

121 FERC ¶ 61,186  
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.

ISO New England Inc.

Docket No. ER07-1289-001

ORDER GRANTING EXTENSION  
OF EFFECTIVE DATE

(Issued November 19, 2007)

1. On October 31, 2007, ISO New England Inc. (ISO-NE), Maine Electric Power Company, Inc. (MEPCO), and the Participating Transmission Owners Administrative Committee on behalf of the Participating Transmission Owners (collectively Filing Parties) filed, pursuant to Section 313(a) of the Federal Power Act<sup>1</sup> and Rules 212 and 713 of the Commission's Rules of Practice and Procedure,<sup>2</sup> a request for clarification, or, in the alternative, rehearing (October 31 Request for Clarification) of the Commission's Order Conditionally Accepting Tariff Revisions issued October 29, 2007 (October 29 Order).<sup>3</sup>

2. Specifically, the Filing Parties request the Commission to allow the ISO-NE Open Access Transmission Tariff (OATT) modifications accepted in the October 29 Order to become effective on December 1, 2007 rather than on November 1, 2007, which was the date specified in the October 29 Order. This order grants the requested extension.

**I. Background**

3. On August 16, 2007 the Filing Parties filed proposed revisions to the ISO-NE OATT (Roll-in Proposal) in order to accommodate the physical change in the New England Transmission System that will result from the addition and operation of the

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<sup>1</sup> 16 U.S.C. § 8251(a) (2000).

<sup>2</sup> 18 C.F.R. § 385.212, .713 (2007).

<sup>3</sup> *ISO New England Inc.*, 121 FERC ¶ 61,097 (2007).

Northeast Reliability Interconnection (NRI). In their August 16 filing, the Filing Parties requested that “the Commission accept the MEPCO Roll-in Proposal without modifications, to become effective either on November 1, 2007 or December 1, 2007, coinciding with the months that BHE [Bangor Hydro-Electric Company] expects the NRI to commence commercial operation.” The revised tariff sheets submitted in the Roll-in Proposal had different effective dates; some provided for an effective date of “With notice, on or after November 1, 2007,” while others provided for an effective date of “With notice, on or before November 1, 2007.”

4. In the October 29 Order, the Commission conditionally accepted, subject to modification, the Roll-in Proposal. The Order noted that there was an inconsistency among the revised tariff sheets submitted by the Filing Parties with respect to the effective date, and directed the Filing Parties to file revised tariff sheets to state that they will become effective on November 1, 2007.<sup>4</sup>

5. In their Request for Clarification, the Filing Parties explain that since filing the Roll-in Proposal, BHE has informed ISO-NE that the NRI project would not become commercially operational until December 2007. Therefore, the Roll-in Proposal need not become effective until December 1, 2007.<sup>5</sup> Alternatively, if clarification is not granted, the Filing Parties request rehearing of the effective date for the Roll-in Proposal.

## II. Discussion

6. We note that in their August 16 filing, the Filing Parties requested that “the Commission accept the MEPCO Roll-in Proposal without modifications, to become effective either on November 1, 2007 or December 1, 2007, coinciding with the months that BHE expects the NRI to commence commercial operation.”<sup>6</sup>

7. On August 29, 2007, the Filing Parties filed an Answer to a Motion filed by PPL Companies to Intervene and for Emergency Action to Extend Deadline for Grandfathering Election (August 29 Answer). In their August 29 Answer, the Filing Parties stated “because BHE has formally notified the ISO that the NRI will not be ready for commercial operation until December, the MEPCO Roll-in Proposal need not become effective until December 1, 2007.”<sup>7</sup>

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<sup>4</sup> *ISO New England, Inc.*, 121 FERC ¶ 61,097 (2007) at P 42.

<sup>5</sup> October 31 Request for Clarification at 6.

<sup>6</sup> August 16 Filing at 15.

<sup>7</sup> August 29 Answer at 10.

8. The Filing Parties further explain that it was their intent to obtain an effective date on or after November 1, 2007, with notice, “to allow for flexibility in establishing an effective date on the first of the month that the NRI project becomes commercially operational.”<sup>8</sup>

9. The revised tariff sheets were submitted with the Roll-in Proposal for the sole purpose of prescribing the terms under which service will be provided when the NRI becomes operational. Accordingly, given the December 1 in-service date for the NRI, we grant the extension requested by the Filing Parties. The effective date for the revised tariff sheets submitted in the Roll-in Proposal shall be extended to December 1, 2007. We hereby direct the Filing Parties to file revised tariff sheets with an effective date of December 1, 2007.

10. Lastly, we note that in the October 31, 2007 unpublished Letter Order issued under Docket No. ER07-1387-000, the Commission recognized that the effective date for the revised tariff sheets submitted in the Roll-in Proposal “is determined pursuant to ISO-NE’s and MEPCO’s statement that the NRI will begin commercial operation on December 1, 2007.”<sup>9</sup>

The Commission orders:

(A) The Filing Parties’ request for extension is hereby granted.

(B) The Filing Parties are hereby directed to file within 30 days of the issuance of this order, revised tariff sheets as directed in the body of this order.

By the Commission.

( S E A L )

Kimberly D. Bose,  
Secretary.

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<sup>8</sup> October 31 Request for Clarification at 5.

<sup>9</sup> October 31, 2007 Letter Order Conditionally Accepting Revised Attachment H.