

FERC

Meeting Agenda Summary

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Below are brief summaries of the agenda items for the Federal Energy Regulatory Commission's December 20, 2018 meeting, pursuant to the agenda as issued on December 13, 2018. Item E-20 has not been summarized due to omission from the agenda.

Electric

E-1 – Refinements to Horizontal Market Power Analysis for Sellers in Certain Regional Transmission Organization and Independent System Operator Markets (Docket No. RM19-2-000). Agenda item E-1 may be a Notice of Proposed Rulemaking (NOPR) related to refinements to horizontal market power analysis for sellers in certain regional transmission organization and independent system operator markets.

E-2 – Gulf Power Company (Docket Nos. ER18-1952-001, ER18-1952-002 and ER18-1952-003). On July 3, 2018, Gulf Power Company (Gulf Power) filed pursuant to section 205 of the Federal Power Act (FPA) an application for Commission authorization to make limited market-based sales of capacity and/or energy under a market-based rate tariff. The filing states that it is intended to ensure that Gulf Power can continue to participate in "Pool Sales" following consummation of the transaction by which a wholly-owned subsidiary of NextEra Energy, Inc. (NextEra) will acquire Gulf Power. On September 21, 2018, the Commission issued a letter informing Gulf Power that its July 3, 2018 submission was deficient. On October 26, 2018, Gulf Power submitted a response to the Commission's September 21 letter. On November 2, 2018, Gulf Power submitted a supplemental response and amendment to its application. Agenda item E-2 may be an order related to Gulf Power's application for market-based rate authorization.

E-3 – NextEra Energy, Inc., 700 Universe, LLC, Gulf Power Company (Docket No. EC18-117-000). On July 3, 2018, NextEra, 700 Universe LLC (700 Universe), and Gulf Power submitted an application for approval pursuant to section 203 of the FPA for a transaction in which transaction by which 700 Universe, a wholly-owned subsidiary of NextEra, would acquire Gulf Power. Agenda item E-3 may be an order related to the proposed transaction.

E-4 – Ameren Illinois Company, Ameren Transmission Company of Illinois, Northern States Power Company, Northern States Power Company Midcontinent Independent System Operator, Inc. (Docket Nos. EL18-155-000, EL18-156-000, EL18-161-000, EL18-162-000 and ER18-2322-000). On June 21, 2018, the Commission issued an order pursuant to section 206 of the FPA instituting a proceeding to examine the methodology used by each of the above-referenced public utilities for calculating Accumulated Deferred Income Tax (ADIT) balance in their projected test year and annual true-up calculations for their transmission formula rates. In the order, the Commission stated that the transmission formula rates may be unjust, unreasonable, or unduly discriminatory or preferential because their projected test year calculations and/or annual true-up calculations use a two-step averaging methodology to determine ADIT balances. Agenda item E-4 may be an order related to the section 206 proceeding regarding ADIT methodology for the above-referenced public utilities.

E-5 – Public Service Company of Colorado, Southwestern Public Service Company, Public Service Company of Colorado (Docket Nos. EL18-163-000, EL18-166-000 and ER18-2319-000). On June 21, 2018, the Commission issued an order pursuant to section 206 of the FPA instituting a proceeding to examine the methodology used by each of the above-referenced public utilities for calculating Accumulated Deferred Income Tax (ADIT) balance in their projected test year and annual true-up calculations for their transmission formula rates. In the order, the Commission stated that the transmission formula rates may be unjust, unreasonable, or unduly discriminatory or preferential because their projected test year calculations and/or annual true-up calculations use a two-step averaging methodology to determine ADIT balances. Agenda item E-5 may be an order related to the section 206 proceeding regarding ADIT methodology for the above-referenced public utilities.

E-6 – 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 (Docket Nos. EL18-138-000 and ER18-1739-000). On June 21, 2018, the Commission issued an order pursuant to section 206 of the FPA instituting a proceeding to examine the methodology used by each of the above-referenced public utilities for calculating Accumulated Deferred Income Tax (ADIT) balance in their projected test year and annual true-up calculations for their transmission formula rates. In the order, the Commission stated that the transmission formula rates may be unjust, unreasonable, or unduly discriminatory or preferential because their projected test year calculations and/or annual true-up calculations use a two-step averaging methodology to determine ADIT balances. Agenda item E-6 may be an order related to the section 206 proceeding regarding ADIT methodology for the above-referenced public utilities.

E-7 – International Transmission Company, ITC Midwest, LLC, Midcontinent Independent System Operator, Inc., Michigan Electric Transmission Company, LLC (Docket Nos. EL18-159-000, EL18-160-000, ER18-2323-000 and EL19-16-000). On June 21, 2018, the Commission issued an order pursuant to section 206 of the FPA instituting a proceeding to examine the methodology used by each of the above-referenced public utilities for calculating Accumulated Deferred Income Tax (ADIT) balance in their projected test year and annual true-up calculations for their transmission formula rates. In the order, the Commission stated that the transmission formula rates may be unjust, unreasonable, or unduly discriminatory or preferential because their projected test year calculations and/or annual true-up calculations use a two-step averaging methodology to determine ADIT balances. Agenda item E-7 may be an order related to the section 206 proceeding regarding ADIT methodology for the above-referenced public utilities.

E-8 – American Transmission Company, LLC (Docket No. EL18-157-000). On June 21, 2018, the Commission issued, pursuant its authority under section 206 of the FPA, an order directing numerous public utilities, including American Transmission Company (ATC), to submit initial briefs addressing: 1) IRS guidance in an April 28, 2017 Private Letter Ruling (PLR) clarifying that IRS Normalization Rules requiring averaging do not apply to prorated Accumulated Deferred Income Tax (ADIT) balances used in entirely-projected test year calculations, and the proration methodology applied by utilities to their originally projected ADIT amounts should be maintained in the annual true-up; and 2) an April 27, 2018 Commission Order that found that the two-step averaging methodology used in annual transmission formula rate true-up calculations no longer must be applied to comply with the IRS Consistency Rule and the continued use of the two-step averaging methodology may result in unjust and unreasonable rates. On August 27, 2018, ATC submitted an initial brief

whereby it committed to: 1) remove the two-step averaging methodology from its proration methodology used in ADIT calculations, and 2) not apply the proration formula to the variances in the monthly ADIT balances. Agenda item E-8 may be an order addressing the commitments contained in the initial brief submitted by ATC.

E-9 – TransCanyon DCR, LLC (Docket No. EL18-165-000). On June 21, 2018, the Commission issued, pursuant its authority under section 206 of the FPA, an order directing numerous public utilities, including TransCanyon DCR, LLC (TransCanyon), to submit initial briefs addressing: 1) IRS guidance in an April 28, 2017 Private Letter Ruling (PLR) clarifying that IRS Normalization Rules requiring averaging do not apply to prorated Accumulated Deferred Income Tax (ADIT) balances used in entirely-projected test year calculations, and the proration methodology applied by utilities to their originally projected ADIT amounts should be maintained in the annual true-up; and 2) an April 27, 2018 Commission Order that found that the two-step averaging methodology used in annual transmission formula rate true-up calculations no longer must be applied to comply with the IRS Consistency Rule and the continued use of the two-step averaging methodology may result in unjust and unreasonable rates. On August 24, 2018, TransCanyon submitted an initial brief whereby it committed to remove the two-step averaging methodology from its proration methodology used in ADIT calculations. Agenda item E-9 may be an order addressing the commitments contained in the initial brief submitted by TransCanyon.

E-10 – Virginia Electric and Power Company, LLC (Docket No. EL18-167-000). On June 21, 2018, the Commission issued, pursuant its authority under section 206 of the FPA, an order directing numerous public utilities, including Virginia Electric Power Company, LLC (VEPCo), to submit initial briefs addressing: 1) IRS guidance in an April 28, 2017 Private Letter Ruling (PLR) clarifying that IRS Normalization Rules requiring averaging do not apply to prorated Accumulated Deferred Income Tax (ADIT) balances used in entirely-projected test year calculations, and the proration methodology applied by utilities to their originally projected ADIT amounts should be maintained in the annual true-up; and 2) an April 27, 2018 Commission Order (April Order) that found that the two-step averaging methodology used in annual transmission formula rate true-up calculations no longer must be applied to comply with the IRS Consistency Rule and the continued use of the two-step averaging methodology may result in unjust and unreasonable rates. (June Order) On August 27, 2018, VEPCo submitted an initial brief whereby it conditionally committed to remove the two-step averaging methodology from its proration methodology used in ADIT calculations. VEPCo's commitment is conditioned upon acceptance of the compliance filing submitted by the Certain MISO TOs in response to the April Order, as that proposal would form the basis of the compliance filing in this proceeding. Also on August 27, 2018, the North Carolina Electric Membership Corporation (NCEMC) submitted its Initial Brief asserting that the effective date of tariff revisions enacted in response to the Commission's June Order should be May 1, 2014, the date the Commission approved the "erroneous" methodology in VEPCo's formula rate. Agenda item E-10 may be an order addressing the commitments and request contained in the initial briefs submitted by VEPCo and NCEMC respectively.

E-11 – GridLiance West Transco LLC (Docket No. EL18-158-000). On June 21, 2018, the Commission issued, pursuant its authority under section 206 of the FPA, an order directing numerous public utilities, including GridLiance West LLC (GridLiance), to submit initial briefs addressing: 1) IRS guidance in an April 28, 2017 Private Letter Ruling (PLR) clarifying that IRS Normalization Rules requiring averaging do not apply to prorated Accumulated Deferred Income Tax (ADIT) balances used in entirely-projected test year calculations, and the proration methodology applied by utilities to their originally projected ADIT amounts should be maintained in the annual true-up; and 2) an April 27, 2018 Commission Order that found that the two-step averaging methodology used in annual transmission formula rate true-up calculations no longer must be applied to comply with the IRS Consistency Rule and the continued use of the two-step averaging methodology may result in unjust and unreasonable rates. On July 23, 2018, GridLiance submitted an initial brief whereby it proposed tariff revisions intended to remove the two-step averaging methodology from its proration methodology used in ADIT calculations. Agenda item E-11 may be an order addressing the proposed tariff revisions contained in the initial brief submitted by GridLiance.

E-12 – Southern California Edison Company (Docket No. EL18-164-000). On June 21, 2018, the Commission issued, pursuant its authority under section 206 of the FPA, an order directing numerous public utilities, including Southern California Edison Company (SCE), to submit initial briefs addressing: 1) IRS

guidance in an April 28, 2017 Private Letter Ruling (April PLR) clarifying that IRS Normalization Rules requiring averaging do not apply to prorated Accumulated Deferred Income Tax (ADIT) balances used in entirely-projected test year calculations, and the proration methodology applied by utilities to their originally projected ADIT amounts should be maintained in the annual true-up; and 2) an April 27, 2018 Commission Order that found that the two-step averaging methodology used in annual transmission formula rate true-up calculations no longer must be applied to comply with the IRS Consistency Rule and the continued use of the two-step averaging methodology may result in unjust and unreasonable rates. On August 27, 2018, SCE submitted an answer whereby it argued that it should not be required to revise its tariff to cease use of the two-step averaging methodology until it receives confirmation from the IRS through a PLR that such revisions would not prevent it from using accelerated depreciation. SCE argued that because previous PLRs are inconsistent with the April PLR and the future test period used by SCE in its rate calculation consist of both historical and future periods, it is unclear whether the April PLR would apply to SCE. Agenda item E-12 may be an order addressing the arguments contained in the answer submitted by SCE.

E-13 – Southwest Power Pool, Inc. (Docket No. ER19-166-000). On October 23, 2018, the Southwest Power Pool, Inc. (SPP) submitted, pursuant to Section 205 of the FPA, proposed revisions to Attachment AF of the SPP Open Access Transmission Tariff intended to streamline the process by which Frequently Constrained Areas (FCAs) are designated. According to SPP and the market monitor, the existing process takes up to six months for designation and approval of FCAs by the Commission. Such delay could lead to mitigation measures being improperly applied. Agenda item E-13 may be an order addressing the proposed tariff revisions.

E-14 – Midcontinent Independent System Operator, Inc. (Docket No. ER18-2340-001). On August 29, 2018, the Midcontinent Independent System Operator, Inc. (MISO) submitted, pursuant to Section 205 of the FPA, a Generator Interconnection Agreement (GIA) for Project No. J538. The original agreement contained revisions to Section 11.3 of the GIA that were rejected by the Commission. On October 23, 2018, MISO submitted an amended version of the GIA for Project No. J538 to revise Section 11.3 to include the *pro forma* GIA terms that have already been accepted by the Commission. Agenda item E-14 may be an order addressing the amended GIA.

E-15 – ISO New England Inc. and New England Power Pool Participants Committee (Docket No. ER19-169-000). On October 23, 2018, ISO New England Inc. (ISO New England) and the New England Power Pool Participants Committee (NEPOOL) together filed revisions to the tariff of ISO New England to alter rules that apply when the resource of a capacity supplier is not expected to be able to satisfy obligations and the capacity supplier may need to transfer the resource's Capacity Supply Obligation to another resource. Various parties intervened, and the Northeastern Massachusetts Consumer-Owned Systems (NEMACOS) and a group of PSEG Companies filed protests. On November 28, 2018, ISO New England and NEPOOL filed answers in response, arguing that the protest of NEMACOS does not address the market rules at issue, and that the protest of PSEG does not mean that the proposed rule changes are not just and reasonable. Agenda item E-15 may be an order accepting the proposed tariff change.

E-16 – Gulf Power Company (Docket Nos. ER18-1953-000 and ER18-1953-001). On July 3, 2018, Gulf Power Company (Gulf Power) filed an Open Access Transmission Tariff (OATT) and a Network Integration Transmission Service Agreement (NITSA) with Southern Company Services, Inc. (SCS), and requested that the OATT and NITSA be accepted contingent upon the consummation of the acquisition of Gulf Power by 700 Universe, LLC (700 Universe), a subsidiary of NextEra Energy, Inc. (NextEra). In Docket No. ER18-1953-001, on July 24, 2018, Gulf Power submitted a ministerial amendment to its July 3 filing to resolve an eTariff issue. PowerSouth Energy Cooperative (PowerSouth) and Santa Rosa Energy Center, LLC (Santa Rosa) filed protests regarding the customer rate protections proposed to be included in the Gulf Power post-closing OATT, which were withdrawn after NextEra, 700 Universe, Gulf Power, and SGS provided clarifications and made commitments affording additional customer rate protections to address the PowerSouth's and Santa Rosa's concerns. On November 11, 2018, NextEra, 700 Universe, Gulf Power, and SGS filed a joint supplement answer proposing to adopt additional, generic protections for existing resources. Agenda item E-16 may be an order on the OATT and NITSA as submitted for acceptance by Gulf Power.

E-17 – Pacific Gas and Electric Company (Docket No. ER17-2154-002). On July 27, 2017, Pacific Gas and Electric Company (PG&E) submitted proposed changes to its wholesale and retail electric transmission rates, and on September 29, 2017, the Public Utilities Commission of California (CPUC) and various other parties filed a complaint pursuant to section 206 of the Federal Power Act alleging that PG&E failed to justify its proposed rate increase. The issue was set for settlement on May 17, 2018. On September 21, 2018, PG&E filed an offer of settlement. After trial staff of the Federal Energy Regulatory Commission filed comments in support of the offer of settlement and the settlement judge certified the uncontested settlement, the settlement judge terminated settlement on November 29, 2018. Agenda item E-17 may be an order on the proposed rate changes by PG&E.

E-18 – Exelon Generation Company, LLC (Docket Nos. ER17-802-002, EL19-24-000, and ER17-802-001). On January 17, 2017, and as amended on January 25, 2017, Exelon Generation (Exelon) filed a revised cost-based annual revenue requirement for reactive service under Schedule 2 of the PJM Tariff. On March 21, 2017, The Federal Energy Regulatory Commission (FERC) issued an order accepting the reactive rate schedule and establishing hearing and settlement judge procedures. Numerous settlement conferences were held, and the latest settlement conference was scheduled for November 20, 2018. On September 14, 2018, Exelon submitted an information filing regarding the planned deactivation of the Oyster Creek Generating Station (Oyster Creek) and a revised reactive rate schedule reflecting the elimination of the Oyster Creek revenue requirement. Agenda item E-18 may be an order on Exelon's revised annual revenue requirement.

E-19 – Southwest Public Service Company (Docket No. ER18-2377-000). On September 4, 2018, Southwestern Public Service Company (SPS) requested authorization of a refund plan in order to issue refunds and bill credits. SPS stated that the refund plan reflects natural gas transportation service refunds received by SPS from El Paso Natural Gas Company as a result of the resolution of Docket Nos. RP10-1398-000 *et al.* (2011 EPNG Rate Case). Comments were due by September 25, 2018, and no protests were received. Agenda item E-19 may be an order on the refund plan brought forward by SPS.

E-20 – Omitted

E-21 – NRG Curtailment Solutions, Inc. v. New York Independent System Operator, Inc. (Docket No. EL18-188-000). On July 24, 2018, NRG Curtailment Solutions, Inc. (NRGCA) filed a request for waiver, or in the alternative, a complaint against the New York Independent System Operator, Inc. (NYISO) alleging that NYISO's rules are unjust and unreasonable because they require Curtailment Service Providers and Responsible Interface Parties to use the services of meter service providers that are certified by the New York State Department of Public Service (NYDPS). NRGCA argues that NYDPS's certification programs are unable to be used as a basis for demonstrating that demand response providers such as NRGCA can accurately measure and verify load reductions. Various parties intervened, and the New York Public Service Commission (NYPSC) filed comments in support of NRGCA's complaint. On October 15, 2018, NRGCA submitted a motion to lodge the notice of proposed rulemaking by the NYPSC to address the impact of meter service provider certifications, and on October 22, 2018, NYISO submitted a supplemental answer to update FERC on its efforts to replace its third-party metering rules. Agenda item E-21 may be an order on NRGCA's complaint against NYISO.

E-22 – Nebraska Public Power District v. Tri-State Generation and Transmission Association, Inc. and Southwest Power Pool, Inc. (Docket No. EL18-194-000). On August 21, 2018, the Nebraska Public Power District (NPPD) filed a complaint against Tri-State Generation and Transmission Association, Inc. (Tri-State) and Southwest Power Pool, Inc. (SPP) alleging that Tri-State is improperly including costs in its Annual Transmission Revenue Requirement under the SPP OATT. On September 17, 2018, SPP submitted a motion to dismiss SPP as a respondent to the complaint, stating that SPP is not involved in establishing Tri-State's revenue requirement, and Tri-State submitted an answer, claiming that NPPD's complaint is a collateral attack on an approved settlement agreement. NPPD submitted an answer on September 24, 2018, and Tri-State submitted a supplemental answer on October 2, 2018. Agenda item E-22 may be an order on NPPD's complaint against Tri-State and SPP.

E-23 – City of Oakland, California v. Pacific Gas and Electric Company (Docket No. EL18-197-000). On September 5, 2018, the City of Oakland, California acting on behalf of its Board of Port Commissioners (Oakland) filed a Complaint and Request for Declaratory Order and Refunds against Pacific Gas and Electric Company (PG&E). Oakland alleges that PG&E failed to comply with Federal Power Act (FPA) requirements, stating that PG&E provided wholesale transmission service while charging retail rates for those power sales. Oakland asserts that it has purchased electricity for resale to its tenants in other parts of the Port area from PG&E for over 30 years, and that those rates are accordingly treated as wholesale, rather than retail. From 1997 to 2017, PG&E provided retail service to the Cuthbertson substation, the subject of the Complaint. On September 25, 2018, PG&E submitted an Answer and Motion to Intervene, citing a 1992 retail service agreement filed to the Commission. The agreement was rejected, not due to merits, but due to jurisdiction of the California Public Utilities Commission (CPUC). Additionally, PG&E states that the bundled retail service agreement on file with CPUC did not include any resale provisions. Agenda item E-23 may be an order on Oakland's Request for Declaratory Order and Refunds or establishing hearing procedures to contemplate and resolve the matter.

E-24 – City of Falmouth, Kentucky (Docket No. EL18-176-000). On June 20, 2018, the City of Falmouth, Kentucky (Falmouth) filed a Petition for Declaratory Order requesting confirmation that, upon a change in power suppliers on May 1, 2019, Falmouth will continue to receive transmission service at the same rates. Falmouth will be transferring from Kentucky Utilities Company (KU) to East Kentucky Power Cooperative (EKPC) under a new PJM network service agreement. A number of interventions and substantive comments were filed, including a Protest submitted by EKPC on July 19, 2018. EKPC states that, upon entering into a new transmission service agreement, it must pay the prevailing transmission rate rather than the rate it receives under its current power supply contract, which will be terminated on April 30, 2019. Agenda item E-24 may be an order on Falmouth's Petition for Declaratory Order.

Gas

G-1 – Southwest Gas Transmission Company, A Limited Partnership (Docket Nos. RP19-238-000, RP19-238-001). On November 2, 2018, Southwest Gas Transmission Company (SGTC) filed a Stipulation and Agreement of a Prepackaged Rate Settlement in Lieu of Filing Form 501-G. Following the Commission's directive for all interstate pipelines to submit Form 501-G in order to evaluate potential changes to recovery of costs following the federal Tax Cuts and Jobs Act (Tax Act), SGTC elected to pursue the option of an uncontested rate settlement. Agenda item G-1 may be an order on SGTC's rate settlement stipulation.

G-2 – WestGas Interstate (Docket No. RP19-240-000). On November 5, 2018, WestGas Interstate, Inc. (WGI) filed a Petition for Approval of Prepackaged Stipulation and Settlement Agreement. Similar to agenda item G-1, WGI elected to negotiate with its sole maximum recourse rate shipper and provide a one-time rate credit due to the federal corporate income tax rate reduction effectuated by the Tax Act. Agenda item G-2 may be an order on WGI's petition for approval of the settlement and tax credit.

G-3 – Southeast Supply Header, LLC (Docket Nos. RP19-266-000, RP19-267-000). On November 8, 2018, Southeast Supply Header, LLC (SESH) filed Form 501-G pursuant to the Commission's directive following the Tax Act. In its submission, SESH voluntarily reduces its recourse rates as well as proposing to reduce its maximum recourse rates due to a lower return on equity as calculated in Form 501-G. Agenda item G-3 may be an order on SESH's filing of Form 501-G and attendant choice to reduce its rates.

G-4 – Black Hills Utility Holdings, Inc., Black Hills Service Company, LLC (Docket No. RP19-307-000). On November 20, 2018, Black Hills Utility Holdings, Inc. (BHUH) and Black Hills Service Company, LLC (BHSC) jointly filed a Petition for Temporary Waivers of Capacity Release Regulations and Policies and Related Natural Gas Pipeline Tariffs. BHUH and BHSC request a waiver for a period through April 15, 2019 in order to facilitate the assignment and permanent release by BHUH to BHSC of certain long-term firm natural gas transportation agreements effective on April 1, 2019. Agenda item G-4 may be an order on the petition for a temporary waiver by BHUH and BHSC.

G-5 – Peregrine Oil & Gas II, LLC v. Texas Eastern Transmission, LP (Docket Nos. RP17-811-003, RP17-811-004, RP18-271-001, RP18-271-002 (consolidated)). On June 1, 2017, and amended on December 19, 2017 in a separate docket, Peregrine Oil & Gas II (Peregrine) filed a Complaint against Texas Eastern Transmission, LP (Texas Eastern). The complaint alleged that Texas Eastern insufficiently addressed outage-related operational issues of lateral pipelines by delaying repairs, consequently harming access for captive producers on the pipeline system. On October 27, 2017, the Commission issued an order establishing a hearing and settlement judge procedures. The Commission issued an order on the amended complaint and consolidated both proceedings on April 2, 2018, setting the matter for evidentiary hearing under sections 4, 5, 8, and 15 of the Natural Gas Act (NGA). Among voluminous exchanges of information and respective motions, Texas Eastern filed a request to hold the proceeding in abeyance on May 22, 2018, asserting that the Commission lacked jurisdiction as the pipeline system should be considered a non-jurisdictional gathering line, following Texas Eastern's review of an order issued by the Commission in 2001.

On June 6, 2018, the chief judge denied the motion to delay the procedural schedule, conditioned on an eventual Commission ruling following a thorough review of the new information presented by Texas Eastern. Upon review of the 2001 order, *Natural Gas Pipeline Co. of America*, and the motion and answer by the parties in the current proceeding, the Commission issued an order on July 30, 2018, referring the issues to the presiding administrative law judge (ALJ) in the ongoing hearing. On August 29, 2018, Texas Eastern filed a request for rehearing or clarification on the July 30 order, contending that the facilities were not in connection with Commission-jurisdictional pipelines. On September 5, 2018, the ALJ issued an order finding that the lateral pipeline system is the same as the non-jurisdictional gathering line in *Natural*, and that Texas Eastern had provided interstate natural gas transportation of Peregrine's natural gas supply and therefore was subject to the Commission's jurisdiction. On September 27, 2018, the parties and Commission trial staff filed their Initial Briefs; on October 10, 2018, Reply Briefs were submitted. Agenda item G-5 may be an order on Texas Eastern's request for rehearing or clarification relating to its interpretation of jurisdiction following the introduction of the *Natural* order in the analysis of the proceeding.

Hydro

H-1 – Elimination of Form 80 and Revision of Regulations on Recreational Opportunities and Development at Licensed Hydropower Projects (Docket No. RM18-14-000). On May 17, 2018, the Commissioner issued a Notice of Proposed Rulemaking (NPR) to amend existing regulations to eliminate the Licensed Hydropower Development Recreation Report. The NPR aims to modernize practices of public notice, including signage, regarding recreation facilities and activities at hydropower projects under Commission jurisdiction as well as general improvements and flexibility to compliance efforts undertaken by hydropower licensees. A number of companies filed comments; the National Park Service expressed conditional support if FERC takes additional steps to strengthen recreation planning and availability of information to the public. Agenda item H-1 may be a final rule adopting the proposed revisions of the NPR.

H-2 – Covington Mountain Hydro, LLC (Docket No. DI18-1-001). On January 16, 2018, as supplemented on February 26, 2018, Covington Mountain Hydro, LLC (Covington Mountain) filed a Declaration of Intention concerning the proposed Bison Peak Pumped Storage Project (Project), to be located near the City of Tehachapi, in Kern County, California. As proposed, the Project would be composed of a closed-loop pumped storage hydropower facility comprised of new two artificial reservoirs and joined by surface and/or underground conduits, along with a powerhouse and associated generation, pumping, and transmission equipment. On August 1, 2018, the Commission issued an order (August 1 Order) finding that (a) if the Project uses water from the Tehachapi-Cummings County Water District, section 23(b)(1) of the Federal Power Act requires licensing of the project; and (b) if the Project uses only groundwater, section 23(b)(1) of the Federal Power Act does not require licensing of the project. On August 29, 2018, Covington Mountain requested rehearing of the August 1 Order. Agenda item H-2 may be an order on Covington Mountain's request for rehearing.

H-3 – Columbia Basin Hydropower (Docket No. P-14329-005). On August 1, 2018, Columbia Basin Hydropower (CBHP) filed an application for a successive preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), for the proposed Banks Lake Pumped Storage Project, FERC Project No. 14329

(Project). The proposed project would be located on Banks Lake and Franklin D. Roosevelt Lake, near the town of Grand Coulee in Grant County, Washington and will have an installed capacity of 500 MW, scalable to 1,000 MW. On September 11, 2018, the Commission issued an order denying CBHP's successive preliminary permit application (September 11 Order). On October 11, 2018, CBHP requested rehearing of the September 11 Order. Agenda item H-3 may be an order on CBHP's request for rehearing.

H-4 – North East Wisconsin Hydro, LLC (Docket No. P-2744-046). On February 28, 2013, pursuant to sections 4(e) and 15 of the Federal Power Act (FPA), North East Wisconsin Hydro, LLC (NEW Hydro) submitted an application for a license to continue operating the Menominee and Park Mill Hydroelectric Project, FERC Project No. 2744 (the Project), located on the Menominee River in Menominee County, Michigan, and Marinette County, Wisconsin. On June 29, 2018, the Commission issued an order granting a new license for the Project. On July 30, 2018, NEW Hydro requested rehearing of the June 29 Order. Agenda item H-4 may be an order on NEW Hydro's request for rehearing.

Certificates

C-1 – Puget Sound Energy, Inc., SOCCO, Inc., Sumas Pipeline Company, Sumas Dry Kilns, Inc. (Docket No. CP18-532-000). On July 20, 2018 Puget Sound Energy, Inc. (Puget), SOCCO, Inc. (SOCCO), Sumas Pipeline Company (Sumas) and Sumas Dry Kilns, Inc. (Dry Kilns) (collectively, the Applicants) submitted a joint application pursuant to section 3 of the Natural Gas Act (NGA), to amend the NGA section 3 authorization and Presidential Permit previously issued to Puget, SOCCO, and Sumas in Docket No. CP08-48-000. Applicants state the purpose of the requested amendment is to reflect that Sumas has transferred a portion of its ownership interest in the border crossing facility and natural gas pipeline located in Whatcom County, Washington to Puget and SOCCO, and the subsequent, pending transfer of SOCCO's resulting ownership interest to Dry Kilns. Agenda item C-1 may be an order on Applicants' application.

C-2 – Golden Pass LNG Terminal LLC and Golden Pass Products LLC (Docket No. CP19-20-000). On November 16, 2018, pursuant to section 3 of the NGA, Golden Pass LNG Terminal LLC (Golden Pass LNG) and Golden Pass Products, LLC (GP Products), submitted an application to amend previously issued NGA section 3 authorizations so that GP Product's existing authorization under NGA Section 3 to site, construct and operate facilities for the exportation of liquefied natural gas may be transferred to Golden Pass LNG. Agenda item C-2 may be an order on Golden Pass LNG and GP Products' application.

C-3 – Dominion Energy Transmission, Inc. (Docket No. CP18-45-000). On January 10, 2018, pursuant to section 7(c) of the NGA, Dominion Energy Transmission, Inc. (DETI) submitted an abbreviated application for a certificate of public convenience and necessity requesting authorization to construct and operate the Sweden Valley Project (Project), which, as proposed, will allow DETI to provide 120,000 dekatherms per day of firm transportation service from Pennsylvania to Ohio for delivery to Tennessee Gas Pipeline Company, L.L.C. On August 31, 2018, FERC staff issued the Environmental Assessment for the Project. Agenda item C-3 may be an order granting a certificate for the Project.

C-4 – Venture Global Calcasieu Pass, LLC, TransCameron Pipeline, LLC (Docket Nos. CP15-550-000, CP15-551-000, CP15-551-001). On September 4, 2015, Venture Global Calcasieu Pass, LLC and TransCameron Pipeline, LLC (TransCameron), submitted a joint application pursuant to sections 3 and 7(c) of the NGA, for authorization to construct, install, own, operate, and maintain pipeline and liquefied natural gas facilities located in Cameron Parish, Louisiana, that once constructed, will be the Venture Global Calcasieu Pass Terminal and TransCameron Pipeline Project (collectively, the Project). As proposed, the Project will have peak capacity to liquefy and export approximately 12 million metric tonnes per annum of liquefied natural gas. On June 28, 2016, TransCameron submitted an amendment to its application to remove a pipeline lateral from the scope of the proposed Project. On October 22, 2018, FERC staff issued the final environmental impact statement for the Project. Agenda item C-4 may be an order granting a certificate for the Project.

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