

FERC

Meeting Agenda Summary

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Authors: Daniel A. Hagan, Jane E. Rueger

Below are brief summaries of the agenda items for the Federal Energy Regulatory Commission's October 19, 2017 meeting, pursuant to the agenda as issued on October 12, 2017. Agenda item G-1 has not been summarized due to omission from the agenda.

Electric

E-1 – Revised Critical Infrastructure Protection Reliability Standard CIP-003-7 – Cyber Security – Security Management Controls (Docket No. RM17-11-000). On March 3, 2017, the North American Electric Reliability Corporation (“NERC”) filed a petition for Commission approval of proposed Reliability Standard CIP-003-7 – Cyber Security – Security Management Controls; revised definitions to be incorporated into the NERC Glossary for the terms “Removable Media” and “Transient Cyber Asset”; the associated Implementation Plan; the associated Violation Risk Factors and Violation Severity Levels; and the retirement of Commission-approved Reliability Standard CIP-003-6 and the NERC Glossary definitions of “Low Impact External Routable Connectivity” and “Low Impact BES Cyber System Electronic Access Point.” Agenda item E-1 may be an order on NERC’s petition.

E-2 – Reliability Standard for Transmission System Planned Performance for Geomagnetic Disturbance Events (Docket No. RM15-11-002). On May 30, 2017, pursuant to Commission Order No. 830, NERC submitted a preliminary work plan to conduct research on topics related to geomagnetic disturbances and their impacts on the reliability of the Bulk-Power System. Agenda item E-2 may be an order on NERC’s preliminary work plan.

E-3 – ATX Southwest, LLC (Docket Nos. ER15-1809-001, EL18-12-000). On September 11, 2015, the Commission issued an order conditionally accepting, *inter alia*, ATX Southwest, LLC’s (“ATX Southwest”) proposed formula rate template and implementation protocols to recover costs associated with transmission projects that ATX Southwest intends to own and develop as part of Southwest Power Pool, Inc.’s (“SPP”) Order No. 1000 competitive solicitation process. The September 11 Order was conditioned on ATX Southwest making a compliance filing within 30 days to address a number of issues raised within the September 11 Order. On October

9, 2015, ATX Southwest submitted a compliance filing in response to the September 11 Order. Agenda item E-3 may be an order on ATX Southwest's compliance filing.

E-4 – Transource Kansas, LLC (Docket Nos. ER15-958-003, ER15-958-004, EL18-13-000). On April 3, 2015, the Commission issued an order conditionally accepting, *inter alia*, Transource Kansas, LLC's ("Transource Kansas") proposed formula rate template and implementation protocols to recover costs associated with transmission projects that it intends to own and develop as part of SPP's Order No. 1000 competitive solicitation process. The April 3 Order was conditioned upon Transource Kansas making a compliance filing within 30 days to address a number of issues raised in the April 3 Order. On May 4, 2015, Transource Kansas submitted its compliance filing in response to the April 3 Order, but the Commission later advised Transource Kansas that its compliance filing was deficient. On October 23, 2015, Transource Kansas submitted a response to cure the deficiencies in its compliance filing. Agenda item E-4 may be an order on Transource Kansas' compliance filing.

E-5 – Midwest Power Transmission Arkansas, LLC (Docket Nos. ER15-2236-001, EL18-14-000). On September 17, 2015, the Commission issued an order conditionally accepting, *inter alia*, Midwest Power Transmission Arkansas, LLC's ("MPTA") proposed formula transmission rate to recover costs associated with transmission projects that it intends to own and develop as part of Midcontinent Independent System Operator, Inc.'s Order No. 1000 competitive solicitation process. The September 11 Order was conditioned upon MPTA making a compliance filing within 30 days to address a number of issues raised within the September 17 Order. On October 19, 2015, MPTA submitted a compliance filing in response to the September 17 Order. Agenda item E-5 may be an order on MPTA's compliance filing.

E-6 – Kanstar Transmission, LLC (Docket Nos. EL15-2237-001, ER15-2237-003, EL18-15-000). On April 26, 2016, the Commission issued a letter order approving a partial settlement involving Kanstar Transmission, LLC's ("Kanstar") base return on equity for use in Kanstar's transmission formula rate to be included in the SPP Open Access Transmission Tariff. The April 26 Letter Order directed Kanstar to file revised tariff records within 30 days. On May 24, 2016, Kanstar submitted a compliance filing including revised tariff records, in response to the April 26 Letter Order. Agenda item E-6 may be an order on Kanstar's compliance filing.

E-7 – South Central MCN LLC (Docket Nos. ER15-2594-003, EL18-16-000, ER17-953-000). On February 9, 2017, South Central MCN LLC ("South Central") submitted—pursuant to Section 205 of the Federal Power Act ("FPA") and in compliance with the October 29, 2015, order issued by the Commission in Docket No. ER15-2594-000—an amended compliance filing and proposed revisions to its formula rate protocols applicable to its transmission formula rate and its wholesale distribution formula rate. On April 6, 2017, pursuant to authority delegated under the Commission's *Order Delegating Further Authority to Staff in Absence of Quorum*, the Office of Energy Market Regulation issued a letter order finding that preliminary analysis indicated South Central's proposed tariff revisions have not been shown to be just and reasonable and may be unjust, unreasonable, and unduly discriminatory or preferential, or otherwise unlawful. The letter order accepted South Central's request for filing, suspended it for a nominal period, subject to refund and further Commission order. Agenda item E-7 may be an order regarding South Central's proposed tariff revisions.

E-8 – Southwest Power Pool, Inc. (Docket No. EL16-110-000). On March 30, 2016, under Docket No. ER16-1286-000, Southwest Power Pool, Inc. ("SPP") submitted a filing pursuant to section 205 proposing certain revisions to its Open Access Transmission Tariff ("Tariff") related to transmission service subject to redispatch. Under the SPP Tariff, when a firm transmission service request requires new transmission upgrades, SPP commences service prior to the transmission upgrades being placed in service if SPP is able to address the constraint identified in the system impact studies through redispatch until the transmission upgrades are placed into service. On September 23, 2016, the Commission issued an order accepting in part and rejecting in part SPP's proposed revisions. The Commission also instituted a proceeding under Docket No. EL16-111-000, pursuant to section 206 of the FPA, to examine the SPP Tariff with respect to certain concerns identified regarding eligibility for Auction Revenue Rights and Long-Term Congestion Rights. The Commission ordered a paper hearing on the matter. Agenda item E-8 may be an order regarding the FPA section 206 investigation into SPP's Tariff.

E-9 – Southwest Power Pool, Inc. (Docket Nos. ER16-1286-002 and EL16-110-001). As discussed above with respect to agenda item E-8, SPP submitted a filing pursuant to section 205 of the FPA regarding certain proposed

revisions related to transmission service subject to redispatch. Amongst other things, SPP proposed to (1) limit the eligibility for Long-Term Congestion Rights (“LTCRs”) for firm point-to-point transmission customers taking service subject to redispatch until transmission upgrades are placed into service and (2) clarify that Network Integration Transmission Service (network service) customers taking service subject to redispatch until transmission upgrades are placed into service are eligible to receive Auction Revenue Rights (“ARR”s) and LTCRs for such transmission service. On September 23, 2016, the Commission issued an order accepting in part and rejecting in part SPP’s proposed revisions, determining the proposed revisions, as they pertain to network service subject to dispatch, have not been shown to be just and reasonable, and not unduly discriminatory or preferential. On October 24, 2016, Southern Company Services, Inc., submitted a request for clarification or, in the alternative, for rehearing, of the Commission’s September 23 order. Agenda item E-9 may be an order regarding the request for clarification or, in the alternative, for rehearing, of the Commission’s September 23 order.

E-10 – Alabama Power Company v. Southwest Power Pool, Inc. (Docket No. EL17-11-000). On October 24, 2016, pursuant to sections 205, 206, 206 and 309 of the FPA, Alabama Power Company (“Alabama Power”) filed a complaint against SPP. Specifically, according to the complaint, SPP has been violating the SPP Tariff by treating Partial Interim Service subject to redispatch obligations held by network transmission service customers the same as unconditional firm transmission service for purposes of granting Candidate Auction Revenue Rights under Attachment AE of the SPP Tariff. The complaint alleges that by doing so, SPP is engaging in discriminatory and preferential treatment and in violation of the SPP Tariff. Agenda item E-10 may be an order regarding Alabama Power’s complaint.

E-11 – Buffalo Dunes Wind Project, LLC, Enel Green Power North America, Inc., Alabama Power Company, and Southern Company Services, Inc. v. Southwest Power Pool, Inc. (Docket No. EL17-69-000). On May 1, 2017, pursuant to sections 205, 206, 206, and 309 of the FPA, Buffalo Dunes Wind Project, LLC, Enel Green Power North America, Inc., Southern Company Services, Inc., and Alabama Power Company (collectively, the “Complainants”) filed a Complaint and Motion for Interim Relief against SPP. The Complainants requested the Commission issue an order directing SPP to follow the SPP Tariff, including specifically the definition of “Eligible Entity” and to respect the ineligibility for Auction Revenue Rights and LTCRs set forth in Attachment AE of the SPP Tariff. The Complainants allege they are being harmed by being denied their right to a fair, reasonable and not unduly discriminatory opportunity to offset the costs of congestion for their unconditional firm service. Agenda item E-11 may be an order regarding the complaint and request for interim relief.

E-12 – Southwest Power Pool, Inc. (Docket Nos. ER17-1575-000 and ER 17-1575-001). On May 9, 2017, pursuant to section 205 of the FPA, SPP submitted proposed revisions to its Tariff intended to modify the eligibility for Auction Revenue Rights and Long-Term Congestion Rights of network service subject to redispatch while transmission upgrades are being constructed. SPP requested an effective date for the proposed revisions of July 15, 2017. On July 13, 2017, pursuant to the authority delegated under the Commission’s *Order Delegating Further Authority to Staff in Absence of Quorum*, the Office of Energy Market Regulation issued a letter order finding that preliminary analysis indicates that SPP’s proposal has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful, and accepted MISO’s proposal for filing, suspended for a nominal period, subject to refund and further Commission order. On August 14, 2017, Alabama Power, Southern Services, Enel Green Power North America, Inc., and Buffalo Dunes Wind Project, LLC, submitted a request for rehearing and clarification of the July 13, 2017, order. Agenda item E-12 may be an order regarding SPP’s proposed revisions to its Tariff and the request for rehearing and clarification.

E-13 – Old Dominion Electric Cooperative and North Carolina Electric Membership Corporation v. Virginia Electric and Power Company (Docket No. EL10-49-005). On March 17, 2010, Old Dominion Electric Cooperative and North Carolina Electric Membership Corporation filed, pursuant to section 206 of the FPA, a complaint requesting that the Commission: (1) determine that the costs related to specific projects included in Virginia Electric and Power Company’s (“Dominion”) 2010 Annual Transmission Revenue Requirement (“2010 ATRR”) are unjust, unreasonable, and unduly discriminatory or preferential; (2) direct Dominion to remove costs associated with those projects from its 2010 ATRR and prohibit them from inclusion in future ATRRs; and (3) to establish, if necessary, hearing procedures to determine the costs that should be excluded from Dominion’s wholesale transmission rates. To be clear, the complaint was a challenge of inputs into the formula rate, not a challenge to the formula rate itself. On October 4, 2010, the Commission dismissed the complaint, in part, and

established hearing and settlement judge procedures to determine whether the costs of six projects should be excluded from Dominion's ATRR. On May 18, 2012, the Commission approved a settlement among the parties that addressed the continued recovery of certain costs for the six projects. The settlement did not resolve the issue of whether Dominion's ATRR should include the incremental costs of building three of the six projects underground to comply with a directive of the Virginia Legislature. After briefing by the parties, the Commission granted the complaint, in part, and found it was unjust and unreasonable for wholesale transmission customers with loads outside of Virginia to be allocated the incremental costs of building the projects underground. The Commission again ordered hearing and settlement judge procedures to determine the appropriate amount of "undergrounding costs," and to address cost allocation and whether refunds were required. The parties, unable to negotiate the terms of a settlement, reached an impasse. On December 2, 2014, the Chief Judge terminated settlement judge procedures and appointed a presiding judge to preside at a hearing ordered by the Commission on March 20, 2014. The hearing was held on October 7, 2015. The parties exchanged initial and reply briefs leading up to the February 16, 2016, Initial Decision issued by the Presiding Judge. The Initial Decision found, among other things, that Dominion's proposed amounts of incremental costs and proposal to allocate costs based on load-ratio share is just and reasonable. The parties submitted briefs on and opposing exceptions. Agenda Item E-13 may be an Order on Initial Decision.

E-14 – Old Dominion Electric Cooperative and North Carolina Electric Membership Corporation v. Virginia Electric and Power Company (Docket No. EL10-49-004). On March 17, 2010, Old Dominion Electric Cooperative and North Carolina Electric Membership Corporation filed, pursuant to section 206 of the FPA, a complaint requesting that the Commission: (1) determine that the costs related to specific projects included in Virginia Electric and Power Company's ("Dominion") 2010 Annual Transmission Revenue Requirement ("2010 ATRR") are unjust, unreasonable, and unduly discriminatory or preferential; (2) direct Dominion to remove costs associated with those projects from its 2010 ATRR and prohibit from inclusion in future ATRRs; and (3) to establish, if necessary, hearing procedures to determine the costs that should be excluded from Dominion's wholesale transmission rates. On October 4, 2010, the Commission dismissed the complaint, in part, and established hearing and settlement judge procedures to determine whether the costs of six projects should be excluded from Dominion's ATRR. The October 4th Order also reserved for Commission resolution the issue of whether Dominion should exclude from its 2010 ATRR the incremental costs of building certain projects underground if the parties were unable to settle. The parties briefed the issue to the Commission. On March 20, 2014, the Commission issued an Order on Reserved Issue finding that it is not just and reasonable for wholesale transmission customers outside the Commonwealth of Virginia to be allocated the incremental costs of building certain projects underground and ordered hearing and settlement judge procedures to determine the appropriate amount of "undergrounding" costs and how those costs should be allocated. Requests for rehearing were filed by multiple parties. On May 19, 2014, the Secretary issued a tolling order to afford the Commission more time to consider the requests. Agenda item E-14 may be an order addressing the requests for rehearing.

E-15 – Midcontinent Independent System Operator, Inc. (Docket No. EL18-17-000). Agenda item E-15 is not currently in the Commission database and may initiate a new proceeding based on a filing.

E-16 – Midcontinent Independent System Operator, Inc. (Docket No. ER16-471-001). On December 4, 2015, Midcontinent Independent System Operator, Inc. ("MISO") filed, pursuant to section 205 of the FPA, a notice of termination of the Generator Interconnection Agreement (GIA) entered into by enXco Development Corporation (subsequently assigned to Merricourt Power Partners, LLC, Montana-Dakota Utilities, and MISO). On March 4, 2016, the Commission issued an order accepting the notice of termination. On April 1, 2016, Merricourt filed, pursuant to section 313 of the FPA, a request for rehearing of the March 4th Order. Agenda Item E-16 may be an order on the request for rehearing.

E-17 – Midcontinent Independent System Operator, Inc. (Docket No. ER17-1000-000, ER17-1000-001, ER17-1013-000, ER17-1013-001). On February 17, 2017, Midcontinent Independent System Operator, Inc., ("MISO") filed, pursuant to section 205 of the FPA, a Service Agreement for Network Resource Interconnection Service for an External Generating Facility among Exelon Generation and MISO to provide 30 MW of Network Resource Interconnection Service ("NRIS") from the Fairless Hills Power Plant in Pennsylvania to a delivery point within MISO. (Project No. J374). MISO also filed, on February 22, 2017, a Service Agreement for NRIS for an External Generating Facility among Exelon Generation and MISO to provide 2300 MW of Network Resource Interconnection Service from the Byron Nuclear Facility in Illinois to multiple points within MISO (Project No.

J371). On March 15, 2017, the American Wind Energy Association and Wind on the Wires jointly filed a protest requesting that the Commission find the filings deficient. On April 18, 2017, the Office of Energy Market Regulation issued orders accepting the filings. On May 18, 2017, the American Wind Energy Association and Wind on the Wires jointly filed, pursuant to section 313 of the FPA, requests for rehearing of the orders approving the agreements. Agenda Item E-17 may be an order on the request for rehearing.

E-18 – Midcontinent Independent System Operator, Inc. (Docket No. EL16-99-000, EL18-18-000). On July 21, 2016, the Commission established hearing procedures and set a refund effective date in response to a February 2015 complaint filed by certain non-public utilities against a certain Midcontinent Independent System Operator, Inc. (“MISO”). The order also finds that MISO’s Transmission, Energy and Operating Reserve Markets Tariff (“Tariff”) may be unjust, unreasonable, unduly discriminatory or preferential because it does not include a refund commitment by non-public utility transmission owners whose revenue requirements are recovered under the MISO Tariff, institutes an FPA section 206 proceeding to examine the Tariff, and commences paper hearing procedures. The parties exchanged initial and reply briefs to address the issues identified by the Commission. Agenda Item E-18 may be an order rendering a decision on the section 206 proceeding.

E-19 – Midcontinent Independent System Operator, Inc. (Docket Nos. ER16-1817-003, ER16-1346-002). On March 29, 2016, FERC issued an order in Docket Nos. EL15-99-000 and EL16-12-000 directing the Midcontinent Independent System Operator, Inc. (“MISO”) to revise its Open Access Transmission, Energy, and Operating Reserve Markets Tariff to set forth its process for providing Network Resource Interconnection Service to generators external to MISO (“E-NRIS”). MISO submitted various compliance filings which FERC accepted, subject to conditions, including a filing to revise provisions of the Service Agreement for Network Resource Interconnection Service for an External Generating Facility (“E-NRIS Service Agreement”) between MISO and Louisiana Energy and Power Authority (“LEPA”). On February 2, 2017, MISO submitted a filing to address the conditions set out by FERC in an Order issued on January 3, 2017. Two parties protested the compliance filing, stating that MISO’s February 2 filing did not adequately address proposed revisions to the *pro forma* E-NRIS Service Agreement. Agenda item E-19 may be an order accepting MISO’s compliance filings.

E-20 – Midcontinent Independent System Operator, Inc. (Docket Nos. ER14-1242-006, ER14-2860-003, ER14-2862-002). Between February 1, 2014 and January 31, 2015, certain generation resources owned by Wisconsin Electric Power Company (“WEPCo”) and designated by the Midcontinent System Operator, Inc. (“MISO”) as System Support Resource (“SSR”) units necessary to maintain system reliability, were operated under SSR Agreements between MISO and WEPCo. Following the return of the units to non-SSR service, MISO and WEPCo entered into settlement discussions regarding clawback provisions and the compensation due under the SSR Agreements, and on June 29, 2015, settlement judge procedures were terminated. A hearing was conducted from April 11, 2016, through April 18, 2016, and FERC’s Initial Decision issued on July 25, 2016, found certain components of the SSR Agreements just and reasonable, found other components of the SSR Agreements not just and reasonable, and determined costs to be refunded under clawback provisions. MISO, WEPCo, the Michigan Public Service Commission, and various Michigan-based entities filed Briefs on Exceptions to the Initial Decision issued on July 25, 2016. Agenda item E-20 may be a final order in the proceeding.

E-21 – Internal MISO Generation v. Midcontinent Independent System Operator, Inc. (Docket Nos. EL16-12-002, ER16-1817-002). On October 13, 2016, FERC issued an order that conditionally accepted tariff revisions submitted by the Midcontinent Independent System Operator, Inc. (“MISO”) that addressed the Network Resource Interconnection Service for generators external to MISO (“E-NRIS”). On November 14, 2016, the American Wind Energy Association and Wind On The Wires filed a request for rehearing of FERC’s October 13 order, stating that FERC failed to address questions concerning MISO’s treatment of a request by Manitoba Hydro for E-NRIS service, and FERC issued an order granting rehearing on December 12, 2016. Agenda item E-21 may be an order addressing MISO’s treatment of Manitoba Hydro.

E-22 – ISO New England, Inc. (Docket No. ER17-2110-000). On July 19, 2017, ISO New England, Inc. (“ISO New England”) submitted public and non-public versions of its Permanent De-List Bids and Retirement De-List Bids for the 2021-22 Forward Capacity Auction under section 205 of the Federal Power Act. On August 9, 2017, Public Citizen, Inc. (“Public Citizen”) requested access to the non-public version of the filing, stating that access to the privileged components of the filing are necessary to determine whether the bids are just and reasonable. On August 28, 2017, Public Citizen filed a signed Non-Disclosure Agreement and repeated its request for access to

the non-public version of the filing, and on September 5, 2017, ISO New England filed an objection to disclosure of the non-public version. Agenda item E-22 may be an order on Public Citizen's request for access to the privileged components of ISO New England's filing.

E-23 – Southwest Power Pool, Inc. (Docket Nos. EL16-91-000, EL18-19-000 (consolidated)). On July 21, 2016, FERC issued an order instituting a section 206 proceeding to determine whether Southwest Power Pool, Inc.'s ("SPP") tariff is unjust, unreasonable, and unduly discriminatory or preferential because it does not include a refund commitment by non-public utility transmission-owning members whose revenue requirements are recovered under the SPP Tariff. Various parties intervened and submitted briefs in the proceeding, including the National Rural Electric Cooperative Association and the American Public Power Association. SPP and many other parties urged FERC to defer action and allow the SPP stakeholder process to develop a just and reasonable resolution to the refund issues. Agenda item E-23 may be an order relating to the Section 206 proceeding.

E-24 – DATC Path 15, LLC (Docket Nos. ER17-998-000, EL17-61-000). On February 17, 2017, DATC Path 15, LLC ("DATC Path 15") filed a proposed rate reduction to the Transmission Revenue Requirement ("TRR") in its Transmission Owner Tariff, which included a return on equity ("ROE") of 13.5 percent, not to exceed the upper zone of reasonableness. Various parties intervened and protested the proposed rate reduction on the grounds that the proposed ROE is too high. On April 17, 2017, FERC Staff found that the proposed rate decrease had not been shown to be just and reasonable and that an additional rate decrease may be necessary. FERC accepted DATC Path 15's proposed rate decrease for filing, subject to further order, and instituted a section 206 proceeding to determine the justness and reasonableness of DATC Path 15's proposed rate decrease. Agenda item E-24 may be an order relating to the Section 206 proceeding.

Gas

G-1 – Omitted

G-2 – Dominion Transmission, Inc. (Docket No. RP17-397-000). On February 10, 2017, Dominion Transmission, Inc. ("DTI") filed revised Tariff records to the Commission due to a non-conforming Service Agreement pursuant to firm transportation capacity with only one bidder, NextEra Energy Power Marketing, LLC ("NextEra"). The bid submitted by NextEra reflected a different delivery point than was offered by DTI; the two parties agreed to the originally posted delivery point as well as the ability for NextEra to utilize the other interconnect when appropriate. In the comment period, several parties filed motions to intervene without substantive comments or protests. On March 29, 2017, the Commission issued an order accepting the proposed Tariff records and suspending the rate schedule for the minimum period, subject to refund or further Commission order. Agenda item G-2 may establish the refund or be an order proffering further guidance on this agreement (such as ending the period of suspended rates).

G-3 – Texas Eastern Transmission, LP (Docket No. RP17-461-000). On February 28, 2017, Texas Eastern Transmission, LP ("Texas Eastern") filed revisions to its Tariff following the Settlement and subsequent Commission order issued in Docket No. RP17-93-000 in November 2016. The terms of the Settlement addressed the rates from December 1, 2016, through March 31, 2017 and established the amount of true ups in the deferred period in addition to the recovery of costs by Texas Eastern. The costs relate to a mechanism, dating back to 1991, whereupon Texas Eastern can recover costs incurred due to polychlorinated biphenyl ("PCB") compliance expenses. The parties reached an agreement in principle regarding the true ups; however, the parties did not agree to the terms under which the Settlement would continue (if beyond March 31, 2017). The proposed PCB cost component from the period of April 1, 2017, through November 30, 2017, was \$0.00. During the comment period, many customers filed motions to intervene, including several protests, namely finding issue with Texas Eastern's intention to file on or about October 31, 2017, to retroactively recover PCB-related costs. On March 29, 2017, the Commission issued an order accepting Texas Eastern's proposed Tariff records and enacting the effective date of April 1, 2017. Agenda item G-3 may be an order on the upcoming filing by Texas Eastern to preempt any assertion of retroactive ratemaking.

G-4 – GT Pipeline, LLC (Docket No. OR17-13-000). On June 12, 2017, GT Pipeline, LLC ("GT Pipeline") filed a Petition for Declaratory Order pertaining to the Sabine Bayou Line, GT Pipeline's proposed new interstate refined petroleum products pipeline project. GT Pipeline anticipates commencing construction of the project in the fourth

quarter of 2017 and will be ready to be placed into service by the third quarter of 2018. The Transportation Services Agreement included in the Petition requires that GT Pipeline provide service to the sole committed shipper of the project by March 1, 2020. Agenda item G-4 may be an order on the Petition.

Hydro

H-1 – Policy Statement on Establishing License Terms for Hydroelectric Projects (Docket No. PL17-3-000).

Agenda item H-1 may initiate a new proceeding regarding Commission policy on hydroelectric project licensing.

H-2 – PacifiCorp (Docket No. P-308-008). On February 3, 2017, PacifiCorp filed a Request for Clarification and Rehearing of the order issued by the Commission in this proceeding on January 5, 2017. The order granted a license to PacifiCorp to continue operation of the Wallowa Falls hydroelectric project; PacifiCorp subsequently identified five specific issues to potentially be addressed or modified. Agenda item H-2 may be an order on the Request for Clarification and Rehearing.

H-3 – Percheron Power, LLC (Docket Nos. P-14760-001, P-14761-001, P-14762-001); NorthHydro, LLC (Docket Nos. P-14763-001, P-14764-001). On October 31, 2016, Percheron Power, LLC (“Percheron”) filed a Request for Rehearing of the order issued by the Commission on September 29, 2016. The order denied preliminary permits to Percheron for three hydroelectric projects located on the Bureau of Reclamation’s Columbia Basin Project. In the Request for Rehearing, Percheron asserts that the Commission erred in interpreting the Small Conduit Hydropower Development and Rural Jobs Act in denying the permits to itself and to NorthHydro in a separate proceeding. Agenda item H-3 may be an order on the Request for Rehearing.

H-4 – Percheron Power, LLC (Docket No. EL16-50-001). On October 24, 2016, Percheron filed a Request for Rehearing of the order issued by the Commission in this proceeding on September 22, 2016. The Order on Petition for Declaratory Order denied Percheron’s appeal of the Commission’s decision not to grant preliminary permits to hydroelectric projects of Percheron and NorthHydro as originally requested on May 31, 2011 and July 29, 2011, respectively. Following the submittal of these applications, the Grand Coulee Hydroelectric Authority (“GCPHA”), a municipal entity within the Columbia Basin irrigation districts, filed competing preliminary permit applications ranging from October 7, 2011, to January 13, 2012. On March 26, 2013, the Commission issued preliminary permits to all projects to GCPHA; according to Percheron, this decision can be attributed solely to municipal preference. The permits were to expire in three years, however, due to the Small Conduit Hydropower Development and Rural Jobs Act codified in 2013; the Commission stated in the Delegated Order that it would no longer retain jurisdiction over development of hydroelectric projects of five megawatts or less. Agenda item H-4 may be an order on the Request for Rehearing.

H-5 – Appalachian Power Company (Docket No. P-2210-261). On March 29, 2017, William W. Nissen II filed a Request for Rehearing of the answer issued by the Commission in this proceeding on March 1, 2017. The formal complaint was originally filed by Mr. Nissen on January 31, 2017, to which Appalachian Power Company (“APCO”) filed an out-of-time answer on February 24, 2017. The primary subtext of this complaint is alleging that APCO failed to resolve property right disputes, particularly with regard to implementation of the shoreline management plan. Ultimately, the Commission denied the formal complaint lodged by Mr. Nissen. Following the Request for Rehearing, APCO submitted an Answer on April 21, 2017 and Supplemental Information on May 15, 2017 and August 4, 2017, respectively. Agenda item H-5 may be an order on the Request for Rehearing.

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

T +1 202 626 3600

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