

131 FERC ¶ 61,111
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

May 6, 2010

In Reply Refer To:
Midwest Independent Transmission
System Operator, Inc.
Docket No. ER10-27-002

Midwest Independent Transmission System Operator, Inc.
P.O. Box 4202
Carmel, IN 46082

Attention: Arthur W. Iler, Assistant General Counsel

Reference: Attachments RR and RR-1 Compliance Filing

Dear Mr. Iler:

1. On January 28, 2010, the Midwest Independent Transmission System Operator, Inc. (Midwest ISO) made a compliance filing addressing the directives in the Commission's December 29, 2009 order¹ by revising Attachments RR (Real-Time Reserve Services Available to Balancing Authorities During Phased Integration) and RR-1 (Form of Service Agreement for Real-Time Reserve Services During Phased Integration) to the Midwest ISO's Open Access Transmission, Energy and Operating Reserve Markets Tariff.²

2. In the December 29 Order, the Commission conditionally accepted Attachments RR and RR-1 and directed Midwest ISO to submit a compliance filing eliminating certain discrepancies and ambiguities in the Attachments. Specifically, the Commission directed Midwest ISO to (a) correct the discrepancy between the four reasons for termination of service listed in section E of Attachment RR and the two reasons for termination of service listed in section 7.0 of Attachment RR-1, (b) spell out the acronym "RSG" in

¹ *Midwest Independent Transmission System Operator, Inc.* 129 FERC ¶ 61,283 (2009) (December 29 Order).

² Midwest ISO, FERC Electric Tariff, Fourth Revised Volume No. 1.

section C.4 of Attachment RR; and (c) change references to “Service Agreement RR-1” to “a service agreement as shown in Attachment RR-1” and references to “Service Agreement KK-1” to “a service agreement as shown in Attachment KK-1.”³

3. In its compliance filing, Midwest ISO revises section 7.0 of Attachment RR-1 to reflect the four potential reasons for termination contained in section E of Attachment RR. Midwest ISO also revises section C.4 of Attachment RR to spell out “RSG” as “Revenue Sufficiency Guarantee.” Additionally, Midwest ISO updates references to “Service Agreement RR-1” and “Service Agreement KK-1” to “a service agreement as shown in Attachment RR-1” and “a service agreement as shown in Attachment KK-1,” respectively. Midwest ISO requests an effective date of January 1, 2010, consistent with the effective date approved in the December 29 Order.⁴

4. Notice of the Midwest ISO’s January 28, 2010 filing was published in the *Federal Register*, 75 Fed. Reg. 6653 (2010) with interventions or protests due on or before February 18, 2010. No interventions or protests were filed.

5. We will conditionally accept the Midwest ISO’s compliance filing, effective January 1, 2010, subject to a further compliance filing as discussed below.

6. There is still a discrepancy between the reasons for termination in section 7.0 of Attachment RR-1 and section E of Attachment RR. In particular, while section E.2 of Attachment RR states that termination of reserve service will occur automatically upon the failure by the Transmission Owner to achieve final integration “on the date established in the phased integration plan approved by FERC,” section 7.0(i) of Attachment RR-1 states that termination may occur “nine months from the date that service commences hereunder.”

7. Accordingly, Midwest ISO is directed, in a compliance filing to be submitted within 30 days of the date of this order, to reconcile the remaining discrepancy between section E.2 of Attachment RR and section 7.0 of Attachment RR-1.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

³ December 29 Order, 129 FERC ¶ 61,283 at P 28.

⁴ Transmittal Letter at 2.