OATT) LGIP and LGIA. Agenda item E-7 may be an order addressing NYISO's compliance filing.

**E-8 – Independent Power Producers of New York, Inc. v. New York Independent System Operator, Inc. (Docket Nos. EL13-62-001, EL13-62-002).** On May 10, 2013, as amended March 25, 2014, the Independent Power Producers of New York, Inc. (IPPNY) submitted, pursuant to section 206 and 306 of the Federal Power Act (FPA), a complaint alleging that by allowing *de minimis* offers from existing capacity resources that would have exited the market but for the determination that those resources are needed to address local reliability issues, NYISO is causing artificial price suppression in the New York Control Area (NYCA) Installed Capacity (ICAP) spot

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market auctions. IPPNY requested that the Commission direct NYISO to require that such resources be excluded from the capacity market or be offered at levels no lower than the resources' going-forward costs. On June 17, 2013, as supplemented on July 19, 2013, August 23, 2013, and September 24, 2013, the Commission announced it would hold a technical conference to consider how centralized capacity market rules and structures in the RTO/ISOs are supporting the procurement and retention of resources necessary to meet future reliability and operational needs. The technical conference was held September 25, 2013. On March 19, 2015, the Commission issued an order denying the IPPNY complaint and directing the NYISO to submit a compliance report. On April 20, 2015, IPPNY submitted, pursuant to section 313(a) of the FPA, a request for clarification and rehearing of the March 19 order. On June 17, 2015, NYISO submitted, pursuant to the directives in the Order Denying Complaint, a compliance report finding: 1) that buyer-side mitigation for new entrants in rest-of-state is not needed, and 2) that no action is needed to address resources under repowering agreements. On July 7, 2015, the IPPNY submitted, pursuant to Rule 211 of the Rules of Practice and Procedure of the Commission, a protest of the compliance report requesting rejection of the compliance report and a directive requiring the implementation of buyer side mitigation measures. On November 16, 2015, the Director of the Division of Electric Power Regulation – East, issued, in response to the NYISO's June 17 compliance report, a deficiency letter requesting additional information. The NYISO responded to the November 16 Deficiency Letter on December 16, 2015. On January 19, 2016 the IPPNY submitted a protest in response to the NYISO's December 16 filing. Agenda item E-8 may be an order in response to the January 19 IPPNY Protest or an order in response to the IPPNY's request for rehearing.

**E-9 – New York State Public Service Commission and New York State Energy Research and Development Authority v. New York Independent System Operator, Inc. (Docket No. EL19-86-000).** On July 29, 2019, the New York State Public Service Commission (NYPSC) and the New York State Energy Research and Development Authority (NYSERDA) filed, pursuant to sections 206 and 306 of the Federal Power Act (FPA), a complaint arguing against subjecting energy storage resources participating in the NYISO Installed Capacity (ICAP) market to buyer-side mitigation measures. Agenda item E-9 may be an order addressing the complaint.

**E-10 – New York State Public Service Commission, New York Power Authority, Long Island Power Authority, New York State Energy Research and Development Authority, City of New York, Advanced Energy Management Alliance, and Natural Resources Defense Council v. New York Independent System Operator, Inc. (Docket Nos. EL16-92-001, ER17-996-000).** On June 24, 2016, the New York State Public Service Commission (NYPSC), New York Power Authority (NYPA), Long Island Power Authority (LIPA), New York State Energy Research and Development Authority (NYSERDA), City of New York, Advanced Energy Management Alliance (AEMA), and Natural Resources Defense Council filed, pursuant to sections 206 and 306 of the Federal Power Act (FPA), a complaint alleging that the application of NYISO's buyer-side market power mitigation rules in section 23.4 of NYISO's Market Administration and Control Area Services Tariff (Services Tariff) limit full participation of Special Case Resources (SCRs) in NYISO's installed capacity (ICAP) market; interfere with federal, state, and local policy objectives. The complaint sought a blanket exemption from the buyer-side market power mitigation rules for all SCRs, or in the alternative, to exclude payments received from retail demand response programs from the calculation of SCR offer floors. On February 3, 2017, the Commission issued an order granting the complaint in part and denying the complaint in part. The Commission's February 3 order: 1) granted the complaint in part to allow a blanket exemption for new SCRs from the buyer-side market power mitigation rules, 2) denied the complaint's request that the blanket exemption apply to SCRs currently subject to mitigation, and 3) required NYISO to submit a compliance filing. On February 17, 2017, the NYISO submitted, pursuant to the directives in the February 3 Order, its compliance filing. Requests for clarification and rehearing were submitted by NYISO and the Independent Power Producers of New York, Inc. respectively. Agenda item E-10 may be an order addressing the requests for clarification and rehearing.

**E-11 – New York Independent System Operator, Inc. (Docket No. ER16-1404-000).** On April 13, 2016, the New York Independent System Operator, Inc. (NYISO) filed proposed compliance revisions to its Market Administration and Control Area Services Tariff (Services Tariff). The revisions are responsive to an order issued by the Commission on October 9, 2015, where NYISO was directed to revise the buyer-side capacity market power mitigation measures (BSM Rules) to exempt certain narrowly defined renewable and self-supply resources from Offer Floor mitigation. On July 19, 2019, NYISO filed a request for Commission action, stating that if not ruled on by Class Year 2019 (by August 9, 2019), NYISO would administer the Renewable Exemption as-filed

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and conditionally requests tariff waivers to enable such designations to remain in effect following the eventual issuance of an order. Agenda item E-11 may be an order on the Services Tariff compliance revisions by NYISO.

**E-12 – Linden VFT, LLC v. PJM Interconnection, L.L.C. (Docket Nos. EL15-67-002, EL15-67-003), PJM Interconnection, L.L.C. (Docket Nos. ER15-2562-002, ER14-972-005, ER14-972-006), Consolidated Edison Company of New York, Inc. v. PJM Interconnection, L.L.C. (Docket Nos. EL15-18-003, EL15-18-004).** On July 10, 2015, Linden VFT, LLC (Linden VFT) filed an amended complaint against PJM Interconnection, L.L.C. (PJM). Linden VFT brought forward the complaint to address the PJM solution-based distribution factor (DFAX) cost allocation methodology as applied to certain projects resulting from the PJM 2013 Regional Transmission Expansion Plan (RTEP). In the respective dockets listed above, New York Power Authority (NYPA) filed a request for rehearing of the April 22, 2016 order in which the Commission denied the complaint of Linden VFT, LLC (Linden VFT). NYPA asserts that, by denying the complaint, the Commission is conferring disproportionate costs relative to benefits for anchor customers on merchant transmission facilities within the PJM footprint. In addition, NYPA states that a separate order issued by the Commission regarding Consolidated Edison Company of New York, Inc. (Con Edison) on April 22, 2016 resulted in a notice of termination of its 1,000 MW PJM wheeling reservation only six days following the order. In its request for rehearing, NYPA alleges that the Commission will cause economic harm to these anchor customers. On July 19, 2018, the Commission issued an order setting the matter in the above-captioned dockets for settlement judge procedures. On July 19, 2019, the Administrative Law Judge (ALJ) issued an order declaring an impasse in the settlement negotiations, as the timeframe for the participants to file a formal Offer of Settlement had expired. Agenda item E-12 may be an order on the request for rehearing as brought forward by NYPA.

**E-13 – Linden VFT, LLC v. PJM Interconnection, L.L.C. (Docket No. EL17-68-000).** Agenda item E-13 includes a docket listed as part of the order declaring settlement impasse as issued by the Commission on July 19, 2019 (described previously in agenda item E-12). Accordingly, agenda item E-13 may be an order on the request for rehearing as brought forward by NYPA.

**E-14 – PJM Interconnection, L.L.C. (Docket Nos. ER17-950-000, ER17-950-001, ER17-950-002, ER17-950-003).** On February 8, 2017, and as amended on February 13, 2017, PJM filed revisions to Schedule 12-Appendix of its Tariff in order to revise cost responsibility assignments for Regional Facilities and Necessary Lower Voltage Facilities and Lower Voltage Facilities included in the Regional Transmission Expansion Plan (RTEP). The revisions follow the termination of long-term point-to-point transmission service agreements entered between PJM and Con Edison. On April 25, 2017, the Commission issued an order accepting and suspending filing, subject to refund, and pending a further Commission order following an evaluation of the justness and reasonableness of the proposed revisions. On May 25, 2017, Linden VFT filed a request for clarification, or in the alternative, rehearing of the April 25 order. On July 19, 2018, the Commission issued an order setting the matter for settlement judge procedures. On July 19, 2019, the Administrative Law Judge (ALJ) issued an order declaring an impasse in the settlement negotiations, as the timeframe for the participants to file a formal Offer of Settlement had expired. Agenda item E-14 may be an order on the request for clarification or rehearing as brought forward by Linden VFT.

**E-15 – Southwest Power Pool, Inc. (Docket No. ER16-1341-004).** On February 28, 2019, the Commission issued an order denying the request of Southwest Power Pool, Inc. (SPP) to implement Attachments J and Z2 of its Open Access Transmission Tariff (SPP Tariff). The proposed revisions to the SPP Tariff would enforce the rights of Oklahoma Gas and Electric Company (OG&E) to revenue credits for use of OG&E transmission facilities during the 'historical period' under the SPP Tariff and under the contractual arrangement between OG&E and SPP to sponsor specified transmission upgrades. On April 1, 2019, OG&E filed a request for rehearing of the February 28 order, alleging that the Commission would preclude OG&E from a timely recovery of costs and lead to an inequitable result contrary to the expectations of SPP market participants. OG&E also states the February 28 order contravenes the stated purpose of Order No. 1000. Agenda item E-15 may be an order on the request for rehearing as brought forward by OG&E.

**E-16 – Southwest Power Pool, Inc. (Docket Nos. ER16-1341-003, ER16-1341-004), Kansas Electric Power Cooperative, Inc. v. Southwest Power Pool, Inc. (Docket No. EL17-21-001), Xcel Energy Services Inc. v. Southwest Power Pool, Inc. (Docket No. EL18-9-001), EDF Renewables, Inc., Enel Green Power North America, Inc., NextEra Energy Resources, LLC, and Southern Power Company v. Southwest Power Pool,**

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**Inc. (Docket No. EL19-75-000), Oklahoma Gas & Electric Company v. Southwest Power Pool, Inc. (Docket No. EL19-77-000), Southwest Power Pool, Inc. (Docket No. ER18-1702-002).** In December of 2008, and amended on February 19, 2009, SPP executed a Sponsored Upgrade Agreement (SUA) with Oklahoma Gas and Electric Company (OG&E) for the Northwest-to-Woodward 345 kV transmission upgrade project, known as the Windspeed Transmission Line. In accordance with the goals set forth in Order No. 1000, and due to the nature of the transmission (wind development with no identified group of customers from which OG&E could recover the cost of their investment), the SUA included a provision where SPP would furnish revenue credits pursuant to its Tariff to defray the costs borne by OG&E in the development of the wind generation. Under Attachment Z2 in the SPP Tariff, the SUA would only terminate when OG&E had been credited with all Directly Assigned Upgrade Costs from SPP. The SUA stipulates that OG&E is entitled to payment of the revenue credits from users of the Windspeed Transmission Line if not conferred by SPP. The matter has been contemplated in the above-captioned proceedings, either from users of the line or from OG&E. On May 24, 2019, OG&E filed a complaint, recommending that the Commission rule that SPP not improperly deny reimbursement of revenue credits and order SPP to not seek refunds or wind those payments from line users. Agenda item E-16 may be an order on the provisions in Attachment Z2 of the SPP Tariff whereby generation developers such as OG&E are entitled to refund credits and/or an order directing SPP the manner in which to proceed regarding the outstanding revenue credits related to the OG&E project.

**E-17 – Southwest Power Pool, Inc. (Docket No. ER15-2028-003).** On June 29, 2015, Corn Belt Electric Cooperative (Corn Belt) submitted a grandfathered agreement under the SPP Tariff, transferring operational control over its transmission facilities to SPP. Interstate Power and Light Company (IPL) was the other party to the agreement and entitled to maintain interconnection rights to designated transmission facilities previously controlled by Corn Belt. Following the transfer, SPP and Corn Belt submitted an Offer of Settlement on July 12, 2017, establishing the annual transmission revenue requirement (ATRR) to be collected by Corn Belt for transmission service provided by SPP over the Corn Belt transmission facilities. IPL and other parties supported the settlement; however, on June 20, 2019, the Commission issued an Order on Contested Settlement, siding with Trial Staff and rejecting the Settlement. On July 22, 2019, IPL filed a motion for clarification of the June 20 order or request for rehearing, namely for the Commission to establish that the order is not intended to determine whether the rights granted to IPL and ITC Midwest LLC with Corn Belt in a subsequent 2018 interconnection agreement constitute transmission service for cost allocation or revenue crediting purposes. Agenda item E-17 may be an order on the request for clarification or rehearing of the June 20 order as brought forward by IPL.

**E-18 – Southwest Power Pool, Inc. (Docket No. ER15-2115-004).** On July 7, 2015, SPP submitted revisions to its Tariff to include an ATRR and Formula Rate Template for Northwest Iowa Power Cooperative (NIPSCO) in order to reflect the transfer of functional control of NIPSCO qualifying transmission facilities to SPP. On September 30, 2015, the Commission issued an order accepting the revisions, subject to refund, and setting the return on equity (ROE) and Formula Rate for hearing and settlement judge procedures. On July 12, 2017, SPP filed a contested settlement on behalf of the settling parties. On June 20, 2019, the Commission issued an Order on Contested Settlement, rejecting the offer and remanding the proceeding to the Chief Judge in order to resume hearing procedures. On July 22, 2019, NIPSCO filed a request for rehearing, namely asserting that exacting an ostensible penalty on NIPSCO for upholding and fulfilling the provisions of the grandfathered agreements with SPP constitutes an unjust modification of those agreements and harms NIPSCO economically. Agenda item E-18 may be an order on the request for rehearing of the June 20 order as brought forward by NIPSCO.

**E-19 – Virtualization and Cloud Computing Services (Docket No. RM20-8-000).** Agenda item E-19 may be a new proposed rulemaking proceeding initiated by the Commission relating to virtualization and cloud computing services.

**E-20 – Refinements to Horizontal Market Power Analysis for Sellers in Certain Regional Transmission Organization and Independent System Operator Markets (Docket No. RM19-2-001).** On July 18, 2019, the Commission issued Order No. 861, establishing a final rule to modify its regulations regarding horizontal market power analysis required for market-based sellers that study markets administered by RTOs and ISOs. On August 15, 2019 and August 19, 2019, respectively, California Independent System Operator Corporation (CAISO) and Pacific Gas and Electric Company (PG&E) filed motions for clarification, or in the alternative, requests for rehearing of Order No. 861. Specifically, CAISO seeks clarity on the characterization of the soft offer cap within its capacity procurement mechanism (CPM). CAISO asserts the soft offer cap should reflect an estimate of going-

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forward costs, plus a twenty percent incentive adder, as opposed to an estimate of the cost of new entry. According to CAISO, the soft offer cap is based on a 2014 report prepared by the California Energy Commission and serves as a safe harbor that resource owners are allowed bid available capacity up to, and receive that value if CAISO designates their resource for a CPM award. Agenda item E-20 may be an order on the requests for rehearing or clarification of Order No. 861.

**E-21 – Data Collection for Analytics and Surveillance and Market-Based Rate Purposes (Docket No. RM16-17-001).** On July 18, 2019, the Commission issued an order adopting its proposal to collect market-based rate (MBR) information in a relational database, but declined to adopt its proposal to require MBR sellers and virtual/financial transmission rights participants to submit connected entity information (Order No. 860). Order No. 860, *inter alia*, modified the reporting requirements for certain MBR updates, including timing of change in status filings and quarterly database updates. Numerous entities requested rehearing, and or clarification of Order No. 860. Agenda item E-21 may be an order on the requests for rehearing and or clarification.

**E-22 – North American Electric Reliability Corporation (Docket No. RD20-2-000).** Agenda item E-22 may institute a new proceeding in a new docket related to a North American Electric Reliability Corporation reliability standard.

**E-23 – Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company (Docket No. ER19-1945-000).** On May 22, 2019, Pacific Gas and Electric Company (PG&E), Southern California Edison Company, and San Diego Gas & Electric Company (the Filing Parties) filed a Joint Offer of Settlement to Amend the ER01-889 Proceeding Settlement Agreement (Joint Offer). The Filing Parties explained in the Joint Offer filing that they recently discovered the need to revise certain allocated amounts in a 2017 settlement agreement filed in Docket No. ER17-1544-000. As explained in the filing, the 2017 settlement agreement provided for the settlement of claims related to invoicing for the California ISO's purchases in the ISO Real Time Market to serve the load requirements of the customers of PG&E and Southern California Edison Company during a portion of the western energy crisis of 2000-2001. Agenda item E-23 may be an order on the Joint Offer.

**E-24 – Duke Energy Carolinas, LLC (Docket No. ER19-260-001).** On November 1, 2018, pursuant to section 205 of the Federal Power Act, Duke Energy Carolinas, LLC (DEC) on behalf of its public utility affiliate Duke Energy Florida, LLC (DEF) filed revised tariff sheets for Schedule 2 to their Joint Open Access Transmission Tariff (Joint OATT). The Joint OATT revisions updated DEF's charges for Reactive Supply and Voltage Control from Generation or Other Sources Service. Multiple parties filed motions to intervene and or protest DEC's Schedule 2 filing. On December 31, 2018, the Commission issued an order accepting the Schedule 2 revisions for filing, suspended for five months, to become effective June 1, 2019, subject to refund, and the establishment of hearing and settlement judge procedures. On September 5, 2019, DEF, Seminole Electric Cooperative, Inc., and Florida Municipal Power Agency submitted an executed settlement agreement intended to resolve all issues raised in the proceeding. The uncontested offer of settlement was certified to the Commission on October 9, 2019. Agenda item E-24 may be an order on the uncontested offer of settlement.

#### **E-25 – Omitted**

**E-26 – California Independent System Operator Corporation (Docket No. ER19-538-001).** On February 21, 2019, the Commission issued an order (February Order) accepting proposed tariff revisions filed by the California Independent System Operator Corporation (CAISO). The tariff revisions covered practices for conformance of load forecasts in the balancing authority areas that participate in the CAISO markets. On March 22, 2019, NRG Power Marketing LLC (NRG) requested rehearing of the February Order. Agenda item E-26 may be an order on NRG's request for rehearing.

**E-27 – ISO New England Inc. (Docket No. ER20-308-000).** On November 5, 2019, ISO New England Inc. (ISO-NE) submitted an informational filing (Informational Filing) for qualification in the Forward Capacity Market for the 2023-2024 Capacity Commitment Period. Numerous entities moved to intervene, comment on, and or protest the Informational Filing. Agenda item E-27 may be an order on ISO-NE's Informational Filing.

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## Gas

**G-1 – HollyFrontier Refining & Marketing LLC, Southwest Airlines Co., Tesoro Refining and Marketing Company, US Airways, Inc., Valero Marketing and Supply Company, and Western Refining Company, L.P. v. SFPP, L.P. (Docket No. OR14-35-003); Chevron Products Company v. SFPP, L.P. (Docket No. OR14-36-003); American Airlines, Inc., Chevron Products Company, HollyFrontier Refining & Marketing LLC, Southwest Airlines Co., and Valero Marketing and Supply Company v. SFPP, L.P. (Docket No. OR19-21-000); Tesoro Refining & Marketing Company LLC and Western Refining Company, L.P. v. SFPP, L.P. (Docket No. OR19-33-000); Phillips 66 Company v. SFPP, L.P. (Docket No. OR19-37-000).** On April 4, 2019 in Docket No. OR19-21-000, American Airlines, Inc., Chevron Products Company, HollyFrontier Refining & Marketing LLC, Southwest Airlines Co., and Valero Marketing and Supply Company filed a joint complaint against SFPP, L.P. (SFPP) challenging the justness and reasonableness of various index rate increases taken and implemented by SFPP for the 2018 Index Year. On August 20, 2019 in Docket No. OR19-33-000, Tesoro Refining & Marketing Company LLC and Western Refining Company, L.P. filed a joint complaint against SFPP challenging the justness and reasonableness of various index rate increases taken and implemented by SFPP for the 2018 Index Year. On September 27, 2019 in Docket No. OR19-37-000, Phillips 66 Company filed a complaint against SFPP challenging the lawfulness of indexed rate increases filed by SFPP in May 2018. Agenda item G-1 may be an order on the complaints filed against SFPP.

**G-2 – Revisions to Indexing Policies and Page 700 of FERC Form No. 6 (Docket No. RM17-1-000); Petition for a Rulemaking of the Liquids Shippers Group, Airlines for America, and the National Propane Gas Association (Docket No. RM15-19-000).** On April 20, 2015 in Docket No. RM15-19-000, the Liquids Shippers Group, Airlines for America, and the National Propane Gas Association (collectively, the Joint Petitioners) petitioned the Commission to issue a Notice of Proposed Rulemaking that proposed to: (1) revise Page 700 of FERC Form No. 6, Annual Report of Oil Pipeline Companies (Form No. 6) to further enhance crude oil and petroleum product pipeline financial reporting transparency; and (2) make carrier Page 700 workpapers available to shippers and interested parties upon request (Petition). On October 20, 2016 in Docket No. RM17-1-000, the Commission issued an Advance Notice of Proposed Rulemaking (ANOPR) seeking comment on potential modifications to Commission policies for evaluating oil pipeline indexed rate changes as well as comment on potential changes to page 700 of FERC Form No. 6. Agenda item G-2 may be an order on the Petition and ANOPR.

## Hydro

**H-1 – Southern California Edison Company (Docket Nos. P-67-133, P-120-028, P-2085-020, P-2086-039, P-2174-017, P-2175-021).** On June 17, 2019, Southern California Edison Company filed a petition for declaratory order requesting that the Commission declare that the California State Water Resources Control Board has waived authority under Section 401 of the Clean Water Act for failure to act on Southern California Edison Company's requests for water quality certification by the one year statutory deadline for six projects within the Big Creek Hydroelectric System that are pending Commission relicensing. Specifically, the projects are Big Creek Nos. 2A, 8, and Eastwood Hydroelectric Project (FERC No. 67); Big Creek No. 3 Hydroelectric Project (FERC No. 120); Mammoth Pool Hydroelectric Project (FERC No. 2085); Vermilion Valley Hydroelectric Project (FERC No. 2086); Portal Hydroelectric Project (FERC No. 2174); and Big Creek Nos. 1 and 2 Hydroelectric Project (FERC No. 2175). Agenda item H-1 may be an order on the Southern California Edison Company's petition for declaratory order.

**H-2 – Appalachian Power Company (Docket No. P-2514-188).** On November 18, 2019, Appalachian Power Company (Appalachian), licensee for the Byllesby-Buck Hydroelectric Project No. 2514, requested rehearing of a Study Plan Determination, previously issued on November 18, 2019 by the Commission's Director of the Office of Energy Projects (SPD). Appalachian specifically requested rehearing of the determination that Appalachian's water quality study must be expanded to include continuous turbidity monitoring during the study period. Agenda item H-2 may be an order on Appalachian's request for rehearing.

**H-3 – Grand River Dam Authority (Docket No. P-1494-447).** On December 26, 2018, the City of Miami, Oklahoma (Miami) filed a complaint alleging that Grand River Dam Authority (GRDA), the licensee for the

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Pensacola Hydroelectric Project No. 1494, is in violation of its license. On January 28, 2019, Commission staff issued a letter (January 28 Letter) acknowledging Miami's complaint and also stated that the allegations would be referred to the Commission's Office of Energy Projects, Division of Hydropower Administration and Compliance. On February 27, 2019, Miami requested rehearing or, or in the alternative, clarification of the January 28 Letter. On March 26, 2019, the Commission issued a notice (March 26 Notice) dismissing Miami's request for rehearing finding that the January 28 letter was interlocutory and not a final Commission decision. On April 25, 2019, Miami requested rehearing of the March 26 notice. Agenda item H-3 may be an order on Miami's request for rehearing of the March 26 Notice.

## Certificates

**C-1 – Midship Pipeline Company, LLC (Docket No. CP17-458-005).** On December 20, 2019, Midship Pipeline Company, LLC (Midship) submitted an abbreviated application for approval of updated cost-based recourse rates reflecting an increase in the cost of constructing the Midship pipeline project. Agenda item C-1 may be an order on Midship's abbreviated application.

**C-2 – PennEast Pipeline Company, LLC (Docket No. CP15-558-000).** On September 24, 2015, PennEast Pipeline Company, LLC (PennEast) submitted an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity to construct the PennEast Pipeline Project. On January 19, 2019, the Commission issued an order authorizing the project and issuing a certificate. On January 30, 2020, the Commission issued an order on a petition for declaratory order concerning the scope of PennEast's eminent domain authority under section 7(h) of the Natural Gas Act. Agenda item C-2 may be an order relating to the PennEast Pipeline Project.

### C-3 – Omitted

**C-4 – Texas LNG Brownsville LLC (Docket No. CP16-116-001).** On November 22, 2019, the Commission issued an Order Granting Authorization regarding the Texas LNG Brownsville Project in the above referenced docket. On December 23, 2019, Sierra Club et al. filed a request for rehearing and stay of the Commission's order. Agenda item C-4 may be an order on the request for rehearing.

**C-5 – Annova LNG Common Infrastructure, LLC, Annova LNG Brownsville A, LLC, Annova LNG Brownsville B, LLC, and Annova LNG Brownsville C, LLC (Docket No. CP16-480-001).** On November 22, 2019, the Commission issued an Order Granting Authorization regarding the Texas LNG Brownsville Project in the above referenced docket. On December 23, 2019, Sierra Club et al. filed a request for rehearing and stay of the Commission's order. Agenda item C-5 may be an order on the request for rehearing.

**C-6 – Tennessee Gas Pipeline Company, L.L.C. (Docket No. CP19-7-000).** On October 19, 2018, Tennessee Gas Pipeline Company, L.L.C. (Tennessee Gas) submitted an application for a certificate of public convenience and necessity to construct, install, modify, operate, and maintain certain pipeline and compression facilities located in Massachusetts and Connecticut, and to abandon other facilities, referred to as the 261 Upgrade Projects. On December 19, 2019, the Commission issued an order issuing the certificate and approving abandonment. Agenda item C-6 may be an order relating to Tennessee Gas' 261 Upgrade Projects.

**C-7 – Tennessee Gas Pipeline Company, L.L.C. (Docket No. CP19-7-001).** On October 19, 2018, Tennessee Gas Pipeline Company, L.L.C. (Tennessee) submitted an application for a certificate of public convenience and necessity to construct, install, modify, operate, and maintain certain pipeline and compression facilities located in Massachusetts and Connecticut, and to abandon other facilities, referred to as the 261 Upgrade Projects. On December 19, 2019, the Commission issued an order issuing the certificate and approving abandonment. On January 17, 2020, Food & Water Watch and Berkshire Environmental Action Team, Inc. filed requests for rehearing of the Commission's December 19 order. Agenda item C-7 may be an order on the requests for rehearing.

**C-8 – Jordan Cove Energy Project L.P. and Pacific Connector Gas Pipeline, LP (Docket Nos. CP17-495-000 and CP17-494-000).** This proceeding involves applications by Jordan Cove Energy Project L.P. (Jordan Cove) and Pacific Connector Gas Pipeline, LP (Pacific Connector) under Sections 3 and 7 of the Natural Gas Act (NGA)

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for the Jordan Cove Liquefied Natural Gas (LNG) Terminal and Pacific Connector Gas Pipeline Projects. Specifically, in Docket No. CP17-495-000, Jordan Cove proposes to construct and operate an LNG export terminal to be located on the North Spit of Coos Bay, in Coos County, Oregon. Relatedly, in Docket No. CP17-494-000, Pacific Connector proposes to construct and operate a 229-mile-long 36-inch-diameter pipeline to connect the Malin Hub with the Jordan Cove LNG Terminal. On November 15, 2019, FERC issued an environmental impact statement (EIS) for the project. Agenda item C-8 may be an order relating to the Jordan Cove LNG Terminal and Pacific Connector Gas Pipeline Projects.

**C-9 – Algonquin Gas Transmission, LLC (Docket No. CP16-9-009).** On December 26, 2018, the Commission issued a letter order granting Algonquin Gas Transmission, LLC's (Algonquin) request for extension of time to complete construction of project facilities. On January 25, 2019, the Town of Weymouth, Massachusetts, submitted a request for rehearing and recession of the Commission's December 26 order. Agenda item C-9 may be an order on the request for rehearing.

**C-10 – Sabine Pass LNG, L.P. (Docket No. CP19-11-000).** On October 28, 2018, Sabine Pass LNG, L.P. (Sabine Pass) submitted an application for authorization to site, construct, and operate an expansion of the existing SPLNG Terminal (the SPLNG Third Berth Expansion Project). On August 23, 2019, the Commission issued an environmental assessment for the SPLNG Third Berth Expansion Project. Agenda item C-10 may be an order regarding the SPLNG Third Berth Expansion Project.

**C-11 – Northern Natural Gas Company (Docket No. CP19-479-000).** On June 6, 2019, Northern Natural Gas Company (Northern Natural) submitted an application requesting permission and approval to abandon in-place Northern Natural's Bushton to Clifton A-line, and to construct and operate compression at the existing Tescott compressor station (Buston to Clifton A-Line Abandonment Project). On December 17, 2019, the Commission issued an environmental assessment for the Buston to Clifton A-Line Abandonment Project. Agenda item C-11 may be an order regarding the Buston to Clifton A-Line Abandonment Project.

**C-12 – Natural Gas Pipeline Company of America LLC (Docket No. CP19-99-000).** On February 28, 2019, Natural Gas Pipeline Company of America LLC (Natural) submitted an application requesting authorization to site, construct, and operate the Gulf Coast Southbound Project. On October 23, 2019, the Commission issued an environmental assessment for the Gulf Coast Southbound Project. Agenda item C-12 may be an order on the Gulf Coast Southbound Project.

White & Case LLP  
701 Thirteenth Street, NW  
Washington, District of Columbia 20005-3807  
United States

**T** +1 202 626 3600

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