

133 FERC ¶ 61,010  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;  
Marc Spitzer, Philip D. Moeller,  
John R. Norris, and Cheryl A. LaFleur.

Southeastern Power Administration

Docket No. EF10-9-000

ORDER GRANTING WAIVER

(Issued October 5, 2010)

1. In Order No. 714,<sup>1</sup> the Commission required that as of October 1, 2010, all electric, gas, and oil pipeline utilities and power administrations have filed their baseline tariffs in eTariff software and that all subsequent filings with tariff provisions are required under the regulations to file using the eTariff system.

2. On September 29, 2010, Southeastern Power Administration (Southeastern) filed a request for an extension of time to file its baseline tariff until October 29, 2010. Southeastern explains that it has acquired the software necessary to meet eTariff requirements and that it is in the process of converting Southeastern's documents. However, Southeastern states that all of the necessary documents are not available at this time. Southeastern states that it expects that the necessary documents will be available within the next month and that it will be ready to file the tariff documents electronically with the Commission by October 29, 2010.

**Commission Determination**

3. Under Order No. 714, electric utilities, natural gas and oil pipelines and power administrations are required to make electronic baseline tariff filings by September 30, 2010, and all tariff related filings after that date must be made electronically.<sup>2</sup> Utilities

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<sup>1</sup> *Electronic Tariff Filings*, Order No. 714, 73 Fed. Reg. 57,515 (Oct. 3, 2008), FERC Stats. & Regs. ¶ 31,276 (2008).

<sup>2</sup> All filings under Parts 35, 154, 284, 300 and 341 must be filed electronically following instructions issued by the Secretary of the Commission. 18 C.F.R. §§ 35.7, 154.4, 284.123(f)(3), 300.10(a)(4) and 341.1 (2010). Under 18 C.F.R. § 300.10(a)(4) (2010), electronic filings by power administrations are to be in accordance with 18 C.F.R. § 35.7 (2010).

and pipelines unable to meet these requirements will need to file requests to waive the regulations. Companies seeking such a waiver need to identify the problem the company is having, the steps it is taking to address the problem, and when it expects to be able to make the filing. We encourage companies to file such requests as early as possible. In instances in which waiver is granted and a tariff filing is processed even though it is not in the correct electronic format, the filing party will be required to make a compliance filing within 30 days of the date of the Commission order on the filing in order to file the tariff provisions in the required electronic format.

4. In these circumstances, we deem a waiver of the baseline tariff filing requirement to be justified and will grant Southeastern waiver and allow it to file its baseline tariff on or before October 29, 2010, as requested, for good cause shown.

The Commission orders:

Southeastern's request for waiver is hereby granted, as discussed in the body of this order.

By the Commission.

( S E A L )

Nathaniel J. Davis, Sr.,  
Deputy Secretary.