

FERC

Meeting Agenda Summary

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Below are brief summaries of the agenda items for the Federal Energy Regulatory Commission's April 21, 2016 meeting, pursuant to the agenda as issued on April 14, 2016. Agenda items E-10, E-11, E-20, E-24, E-27, and E-29 have not been summarized due to omission from the agenda.

Electric

E-1 – Exelon Wind 1, LLC, Exelon Wind 2, LLC, Exelon Wind 3, LLC, Exelon Wind 4, LLC, Exelon Wind 5, LLC, Exelon Wind 6, LLC, Exelon Wind 7, LLC, Exelon Wind 8, LLC, Exelon Wind 9, LLC, Exelon Wind 10, LLC, Exelon Wind 11, LLC, High Plains Wind Power, LLC (Docket Nos. EL12-80-001, QF05-114-004, QF05-116-004, QF05-115-004, QF03-13-005, QF06-289-004, QF06-290-004, QF07-46-004, QF07-53-004, QF07-54-004, QF07-55-004, QF07-56-004, QF07-257-003). On October 6, 2010, the Public Utility Commission of Texas (Texas Commission) issued a decision approving an application by Southwestern Public Service Company (SPS), an operating subsidiary of Xcel Energy Services Inc. (Xcel), to revise its tariff (SPS Tariff) for purchases of non-firm energy from Qualifying Facilities (QF). On June 29, 2012, Exelon Wind 1, LLC, *et al.*, filed a petition requesting that the Commission initiate an enforcement action under section 210(h) of the Public Utility Regulatory Policies Act of 1978 (PURPA), or in the alternative, issue a declaratory order finding that the Texas Commission Order fails to implement PURPA and the Commission's PURPA regulations. On August 28, 2012, the Commission issued a Notice of Intent Not to Act and Declaratory Order giving notice that the Commission declines to initiate an enforcement action pursuant to the section 210(h) of the PURPA. On September 27, 2012, Xcel on behalf of SPS, Occidental Permian, Ltd., and the Texas Commission requested reconsideration of the Commission's August order. Agenda item E-1 may be an order on the requests for reconsideration.

E-2 – Occidental Chemical Corporation (Docket Nos. EL14-28-000, QF00-64-002). On February 5, 2014, Occidental Chemical Corporation (OCC) filed a petition for enforcement pursuant to section 210(h)(2) of PURPA against the Louisiana Public Service Commission (Louisiana Commission). On April 4, 2014, the Commission issued a Notice of Intent Not to Act at this Time (Notice) in Docket No. EL14-28-000. The Commission reserved in the Notice, its ability to issue a further order or to take further action at a future date

should the Commission find that doing so is appropriate. Agenda item E-2 may be a further order on OCC's petition for enforcement.

E-3 – Occidental Chemical Corporation v. Midwest Independent Transmission System Operator, Inc. (Docket No. EL13-41-000). On January 17, 2013, pursuant to section 206 and 306 of the Federal Power Act (FPA), and Rules 206 and 207(a)(2) of the Commission's Rules of Practice and Procedure, OCC filed (1) a formal complaint against MISO, alleging that the MISO QF Integration Plan is unlawful, in violation of FPA sections 205 and 206, as well as, violates PURPA and the Commission's implementing regulations and (2) a petition for declaratory order requesting that the Commission direct MISO to permit QFs to register for and participate in its markets without forgoing their statutory rights under PURPA and FERC's implementing regulations and find that the MISO QF Integration Plan is invalid and cannot be implemented by MISO because it has not been filed with FERC pursuant to section 205 of the FPA. Agenda item E-3 may be an order on OCC's complaint.

E-4 – Northern Indiana Public Service Company v. Midcontinent Independent System Operator, Inc. and PJM Interconnection, L.L.C. (Docket No. EL13-88-000). On September 11, 2013, pursuant to section 206, 306, and 309 of the FPA, and Rule 206 of the Commission's Rules of Practice and Procedure, Northern Indiana Public Service Company (NIPSCO) filed a complaint against MISO and PJM Interconnection, L.L.C. (PJM). NIPSCO requested that the Commission order MISO and PJM (the RTOs) to reform the interregional planning process of the Joint Operating Agreement between MISO and PJM (MISO-PJM JOA). On June 15, 2015, the Commission held a technical conference to explore issues raised in the complaint related to the MISO-PJM JOA and the MISO-PJM seam. On July 15, 2015, the Commission issued a notice of request for comments regarding post-technical conference questions for which the Commission sought further comment. Agenda Item E-4 may be an order on NIPSCO's complaint.

E-5 – Independent Market Monitor for PJM v. PJM Interconnection, L.L.C. (Docket No. EL14-20-000). On January 27, 2014, pursuant to section 206 of the Commission's Rules of Practice and Procedure, the Independent Market Monitor for PJM (IMM), filed a formal complaint against PJM requesting that the Commission direct PJM to include rules in its tariff that provide: (i) a requirement that Demand Resources (DR) must offer daily into the PJM Day-Ahead Energy Market, and (ii) a cap on offers from DR at \$1,000 per MWh, consistent with the offer cap applicable to Generation Capacity Resources. Agenda item E-5 may be an order on the IMM's complaint.

E-6 – Viridity Energy, Inc. v. PJM Interconnection, L.L.C. (Docket No. EL12-54-000). On March 29, 2012, pursuant to section 206 of the Commission's Rules of Practice and Procedure and section 206 of the FPA, Viridity Energy, Inc. (Viridity) filed a complaint against PJM alleging that a portion of a provision in the PJM's Open Access Transmission Tariff (OATT), Emergency Load Response Program, is unjust, unreasonable, and unduly discriminatory. Viridity argues in its complaint, inter alia, that under PJM's OATT, two end-use electricity customers who provide precisely the same capacity service to PJM at the same time and place can be compensated differently and that the difference in compensation to two virtually identical customers performing identical services is discriminatory on its face. Agenda item E-6 may be an order on Viridity's complaint.

E-7 – Western Area Power Administration (Docket No. EF15-10-000). On September 3, 2015, the Western Area Power Administration (WAPA) submitted a tariff filing: Rate Adjustment for Salt Lake City Area Integrated Projects Firm Power (Colorado River Storage Project Transmission and Ancillary Services – Rate Order No. WAPA-169) to be effective October 1, 2015. Agenda item E-7 may be an order on WAPA's tariff filing.

E-8 – Entergy Services, Inc., Entergy Arkansas, Inc., Entergy Gulf States Louisiana, L.L.C., Entergy Louisiana, LLC, Entergy Mississippi, Inc., Entergy New Orleans, Inc., Entergy Texas, Inc. (Docket No. QM14-3-001). On January 21, 2016, the Commission issued an order granting Entergy Services, Inc., on behalf of the Entergy Operating Companies (Entergy) relief, in part, to terminate the requirement to purchase energy and capacity from QFs with a net capacity of 20 MW or greater, effective October 23, 2015. On February 22, 2016, OCC requested rehearing of the January order. Agenda item E-8 may be an order on OCC's request for rehearing.

E-9 – Southwest Power Pool, Inc. (Docket No. ER14-2850-004, ER14-2851-004). On September 11, 2015, Southwest Power Pool, Inc. (SPP) filed revisions to its Open Access Transmission Tariff (SPP Tariff), Bylaws and Membership Agreement (collectively, Governing Documents). SPP proposed the Governing Documents revisions to facilitate integrating Western Area Power Administration-Upper Great Plains Region (Western-UGP), Basin Electric Cooperative, and Heartland Consumers Power District (collectively, Integrated System Parties) into SPP as transmission owning members. The integration would place Integrated System Parties' transmission facilities under SPP's functional control and permit Integrated System Parties to take service under the SPP Tariff. On October 16, 2015, SPP filed an uncontested Joint Offer of Partial Settlement that comprehensively resolves all issues among SPP, Western-UGP, and Municipal Energy Agency of Nebraska (MEAN) set for hearing in the November 10, 2014 Commission Order Conditionally Accepting in Part, Rejecting in Part, Accepting and Suspending Filings in Part, Establishing Hearing and Settlement Judge Procedures and Consolidating Proceedings and Directing Compliance Filing in Docket Nos. ER14-2850-000 and ER14-2851-000. On December 10, 2015, a Commission Settlement Judge filed a Settlement Judge Certification of Uncontested Partial Offer of Settlement. Agenda item E-9 may be an order on the offer of settlement.

E-10 – Omitted

E-11 – Omitted

E-12 – Midwest Independent Transmission System Operator, Inc. (Docket No. ER11-2275-003). On May 2, 2011, MISO submitted proposed revisions to its Open Access Transmission, Energy Operating Reserve Markets Tariff (Tariff), in compliance with the Commission's March 31, 2011 order that directed MISO to submit Tariff revisions to exempt Intermittent Resources from Revenue Sufficiency Guarantee charges when the MISO orders manual curtailment. Agenda item E-12 may be an order on the compliance filing.

E-13 – New Jersey Energy Associates, a Limited Partnership (Docket No. ER15-952-001). On January 30, 2015, New Jersey Energy Associates (NJEA) filed a petition for waiver of certain provisions of the PJM Tariff and Operating Agreement. NJEA claimed these waivers were necessary to be made whole for compliance costs incurred following scheduling instructions from PJM during January 2014 cold weather events. On September 4, 2015, FERC issued an order denying the waiver request. NJEA filed a request for clarification or, in the alternative, rehearing of the September 4 Order on October 5, 2015. Agenda item E-13 may be an order on rehearing of the September 4 Order.

E-14 – NorthWestern Corporation (Docket No. ER16-763-000). On January 22, 2016, NorthWestern Corporation (NorthWestern) filed a request for approval to terminate the Standard Large Generation Interconnection Agreement between NorthWestern and Southern Montana Electric Generation and Transmission Cooperative, Inc. (Southern Montana), which governs the interconnection of Southern Montana's Highwood Generating Station to NorthWestern's transmission system in Montana. Agenda item E-14 may be an order on NorthWestern's request.

E-15 – Tucson Electric Power Company (Docket Nos. ER15-1861-001, ER15-1862-001). On June 5, 2015, Tucson Electric Power Company (Tucson) submitted for filing a letter agreement dated December 6, 2010 which revised a 2003 Interconnection and Operating Agreement with Tri-State Generation & Transmission Association, Inc. (Tri-State) (2010 Letter Agreement) and non-conforming transmission service agreements with Tri-State. Service under these agreements commenced on July 28, 2006, September 1, 2011, and October 1, 2014. On July 30, 2015, FERC issued an order on the late-filed agreements and found that Tucson did not make the required showing for waiver of the 30-day notice provision and ordered that Tucson make time value refunds within 30 days of the order. Tucson filed a request for rehearing of the July 30, 2015 order, specifically the requirement that it provide time value refunds for the transmission service agreements. On November 19, 2015, FERC issued a letter finding that Tucson's September 29, 2015 refund report was deficient. Tucson filed its response to the deficiency letter on January 19, 2016. Agenda item E-15 may be an order on rehearing of the July 30, 2015 order and/or an order on Tucson's deficiency letter response.

E-16 – San Diego Gas & Electric Company (SDG&E) (Docket No. ER15-553-001). On December 1, 2014, SDG&E submitted its second annual informational filing (Cycle 2) made under its Fourth Transmission Owner Formula Rate (Filing). According to SDG&E, the Filing revised SDG&E's Base Transmission Revenue Requirements and increased transmission rates for retail End Use and California Independent System Operator (CAISO) wholesale customers under the terms of a settlement approved on May 27, 2014. SDG&E requested that these rates remain in effect for the January 1, 2015 – December 31, 2015 period. On September 25, 2015, the Commission accepted SDG&E's Filing. The California Public Utilities Commission requested rehearing of the September 25, 2015 order. Agenda item E-16 may be an order on rehearing of the September 25, 2015 order.

E-17 – MDU Resources Group, Inc. (Docket No. ER16-866-000). On February 1, 2016, Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., submitted a request for waiver of Schedule 12 of the SPP Tariff, under which SPP recovers the cost of charges assessed by the Commission pursuant to 18 C.F.R. 382.201(a) from SPP transmission customers that take SPP transmission service. MDU Resources Group claims such charges are duplicative of the charges paid by Montana-Dakota Utilities Co. under Schedule 10-FERC of the MISO Tariff. Agenda item E-17 may be an order on MDU Resources Group's waiver request.

E-18 & E-19 – Louisiana Public Service Commission v. Entergy Corporation, Entergy Services, Inc., Entergy Louisiana, LLC, Entergy Arkansas, Inc., Entergy Mississippi, Inc., Entergy New Orleans, Inc., Entergy Gulf States Louisiana, L.L.C. and Entergy Texas, Inc. (Docket No. EL09-61-003 and Docket No. EL09-61-002). On June 21, 2012, the Commission issued Opinion No. 521, which examined "whether Entergy Corporation (Entergy) and its affiliates violated Entergy's Commission-approved generation and transmission pooling arrangement, the Entergy System Agreement (System Agreement), when affiliate Entergy Arkansas, Inc. (Entergy Arkansas) sold excess electric energy to third-party power marketers and others that are not members of the System Agreement." Opinion No. 521 found that Entergy violated the System Agreement and established hearing procedures to determine refunds in EL09-61-002. On August 28, 2013, the administrative law judge issued his initial decision on the refund issue. In Docket No. EL09-61-003, Entergy and the Louisiana Public Service Commission separately sought rehearing of Opinion No. 521. Agenda item E-18 may be an order on rehearing of Opinion No. 521. Agenda item E-19 may be a Commission order on the August 28, 2013 Initial Decision.

E-20 – Omitted

E-21 – PJM Interconnection, L.L.C. (Docket Nos. ER14-822-002, ER14-822-003). On December 24, 2013, PJM submitted proposed revisions its Tariff, Operating Agreement, and the Reliability Assurance Agreement Among Load Serving Entities in the PJM Region. According to PJM, the revisions were meant to enhance operational flexibility and efficiency by: (1) treating all PJM demand response participants as Pre-Emergency Load Response, unless the demand response resource shows that it meets its capacity obligations by utilizing behind-the-meter generation subject to strict environmental regulation; (2) requiring all demand response, on a phased-in basis, to perform within 30 minutes of notification, unless granted a specified exemption; (3) minimizing from two hours to one the duration of the required minimum load response reduction period from two hours to one; (4) revising demand response offer price caps; and (5) authorizing PJM, on a phased-in basis, to require compliance, for sub-zones designated inside the operating day with a sub-zonal dispatch directive. On May 9, 2014, the Commission issued an order rejecting in part and accepting in part PJM's proposed changes subject to conditions and a required compliance filing. PJM and EnergyConnect, Inc. separately filed requests for rehearing of May 9, 2014 order. PJM submitted its compliance filing on June 2, 2014. Agenda item E-21 may be an order on rehearing of the May 9, 2014 order and PJM's compliance filing.

E-22 – PJM Interconnection, L.L.C. (Docket No. ER14-504-001). On November 29, 2013, PJM submitted revisions to its Tariff and Reliability Assurance Agreement Among Load Serving Entities in the PJM Region (RAA). According to PJM, the proposed revisions are intended to correct for the unintended adverse market and reliability impacts of certain capacity market rule changes adopted by PJM in 2011. On January 30, 2014, the Commission issued an order accepting PJM's proposed tariff changes to become effective January 31, 2014. The PJM Industrial Customer Coalition submitted a request for rehearing of the January 30, 2014 order. Agenda item E-22 may be an order on rehearing of the January 30, 2014 order.

E-23 – PJM Interconnection, L.L.C. (Docket No. ER13-2108-001). On August 2, 2013, PJM filed proposed revisions to its Tariff and Reliability Assurance Agreement Among Load Serving Entities in the PJM Region (RAA) to require that certain information be provided prior to submission into PJM's forward capacity auctions of a demand resource offer. PJM stated the proposed revisions assure that the resource will be able to provide the offered demand reduction capability. On February 28, 2014, the Commission issued an order accepting PJM's proposed tariff revisions to become effective March 2, 2014. On March 31, 2014, PSEG Power LLC and PSEG Energy Resources & Trade LLC requested rehearing of the February 28, 2014 order. Agenda item E-23 may be an order on rehearing of the March 31, 2014 order.

E-24 – Omitted

E-25 – Midwest Independent Transmission System Operator, Inc. (Docket No. ER09-411-005). On September 29, 2010, several parties—including NextEra, Dynegy Power Marketing, Inc., and The Detroit Edison Company—filed contemporaneous requests for rehearing on the order issued on August 30, 2010 by the Commission. The August 30 order accepted a proposed revision to the MISO Tariff relating to Revenue Sufficiency Guarantee charges. The parties seek a rehearing on the determination that intermittent (i.e. renewable) resources are not exempt from these charges. Agenda item E-25 may be an order on the requests for rehearing.

E-26 – Midwest Independent Transmission System Operator, Inc. (Docket No. ER11-2275-002). Several parties filed requests for rehearing and/or clarification on the order issued on March 31, 2011 by the Commission. The March 31 order addressed proposed revisions to the MISO Tariff, particularly the allocation of the cost of Revenue Sufficiency Guarantees. MISO submitted the original revisions on February 23, 2009 pursuant to the order issued on November 10, 2008. Agenda item E-26 may be an order on the requests for rehearing and/or clarification.

E-27 – Omitted

E-28 – Ameren Services Company and Northern Indiana Public Service Company v. Midwest Independent Transmission System Operator, Inc. (Docket No. EL07-86-012); Great Lakes Utilities, Indiana Municipal Power Agency, Missouri Joint Municipal Electric Utility Commission, Missouri River Energy Services, Prairie Power, Inc., Southern Minnesota Municipal Power Agency, Wisconsin Public Power Inc. v. Midwest Independent Transmission System Operator, Inc. (Docket No. EL07-88-012); Wabash Valley Power Association, Inc. v. Midwest Independent Transmission System Operator, Inc. (Docket No. EL07-92-012). The parties filed requests for rehearing in the respective dockets on June 30, 2010 and July 2, 2010 regarding the June 2010 order on compliance filing to address issues in the MISO Tariff (generally including refund calculations for 2007 and the removal of a phrase). Agenda item E-28 may be an order on the requests for rehearing in these dockets.

E-29 – Omitted

E-30 – Morongo Transmission LLC (Docket No. EL16-41-000). On February 19, 2016, Morongo Transmission LLC (Morongo Transmission) filed a petition for declaratory order regarding investment in the West of Devers Transmission Upgrade Project in excess of the rate methodology filed on April 17, 2014, capping the rate treatment at \$400 million. Morongo Transmission requests an order confirming the previously-authorized rate treatment will apply to the additional investment exceeding \$400 million. Agenda item E-30 may be an order on the petition for declaratory order.

E-31 – E.ON Climate & Renewables North America LLC, Pioneer Trail Wind Farm, LLC, Settlers Trail Wind Farm, LLC v. Northern Indiana Public Service Company (Docket No. EL14-66-003). On December 14, 2015, the Commission accepted a partial offer of settlement (filed on October 14, 2015) resolving all issues between Northern Indiana Public Service Company (NIPSCO), the Meadow Lake companies, and the Fowler Ridge companies. The settlement originated from proceedings initiated on June 10, 2014, as E.ON Climate & Renewables North America filed a complaint against NIPSCO relating to Transmission Upgrade Agreements. Agenda item E-31 may be an order on the settlement agreement.

E-32 – North Carolina Electric Membership Corporation, North Carolina Municipal Power Agency Number 1, Piedmont Municipal Power Agency, City of Concord, NC, City of Kings Mountain, NC v. Duke Energy Carolinas, LLC (Docket No. EL16-29-000); North Carolina Electric Membership Corporation, North Carolina Eastern Municipal Power Agency, Fayetteville Public Works Commission v. Duke Energy Progress, LLC (Docket No. EL16-30-000). On January 7, 2016, Complainants in both dockets contemporaneously filed formal complaints against the respective Duke Energy entities, contesting the base return on equity (ROE) used in the calculation of annual transmission revenue requirements. In both dockets, the Duke Energy entities submitted answers on February 16, 2016. The Complainants filed motions for leave to answer and answers in both dockets on March 2, 2016. Agenda item E-32 may be an order on the formal complaints in these respective dockets or an order setting the procedures for hearing.

E-33 – Southwest Power Pool, Inc., Western Area Power Administration, Basin Electric Power Cooperative, Heartland Consumers Power District (Docket No. EL12-60-001); Southwest Power Pool, Inc. (Docket Nos. ER12-1586-002, ER12-1586-003). On October 18, 2012, MISO filed a request for clarification or rehearing of the Commission's order issued on September 18, 2012. The order accepted two interrelated filings—a Joint Operating Agreement between SPP and Western Area Power Administration and a Petition for Declaratory Order by the parties—implicating the shared capacity rights among SPP and MISO. SPP submitted a motion for leave to answer and answer to the rehearing request on November 2, 2012. Agenda item E-33 may be an order on the request for rehearing or clarification.

E-34 – New York Independent System Operator, Inc. (Docket Nos. ER16-120-000, EL15-37-001). On November 19, 2015, New York Independent System Operator, Inc. (NYISO) submitted a compliance filing to its Tariff pursuant to the order issued by the Commission on February 19, 2015, relating to the establishment of Reliability Must Run (RMR) provisions. A number of parties filed motions to intervene and protests; NYISO submitted a request for leave to answer and answer on December 21, 2015 to address such issues. Agenda item E-34 may be an order on the compliance filing.

Gas

G-1 – ANR Pipeline Company and Great Lakes Gas Transmission Limited Partnership (Docket Nos. RP13-743-004, RP15-138-002, RP15-139-002 (consolidated), RP14-650-000, RP14-650-001, RP15-785-000). On March 31, 2015, ANR Pipeline Company (ANR) submitted a compliance filing relating to Deferred Transportation Cost Adjustment (DTCA) provisions in its Tariff. ANR furnished two varying proposals to implement the DTCA surcharge revisions: a Primary Proposal and an Alternate Proposal. Many parties filed timely motions to intervene and substantive protests and/or comments. On April 30, 2015, the Commission issued an order accepting the Alternate Proposal and rejecting the Primary Proposal. The Administrative Law Judge (ALJ) appointed in these consolidated proceedings submitted a report on July 13, 2015, indicating the settlement was contested (due to the opposition of DTE Gas Company). The ALJ set forth a proposed Stipulation and Agreement, which would resolve all issues in the proceedings if accepted by the Commission. On October 15, 2015, the Commission issued an order approving the settlement and severing the contested party (DTE Gas Company), and remanding the severed proceeding to the chief ALJ to set hearing procedures. Agenda item G-1 may be an order establishing hearing proceedings for DTE Gas Company.

G-2 – Colonial Pipeline Company (Docket No. OR14-17-001). On February 18, 2016, Colonial Pipeline Company (Colonial) and American Airlines, Inc. (American Airlines) submitted a request for extension and amendment of settlement, regarding the settlement agreement entered into on December 13, 2013. The Commission had previously accepted the settlement and resolved all issues among the parties—namely concerning the rates and charges of Colonial—on March 12, 2014. Agenda item G-2 may be an order on an extension and amendment of the settlement agreement.

G-3 – Buckeye Pipe Line Company, L.P. (Docket No. OR13-3-000). On October 15, 2012, Buckeye Pipe Line Company, L.P. (Buckeye) submitted an Application for Authority to charge market-based rates in the New York City market, for the transportation of refined petroleum products. On February 28, 2013, the Commission set hearing procedures following interventions and protests from several major airlines. Following extensive deliberation among the parties, the Chief Judge reported that the parties reached a settlement on May 5, 2015

and terminated settlement judge procedures in this docket. On June 19, 2015, Buckeye submitted the offer of settlement; Commission Trial Staff and the airlines subsequently filed comments. The Commission issued a letter order on September 29, 2015, approving the uncontested offer of settlement. On October 29, 2015, Virgin America Inc., *et al.* filed a motion to intervene out-of-time and request for rehearing. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, the motion was denied on December 2, 2015. Agenda item G-3 may be a final decision on the revised application for market-based rates.

G-4 – BP Pipelines (Alaska) Inc. (Docket Nos. IS09-348-011, IS09-395-011, IS10-204-010, IS10-491-000, IS10-491-006); ConocoPhillips Transportation Alaska, Inc. (Docket Nos. IS09-384-010, IS10-205-009, IS10-476-000, IS10-476-006); ExxonMobil Pipeline Company (Docket Nos. IS09-391-010, IS09-177-012, IS10-200-009, IS10-547-000, IS10-547-005); Koch Alaska Pipeline Company, LLC (Docket Nos. IS10-54-008, IS10-496-000, IS10-496-006); Unocal Pipeline Company (Docket Nos. IS09-176-011, IS07-41-009, IS08-53-009, IS10-52-008, OR10-3-009, IS10-490-000, IS10-490-005, IS11-3-000, IS11-3-004). In 2009 and 2010, BP Pipelines (Alaska) Inc. and Unocal Pipeline Company submitted respective tariff filings on the rates of the Trans Alaska Pipeline System (TAPS), an 800-mile pipeline owned by the carriers specified as parties in these dockets. Each carrier owns a percentage of the pipeline, with attendant tariffs and customer bases. In Opinion No. 502, issued on June 20, 2008, the Commission mandated uniform rates on TAPS rather than individual rates for each carrier. On October 25, 2010, the Chief Judge established hearing procedures for the consolidated dockets. Over the following years, the filings were protested, culminating in an order issued by the Commission on August 30, 2011 accepting and suspending the tariff, subject to refund, and holding the proceedings in abeyance. On February 27, 2014, the Presiding Judge issued an Initial Decision; the parties filed briefs on exceptions and briefs opposing exceptions shortly thereafter. The key issue of contention was the Commission finding that the Strategic Reconfiguration Project—the largest proposed modification to the pipeline since its construction in the 1970s—had been imprudently managed. Under Opinion No. 544, on November 20, 2015, the Commission issued an Order on Initial Decision, largely upholding the previous positions of the Initial Decision. In January 2016, the Carriers respectively submitted the case to the United States Court of Appeals for the District of Columbia Circuit under a Petition for Review. On January 15, 2016, the Carriers submitted a compliance filing revising rates pursuant to Opinion No. 544. Agenda item G-4 may be an order on the compliance filing.

G-5 – BP Pipelines (Alaska) Inc. (Docket Nos. IS11-335-000, IS12-458-000, IS13-62-000, IS13-108-000, IS13-506-000, IS15-88-000, IS16-76-000); ConocoPhillips Transportation Alaska, Inc. (Docket Nos. IS11-306-000, IS12-498-000, IS13-480-000, IS13-125-000, IS14-596-000, IS15-522-000); ExxonMobil Pipeline Company (Docket Nos. IS11-336-000, IS12-397-000, IS13-55-000, IS13-496-000, IS14-575-000, IS15-580-000); Unocal Pipeline Company (Docket No. IS11-546-000); Koch Alaska Pipeline Company, LLC (Docket No. IS11-328-000). The Commission consolidated the filings in these dockets pertaining to rates for the year 2011 on TAPS and has accepted and suspended the filings, subject to refund, holding in abeyance pending the outcome of the proceedings in agenda item G-4 (Docket No. IS09-348-004, *et al.*). Due to the potential order in Docket No. IS09-348-004, *et al.*, agenda item G-5 may be an order on the tariff filings in the consolidated dockets.

G-6 – ConocoPhillips Transportation Alaska, Inc. (Docket Nos. IS15-522-001, IS11-306-004, *et al.* (consolidated)). On June 16, 2015, ConocoPhillips submitted a tariff filing to increase its rate of service on TAPS. Anadarko Petroleum Corporation (Anadarko) and Tesoro Alaska Company (Tesoro) filed a joint protest on July 1, 2015. The Commission issued an order on July 16, 2015, accepting the proposed rate increase. On August 14, 2015, Anadarko and Tesoro submitted a request for rehearing or clarification on the July 16 order. Agenda item G-6 may be an order on the request for rehearing.

G-7 – ExxonMobil Pipeline Company (Docket No. IS15-580-001); ConocoPhillips Transportation Alaska, Inc. (Docket No. IS11-306-004, *et al.* (consolidated)). On July 30, 2015, ExxonMobil submitted a tariff filing to increase its rate of service on TAPS. Anadarko and Tesoro filed a joint protest on August 14, 2015. The Commission issued an order on August 31, 2015, accepting the proposed rate increase. On September 30, 2015, Anadarko and Tesoro submitted a request for rehearing or clarification on the August 31 order. Agenda item G-7 may be an order on the request for rehearing.

Hydro

H-1 – City of New York, New York (Docket No. P-13287-004). On February 29, 2012, the City of New York filed an Application for Original License for Major Project – Existing Dam for Cannonsville Hydroelectric Project. On November 2, 2012, the Commission provided a notice of application ready for environmental analysis and soliciting comments. On October 31, 2013, the draft environmental assessment was submitted; the final environmental assessment was submitted on January 28, 2014. The Commission filed an order issuing an original license to the City of New York on May 13, 2014. On March 2, 2016, the City of New York filed a motion for a stay of license commencement of construction requirement, requesting a ten-year stay of the construction deadline provided in the original license, citing unanticipated circumstances regarding the safety, viability, and design of the project. Agenda item H-1 may be an order on the request for a stay of the original license.

H-2 – Columbia Basin Hydropower (Docket Nos. P-14316-002, P-14318-002, P14349-002, P-14351-002). Columbia Basin Hydropower was granted preliminary permits—in separate orders issued by the Commission on March 26, 2016—to study the feasibility of four hydroelectric projects. The expiration date of the permits had been set at February 29, 2016. Columbia Basin Hydropower filed timely and separate requests for two-year extensions of each permit on December 9, 2015. Percheron Power, LLC (Percheron), a competitor in the permitting process for the aforementioned projects, filed a protest and answer to the requests on December 28, 2015. On January 15, 2016, the Commission denied the extension request and found the answer furnished by Columbia Basin Hydropower on January 8, 2016 to be deficient. On February 16, 2016, Columbia Basin Hydropower filed a request for rehearing, stipulating that the Commission erred in the January 15 order. Agenda item H-2 may be an order on the request for rehearing.

H-3 – Public Utility District No. 1 of Klickitat County, Washington (Docket No. P-13333-005); Clean Power Development, LLC (Docket No. P-14729-001). On November 3, 2015, Public Utility District No. 1 of Klickitat County Washington (Klickitat PUD) and Clean Power Development, LLC (Clean Power) each submitted preliminary permit applications for the proposed Columbia Gorge Renewable Energy Balancing Project, located in Goldendale, Washington. On December 1, 2015, Klickitat PUD submitted supplemental information to its application regarding ongoing cleanup procedures occurring at the site of its proposed lower reservoir. On December 23, 2015, the Commission issued an order rejecting both permit applications. On January 21, 2016, Klickitat PUD and Clean Power filed requests for rehearing in the respective dockets. Agenda item H-3 may be an order on the requests for rehearing.

H-4 – Willow Creek Hydro, LLC (Docket No. P-7856-027). Willow Creek Hydro, LLC (Willow Creek) was issued a license to operate on October 7, 1985. The project has been inoperable since 1994 due to a PVC penstock rupture. The Commission has solicited responses from Willow Creek as to the status of project restoration, as indicated in a plan to restore operation filed on February 6, 2014. Willow Creek had not provided the required updates to the Commission as stated in a letter issued on March 6, 2014. On April 29, 2015, the Commission filed a Notice of Termination of License (Minor Project) by Implied Surrender and Soliciting Comments and Protests. Agenda item H-4 may be an order regarding the notice of termination.

H-5 – Alabama Power Company (Docket No. P-2146-141). On June 20, 2013, the Commission issued an order granting a new license for the Coosa River Hydroelectric Project operated by Alabama Power Company (Alabama Power). On July 18, 2013, Alabama Rivers Alliance and American Rivers filed a petition for rehearing of the June 20 order. On July 22, 2013, Alabama Power also filed a request for rehearing and a request for stay, contesting the water quality certification requirements for dissolved oxygen standards among other proposed mitigation measures. The Commission requested additional information on behalf of Alabama Power on November 27, 2013 and granted an extension of time on March 6, 2014. Several exchanges of information requests and answers of the parties occurred in the intervening months, culminating in Alabama Power submitting a revised study plan to address the dissolved oxygen enhancement and modeling plan on April 23, 2015; the Commission issued an order approving the plan on May 8, 2015. Alabama Power submitted a report on the status of the plan on September 30, 2015 and responded to an objection furnished by Southern Environmental Law Center, American Rivers, Alabama Rivers Alliance, *et al.* on December 21,

2015. Agenda item H-5 may be an order on the implementation of the Dissolved Oxygen Enhancement and Operation Modeling plan.

Certificates

C-1 – Dominion Transmission, Inc. (Docket No. CP16-1-000). On October 1, 2015, Dominion Transmission, Inc. (Dominion) submitted an Application for Order Authorizing Abandonment by Sale of Gathering and Products Extraction Facilities and For Limited Refunctionalization, pursuant to Section 7(b) of the Natural Gas Act. Dominion intends to abandon by sale the specified non-jurisdictional facilities to a new, affiliated midstream company, Dominion Gathering & Processing, Inc. Several parties filed motions to intervene in October and November 2015. The Commission issued a letter requesting additional information to assist in the analysis of the application on December 4, 2015. Dominion produced an answer and response, respectively, on December 7 and December 10, 2015. On January 8, 2016, the Commission filed the Environmental Assessment Report, indicating the application qualifies as a categorical exclusion. Agenda item C-1 may be an order on the application for abandonment by sale.

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