

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

May 7, 2007

In Reply Refer To:
Western Systems Power Pool
Docket No. ER07-624-000

Wright & Talisman, P.C.
Attn: Michael E. Small
Matthew K. Segers
1200 G Street, N.W., Suite 600
Washington, D.C. 20005-3802

Reference: Amendment to Schedule C of the WSPP Agreement

Dear Messrs. Small and Segers:

1. On March 9, 2007, you filed, on behalf of Western Systems Power Pool (WSPP) and pursuant to section 205 of the Federal Power Act, revised rate sheets to the WSPP Agreement in response to certain rulings made by the Commission in Order No. 890.¹ Specifically, in footnote 869 of Order No. 890, the Commission explained that Service Schedule C of the WSPP Agreement did not meet the requirements for designation as a network resource because it allowed for service interruptions for reasons other than reliability.
2. In the instant filing, WSPP revised section C-3.8 (c) of Service Schedule C of its Agreement to prohibit interruptions for “reasons other than reliability of service to native load” in order to make transactions under Schedule C eligible for designation as network resources under Order No. 890.
3. Notice of WSPP’s filing was published in the *Federal Register*, 72 Fed. Reg. 13,784 (2007), with interventions and protests due on or before March 30, 2007. Arizona

¹ Preventing Undue Discrimination and Preference in Transmission Service, Order No. 890, 72 FR 12266 (March 15, 2007), FERC Stats. & Regs. ¶ 31,241 (2007) (Order No. 890), reh’g pending.

Public Service Company (APS) filed a timely motion to intervene in support of WSPP's filing. No other comments were received. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R § 385.214 (2007), timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding.

4. Section C-3.8, as revised by the March 9 filing, now reads, in relevant part, as follows (with the new language shown in italics): "Firm Capacity/Energy Sale or Exchange Service shall be interruptible only if the interruption is ... (c) where applicable, to meet Seller's public utility or statutory obligations to its customers; *provided, however, this paragraph (c) shall not be used to allow interruptions for reasons other than reliability of service to native load.*"

5. The Commission finds WSPP's proposed modification to paragraph (c) of section C-3.8 is consistent with the Commission's findings in Order No. 890 and responsive to the concern raised in footnote 869 as it relates to that paragraph.² The revised rate sheets are accepted for filing and waiver is granted to permit them to become effective May 8, 2007.³

By direction of the Commission.

Kimberly D. Bose,
Secretary.

² The Commission notes, however, that any agreement executed under Service Schedule C containing other provisions allowing for interruptions for reasons other than reliability will not be eligible for designation as a network resource.

³ See *Utah Power & Light Co.*, 30 FERC ¶ 61,015 at 61,024 n.9 (1985) (stating that proposed changes in rates, terms, and conditions cannot become effective – absent waiver – earlier than following 60 days' notice to the Commission and that the 60 day notice period required by Commission regulations starts to run the first day after the date of the filing.); *Central Hudson Gas and Electric Company, et al.*, 60 FERC ¶ 61,106, *reh'g denied*, 61 FERC ¶ 61,089 (1992); and *Prior Notice Filing Requirements Under Part II of the Federal Power Act*, 64 FERC ¶ 61,139 (1993), *clarified*, 65 FERC ¶ 61,081 (1993).