

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;  
Sudeen G. Kelly, Marc Spitzer,  
Philip D. Moeller, and Jon Wellinghoff.

The City of Tacoma, Department of Public Utilities, a  
municipal electric utility of the State of Washington, and

The City of Seattle, by and through its City Light  
Department, a municipal electric utility of the State of  
Washington,

v.

Docket No. TX06-3-000

South Columbia Basin Irrigation District,  
East Columbia Basin Irrigation District,  
Quincy Columbia Basin Irrigation District, and  
Grand Coulee Project Hydroelectric Authority,  
electric utilities of the State of Washington

ORDER REQUESTING THE SUBMISSION OF ADDITIONAL INFORMATION

(Issued August 24, 2006)

1. On May 18, 2006, the City of Tacoma, Washington, Department of Public Utilities, and the City of Seattle, Washington, by and through its City Light Department, (the Cities) filed an application under sections 210 and 212 of the Federal Power Act (FPA)<sup>1</sup> for a Commission order directing the South Columbia Basin Irrigation District, East Columbia Basin Irrigation District, Quincy Columbia Basin Irrigation District (Irrigation Districts), licensees for the Main Canal Project No. 2849, and the Summer Falls Project No. 3295, and Grand Coulee Project Hydroelectric Authority (GCPHA), operator of the projects, to interconnect their hydroelectric project facilities with a new

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<sup>1</sup> 16 U.S.C. §§ 824i and k (2000).

115-kV transmission line and a new 230/115-kV substation to be constructed, operated and maintained by the Cities.

2. The new facilities of the Cities will connect to a new 230-kV switchyard to be constructed, operated, and maintained by Bonneville Power Administration (BPA) pursuant to a Large Generator Interconnection Agreement between BPA and the Cities. The Cities requested expedited consideration of this application in order to have the new interconnection in place by October 31, 2007 -- the expiration date of transmission agreements with Avista Corporation (Avista) under which each of the Cities presently transmits the power they purchase from the Irrigation Districts, using Avista lines (connected to BPA lines) that would be bypassed by the new line. On June 19, 2006, the Irrigation Districts and GCPHA filed a response to the Cities' application. On June 23, 2006, the Cities filed a motion for leave to reply and a reply to the Irrigation Districts response. The Irrigation Districts and GCPHA requested leave to answer and filed an answer to the reply of the Cities on July 7, 2006.

3. Basically, the Irrigation Districts argue that the Cities have failed to meet their burden of demonstrating that the proposed interconnection is in the public interest, and that it would encourage overall conservation of energy; optimize the efficient use of facilities and resources; or improve the reliability of any electric utility system or Federal power marketing agency to which the requested order would apply. The Irrigation Districts further contend that the proposed interconnection would materially alter their licensed projects such that their consent is required for the interconnection under section 6 of the FPA.

4. The Commission needs the following information in order to consider the Cities interconnection request, and to determine whether the new 115-kV transmission line is required to be licensed under Part I of the FPA. Licensing the line, if licensing is required, could be accomplished either by amending the current licenses for the involved projects under 18 C.F.R. § 4.200, *et seq.* (2006) or by the Cities obtaining a "transmission line only license" under 18 C.F.R. § 4.70, *et seq.* (2006). However, no type of licensing application has yet been determined to be required. Certain information requested below may constitute Critical Energy Infrastructure Information per 18 C.F.R. § 388.1113(c)(1) (2006), and may be filed as such.

### **Information Request**

5. The application indicates that the proposed new 115-kV transmission line will transmit only the power of one of the involved licensed projects, which appears to be the Main Canal Project, to the delivery point of the second involved licensed project, the Summer Falls Project, and thereafter, the combined power of the two projects will be

delivered to BPA's system.<sup>2</sup> Consequently, it appears that the proposed new transmission line may include a segment transmitting only the Main Canal Project's power, and a segment transmitting only the combined power of the Main Canal and Summers Falls projects, and each segment could constitute a primary transmission line under FPA Part I, section 3(11)<sup>3</sup> for the Main Canal and/or Summers Falls Projects. If so, then the Commission must issue a license under FPA Part I for that line before the line can be constructed. Accordingly, the Cities must file the following information:

- 1) An explanation of whether, and to what extent, the new 115-kV transmission line in the interconnection proposal constitutes a primary transmission line under section 3(11) of the FPA, citing all Commission precedent relied upon.

In addition, the response should consider and address the case precedent in *Niagara Mohawk Power Corporation*, 5 FERC ¶ 61,301, at p. 61,646 (1978) ("primary lines are those necessary to ensure the "viability" of the project in the event of Federal takeover. A line is primary to the project if a transmission line is used solely to transmit power from [Commission] licensed projects to load centers, and if without it there would be no way to market the full capacity of the project"); *Vermont Electric Generation & Transmission Cooperative, Inc. and North Hartland, LLC*, 104 FERC ¶ 61,151 (2003); *order on rehearing*, 105 FERC ¶ 61,038; *reh'g granted*, 105 FERC ¶ 61,403 (2003) ("a line leading from a project ceases to be a primary line at the point it is no longer used solely to transmit power from the project to the interconnected grid"); *Georgia Power Company*, 37 FPC 620, 629 (1967) ("the Commission has employed a variety of tests to define primary lines, while noting the difficulty of applying a single test for what is at bottom a case-specific, factual inquiry"); and *Pacific Gas and Electric Company*, 115 FERC ¶ 61,320 (2006) (where the Commission

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<sup>2</sup> For example, p. 12 of the application states in part: "The Cities will construct, own, and operate a new 115/230-kV transformer with a substation and a new 115-kV line to connect the new BPA substation to both the Main Canal and Summer Falls substations." [Emphasis added.]

<sup>3</sup> FPA section 3(11) defines a "project" as a complete unit of hydropower development, including: "the primary line or lines transmitting power therefrom to the point of junction with the distribution system or with the interconnected primary transmission system."

relicensed the Donnells-Curtis Transmission line, used as the primary line transmitting the combined power of two developments included under another license).

- 2) A detailed description of the extent to which the new 115-kV line: (a) would be used (i) solely to transmit the power from the Main Canal to the Summer Project, (ii) solely to transmit the power from the Summer Falls Project, (iii) transmits the power of both projects to BPA's proposed new substation; and, (b) would also serve customers besides the Cities. In the event that part of the new line is used solely to transmit power from the project(s) and part serves other customers, describe the transition point and indicate if there will be a drop-off point between the project(s) and the BPA delivery point.

Detailed information, including drawings and figures, adequate to describe the proposed new 115-kV line. The drawings and figures should include a one-line diagram indicating all substations involved in this new transmission line project from the hydroelectric plant to the BPA substation; a bus and line diagram showing the equipment proposed in the project; and a United States Geological Survey quad map or an aerial photo with the existing and proposed transmission facilities superimposed on it.

The Commission orders:

(A) The Cities are requested to submit additional information within 30 days of the date of this order, as discussed in the body of this order.

(B) Any reply by the Irrigation Districts and GCPHA is due within 15 days of the date of the Cities' response.

By the Commission.

( S E A L )

Magalie R. Salas,  
Secretary.