

122 FERC ¶ 61,204
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.

Avista Corporation

Docket No. OA07-28-000

ORDER ON COMPLIANCE FILING, ACCEPTING IN PART AND REJECTING IN
PART PROPOSED TARIFF REVISIONS

(Issued March 5, 2008)

1. On July 13, 2007, pursuant to section 206 of the Federal Power Act (FPA),¹ Avista Corporation (Avista) submitted its compliance filing as required by Order No. 890.² In this order, we will accept Avista's filing, as modified, as in compliance with Order No. 890, and reject it in part, as discussed below.

Background

2. In Order No. 890, the Commission reformed the *pro forma* Open Access Transmission Tariff (OATT) to clarify and expand the obligations of transmission providers to ensure that transmission service is provided on a non-discriminatory basis. Among other things, Order No. 890 amended the *pro forma* OATT to require greater consistency and transparency in the calculation of available transfer capability, open and coordinated planning of transmission systems and standardization of charges for generator and energy imbalance services. The Commission also revised various policies governing network resources, rollover rights and reassignments of transmission capacity.

3. The Commission established a series of compliance deadlines to implement the reforms adopted in Order No. 890. Transmission providers that have not been approved

¹ 16 U.S.C. § 824e (2000 & Supp. V 2005).

² *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, 72 Fed. Reg. 12,266 (March 15, 2007), FERC Stats. & Regs. ¶ 31,241 *order on reh'g*, Order No. 890-A, 73 Fed. Reg. 2984 (January 16, 2008), FERC Stats. and Regs. ¶ 31,261 (2007).

as independent system operators (ISO) or regional transmission organizations (RTO), and whose transmission facilities are not under the control of an ISO or RTO, were directed to submit, within 120 days from publication of Order No. 890 in the *Federal Register* (i.e., July 13, 2007), section 206 compliance filings that conform the non-rate terms and conditions of their OATTs to those of the *pro forma* OATT, as reformed in Order No. 890.³

Compliance Filing

4. In compliance with Order No. 890, Avista proposes certain additions to the *pro forma* OATT as directed or permitted by the terms of Order No. 890, including, among other things, these elements: (1) proposed changes to schedule 4 (Energy Imbalance Service) and schedule 9 (Generator Imbalance Service) to provide a mechanism for qualifying transmission customers to be credited a load ratio share of the penalty portion of these charges; (2) modification to section 18.3 to address simultaneous requests for transmission service; (3) addition of Attachment L addressing credit provisions; and (4) proposed sections 19.10 and 32.6 which incorporate a process for the clustering of system impact studies and facilities studies. Avista states that it has completely revised its tariff, rather than merely submitting revised pages subject to Order 890 directives.⁴ Its revised tariff reflects repagination, a new table of contents and changes in certain formatting conventions. Avista further states that it has included certain edits to the Small Generator Interconnection Agreement (SGIA) which were not previously included in its tariff.

Notice of Filing and Responsive Pleadings

5. Notice of Avista's filing was published in the *Federal Register*, 72 Fed. Reg. 41,726 (2007), with interventions and protests due on or before August 3, 2007. Powerex Corporation (Powerex) filed a motion to intervene and comments and supplemental comments. The City of Seattle filed a motion to intervene out of time. Avista filed a motion for leave to answer and an answer, and Powerex filed a motion for leave to reply and a reply to Avista's answer.

Procedural Matters

6. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2007), the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding. Pursuant to Rule 214(d) of the

³ The original 60-day compliance deadline provided for in Order No. 890 was extended by the Commission in a subsequent order. See *Preventing Undue Discrimination and Preference in Transmission Service*, 119 FERC ¶ 61,037 (2007).

⁴ Order No. 890 at P 135, n.106.

Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(d) (2007), the Commission will grant City of Seattle's late-filed motion to intervene given its interest in the proceeding, the early stage of the proceeding, and the absence of undue prejudice or delay. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(a)(2) (2007), prohibits an answer to a motion to intervene unless otherwise ordered by the decisional authority. We will accept Avista's answer and Powerex's reply because they have provided information that assisted us in our decision-making process.

Discussion

A. Allocation of Available Transmission Capacity for Request Submitted in Simultaneous Window

7. In Order No. 890, the Commission decided to retain its first-come, first-served policy regarding transmission service requests. However, the Commission required those transmission providers who set a "no earlier than" time limit for transmission service requests to treat all such requests received within a specified period of time, or window, as having been received simultaneously. Although the Commission left it to the transmission providers to propose the amount of time the window would be open, the Commission stated that the window should be open for at least five minutes unless the transmission provider presented a compelling rationale for a shorter window. The Commission also required each transmission provider that is required to, or decides to, deem all requests submitted within a specified period as having been submitted simultaneously to propose a method for allocating transmission capacity if sufficient capacity is not available to meet all requests submitted within that time period.

8. In compliance with the Commission directive, Avista proposes to modify sections 13.2 and 14.2 of its tariff to establish a five-minute window and a methodology for allocation of insufficient transmission capacity. Specifically, any requests submitted within a five minute window following the earliest time such requests are permitted to be submitted are deemed to have been submitted simultaneously during such window. In the event that sufficient transmission capacity is not available to meet all requests submitted within the window, and the applicable standard reservation priorities do not apply (e.g., duration, price, pre-confirmation, etc.), and the priority standard is the time of submittal, Avista proposes to allocate available transmission capacity in equal amounts among each such request, but not in excess of any such requested amount.

9. Powerex objects to Avista's proposal to "equally allocate" capacity among simultaneous requests in the event that insufficient transmission capacity is available because it disproportionately reduces transmission access to higher volume customers. Powerex argues this treatment is arbitrary, discriminatory and unduly preferential in practice and is therefore inconsistent with the Commission's mandate for open access transmission service. Powerex requests that Avista be required to implement a *pro rata* or other nondiscriminatory allocation approach for requests of otherwise equivalent

priority that fall within the simultaneous window or alternatively demonstrate how its use of an “equal allocation” method is consistent with or superior to *pro rata* allocation and is not otherwise discriminatory or unduly preferential.

10. Avista states that the use of a *pro rata* methodology could result in the gaming of transmission requests by transmission customers because a *pro rata* methodology encourages transmission customers to inflate requests or make redundant requests if they suspect that a given path lacks sufficient capacity to satisfy all requests. Avista argues that its proposal discourages transmission customers from engaging in gaming of transmission requests and encourages transmission customers to reserve only what they require.

Commission Determination

11. We disagree with Powerex that Avista’s proposal to allocate capacity equally among those requests submitted in the simultaneous window is arbitrary, or is discriminatory as applied to higher volume customers. In Order No. 890, the Commission declined to prescribe an allocation methodology, stating, “the transmission provider is in the best position to determine an allocation that is appropriate to its system.”⁵ We find that Avista’s proposal to allocate capacity equally among the requests is reasonable and approve sections 13.2 and 14.2 of the OATT accordingly.

B. Distribution of Energy Imbalance Penalties and Generator Imbalance Penalties under Schedules 4 and 9 of the Avista Tariff

12. In Order No. 890, the Commission determined that charges for both energy and generator imbalances would be based upon a tiered approach that reflects incremental costs. The Commission also required transmission providers to credit revenues received through imbalance penalties or charges that are in excess of incremental costs to all non-offending customers. As a result, the Commission directed transmission providers to develop, as part of their Order No. 890 compliance filings, a mechanism for crediting revenues to all non-offending transmission customers (including affiliated transmission customers) and to the transmission provider on behalf of its own customers.⁶

13. In its compliance filing, Avista proposes revisions to Schedule 4 (Energy Imbalance) and Schedule 9 (Generator Imbalance) to provide a credit to Qualified Transmission Customers each month that Avista collects a penalty amount for negative deviations. A Qualified Transmission Customer is defined as a long-term firm point-to-point transmission service customer, network customer or transmission provider on

⁵ Order No. 890 at P 1418 and Order No. 890-A at P 805.

⁶ Order No. 890 at P 663, 667 and 727.

behalf of its native load customers; provided that any transmission customer that is charged for a negative deviation where such charge is greater than the Hourly Pricing Proxy shall not be a Qualified Transmission Customer for such month.⁷ The credit shall be allocated among Qualifying Transmission Customers in proportion to their respective Qualified Transmission Loads for such month.

14. Powerex argues that Avista's imbalance penalty provisions limit the distribution of those penalties to network and long-term firm point-to-point customers. Powerex states that under the Commission's penalty crediting policy, Avista should provide credits to all non-offending customers, including short-term firm and non-firm point-to-point customers. Powerex requests that Avista be required to modify its proposal to establish a crediting mechanism for "all non-offending customers" or explain why the proposed language is superior to the requirement.

15. Avista argues that requiring it to credit imbalance penalties to all non-offending customers, including short-term firm and non-firm customers places an unnecessary and unwarranted burden on Avista to track and make *de minimis* credits. According to Avista, an analysis of the scheduling practices of its sole network transmission customer, the Bonneville Power Administration, suggests that Avista's future expected energy imbalance penalty revenues will, on average, be no greater than \$3,200 per month. According to Avista, the administrative burden of crediting this amount to a discrete set of long-term transmission customers, with fixed reservation amounts and more easily calculated load ratio shares, is expected to be manageable. However, a further requirement to broaden the crediting mechanism for imbalance penalties to all non-offending customers, including short-term firm and non-firm customers, would impose an undue administrative burden upon Avista because, based on its analysis, only approximately \$167 would be expected to be credited to third-party customers.⁸ Avista argues that the administrative cost, in terms of labor and information systems development to allocate \$167 among a dozen or more customers and hundreds of transactions is well beyond the magnitude of the potential credit amounts. Therefore, Avista argues that the administrative costs to allocate less than \$200 per month to third-party short-term firm and non-firm customers is economically imprudent and unreasonable.

⁷ The Hourly Pricing Proxy is defined as the Dow Jones Mid-Columbia Daily Firm Index, On-Peak and Off-Peak.

⁸ Avista states that through July 2007, 77 percent of its non-firm point to point transmission service and 58 percent of its short term firm service is used by Avista's load serving entity function (which also engages in merchant activity). According to Avista's analysis, approximately \$416 per month is expected to be credited to short-term firm and non-firm customers, and of this only \$167 would be credited to third party short-term firm and non-firm customers.

Commission Determination

16. In Order No. 890, the Commission directed transmission providers to develop a mechanism to credit imbalance revenues in excess of incremental costs to all non-offending transmission customers (including affiliated transmission customers) and the transmission provider on behalf of its own customers.⁹ Avista however, proposes to define Qualified Transmission Customer and Qualified Transmission Load in a way that would limit the distribution of energy imbalance penalty revenues and generator imbalance penalty revenues to network and long-term point-to-point transmission customers thus excluding both non-offending short-term firm and non-firm customers. We find this inconsistent with our directive in Order No. 890 to provide credits to *all* non-offending customers.¹⁰ Moreover, Avista's definition of Qualified Transmission Customer makes a transmission customer ineligible to receive penalty revenues for any month that the customer incurs a negative imbalance charge greater than the Hourly Pricing Proxy. We find a single negative deviation in the month should not make a transmission customer ineligible for a share of penalty revenues for the entire month. In Order No 890-A, the Commission clarified that the transmission provider should distribute the penalty revenue received in a given hour to those non-offending customers in that hour, i.e., those customers to whom the penalty component did not apply in that hour.¹¹ We therefore direct Avista to file, within 30 days of the date of this order, a compliance filing modifying Schedule 4 and Schedule 9 to revise the definitions of Qualified Transmission Customer and Qualified Transmission Load to provide all non-offending customers a credit for the penalty portion of their energy imbalance service and generator imbalance service, consistent with Order No. 890. We also direct Avista to revise its mechanism for the distribution of penalty revenues to define non-offending customers on an hourly basis.¹²

⁹ Order No. 890 at P 727.

¹⁰ *See, e.g., Florida Power & Light Co.*, 122 FERC ¶ 61,079, at P 16 (2008) (rejecting a proposal to distribute imbalance penalties to a subset of non-offending transmission customers). We note, moreover, that in the analogous context of distributing operational penalties, which must also be distributed to all non-offending customers, the Commission specifically rejected a proposal to exclude short-term firm and non-firm transmission customers from receiving penalty revenues distributed by the transmission provider. *See* Order No 890 at P 862.

¹¹ Order No. 890-A at P 333.

¹² We note, however, as with the distribution of operational penalties, the methodology for distributing imbalance penalties need not be stated in the transmission provider's OATT. *Cf., Florida Power & Light Co.*, 122 FERC ¶ 61,079 at P 25.

17. We nonetheless recognize the administrative concerns raised by Avista regarding the amount of credits to be distributed each month to third party short-term and non-firm customers. Similar concerns have been raised regarding the distribution of operational penalties, which we note above must also be distributed to all non-offending customers. In Order No. 890-A, the Commission acknowledged that it may be administratively difficult for some transmission providers to distribute small amounts of operational penalty revenues and noted that transmission providers are free to propose a reasonable minimum threshold to trigger a distribution.¹³ The same is true of imbalance penalty revenues. Avista may therefore propose a distribution methodology for imbalance penalty amounts that minimizes the administrative burdens identified, such as a reasonable minimum threshold to trigger a distribution.

C. Other Penalties and Charges

18. Powerex argues that although Avista sets forth late study penalties under section 19.9 of its OATT, Avista fails to address how these penalty revenues will be distributed. Powerex argues that Avista should be required to address how late study penalty revenues will be distributed. Powerex also argues that it is unclear whether Avista has identified every instance in its tariff where penalties and charges are specified and the terms and conditions for levying such charges. Specifically, Powerex argues that section 28.6 (Restrictions on Use of Service) of Avista's OATT fails to specify applicable charges and penalties for unreserved use.

19. In response to the assertion that section 28.6 (Restrictions on Use of Service) fails to specify applicable charges and penalties for unreserved use, and Powerex's claim that Avista be required to modify its OATT to specify all applicable charges together with any pertinent terms and conditions for every OATT provision, Avista states that it cannot assess any such charge unless specifically contained in its OATT or in a filed, non-conforming service agreement. Avista also states that no penalties have been assessed under section 28.6 and furthermore, Avista has simply adopted the *pro forma* language for section 28.6 in Order No. 890. Although Avista argues that the *pro forma* text is sufficiently clear, Avista states that it is willing to propose additional clarifying language if further directed by the Commission.

Commission Determination

20. As noted in Order No. 890-A, the procedural mechanism for distribution of operational penalties, including late study penalties, set forth in Order No. 890 was somewhat unclear. The Commission therefore clarified in Order No. 890-A that each transmission provider must submit a one-time compliance filing under FPA section 206 proposing a methodology for distributing revenues from late study penalties at any time

¹³ Order No. 890-A at P 475.

prior to the first distribution of such penalties.¹⁴ This distribution methodology need not be stated in Avista's OATT.¹⁵ We therefore conclude that no additional modification to Avista's tariff addressing the distribution of late study penalties is necessary at this time, given our recent clarification. Any concerns regarding Avista's methodology for distributing late study penalties incurred under section 19.9 may be addressed on review of the one-time compliance filing proposing that methodology, to be submitted prior to the first distribution of the late study penalty revenues.

21. We note that Avista's OATT does not contain an unreserved use penalty rate and, as a result, it may not charge transmission customers for unreserved use penalties. To the extent Avista wishes to assess a charge for unreserved use in the future, it must submit a FPA section 205 filing proposing such charges. With regard to section 28.6 (Restrictions on Use of Service), we find that such provision uses the language from the *pro forma* OATT and is therefore consistent with the language from the *pro forma* OATT and that no further modifications are necessary to this section.

D. Clustering of Transmission Studies

22. In Order No. 890, the Commission did not generally require transmission providers to study transmission requests in a cluster, although the Commission did encourage transmission providers to cluster studies when it was reasonable to do so. The Commission also explicitly required transmission providers to consider clustering studies if the customers involved requested a cluster and the transmission provider could reasonably accommodate the request. As a result, the Commission directed transmission providers to include tariff language in their Order No. 890 compliance filings that describes how the transmission provider will process a request to cluster studies and how it will structure transmission customers' obligations when they have joined a cluster.¹⁶ Avista proposes new sections 19.10 and 32.6 under its OATT to incorporate a process to cluster system impact studies and facilities studies. These sections describe how Avista will process such requests to cluster and the specifics and obligations of Eligible Customers who elect to join a cluster.

23. Powerex raises a number of issues concerning Avista's process for clustering studies. Specifically, Powerex (1) objects to a provision in section 19.10 which allows a single customer in a cluster to unilaterally break apart the entire cluster and disrupt queue positions of other clustered customers because all completed applications of customers in

¹⁴ The section 206 filing may be filed at any time prior to the first distribution of operational penalties. See Order No. 890-A at 472.

¹⁵ See *Florida Power & Light Co.*, 122 FERC ¶ 61,079 at P 25.

¹⁶ Order No. 890, FERC Stats. & Regs. ¶ 31,241 at P 1370-71.

the queue are considered terminated or withdrawn if any one such application in the cluster is considered terminated or withdrawn;¹⁷ (2) objects to discretion afforded Avista regarding case-by-case determinations concerning conditions under which a customer may opt out of a cluster because, according to Powerex, the provision is not transparent or clear to customers;¹⁸ and (3) argues that it is unclear whether one customer's failure to enter into a service agreement has the effect of terminating all clustered requests or only the pending request of that one customer. In addition, Powerex argues that Avista's ability under section 19.10 to deviate from the procedures, criteria and requirements that it has set out in the tariff must be balanced by a commitment by Avista to post any additional or modified criteria it applies to any particular study cluster.

24. In response to those issues raised by Powerex, Avista states that it will revise sections 19.10 and 32.6 (addressing Clustering of Studies) of its tariff to clarify that upon the termination or withdrawal of completed applications for service requests for which studies are clustered, all such completed applications shall be deemed terminated or withdrawn only if such termination or withdrawal materially affects the clustered studies as they relate to the service for which the studies have been clustered.

Commission Determination

25. Our review of sections of 19.10 and 32.6 addressing the clustering of transmission service requests, with the modification discussed below, shows Avista complies with our directive in Order No. 890 for transmission providers to include tariff language to describe how they will process a request to cluster studies and to set forth the customers' obligations when they have joined a cluster.

26. In response to Powerex's concern regarding the action of a single cluster customer and the effect on the cluster, Avista has agreed to modify proposed sections 19.10 and 32.6 so that the cluster remains intact unless the termination or withdrawal has a material effect on the clustered studies. We find the revised language addresses Powerex's concern and therefore accept the proposed modification and direct Avista to submit revised tariff sheets in a compliance filing within 30 days of the date of this order.

¹⁷ Section 19.10 (c) states that "if any of the Completed Applications for service requests for which studies are clustered is deemed terminated or withdrawn or is no longer a Completed Application, then all such Completed Applications shall be deemed terminated or withdrawn or no longer a Completed Application."

¹⁸ Under section 19.10, Avista will, upon receipt of a request in writing, advise clustered customers of its determination as to whether, when and upon what conditions an eligible customer can opt out of a clustered study.

27. Powerex also argues that section 19.10 affords Avista too much discretion to determine whether, when and under what conditions a customer can opt out of a clustered study. We disagree. In Order No. 890, we gave transmission providers the discretion to determine whether a transmission customer can opt out of a study and also gave transmission providers the discretion to develop the clustering procedures. We find it appropriate for Avista to exercise discretion in establishing conditions under which an Eligible Customer can opt out of a cluster because Avista's determination will be based on an examination of the effect of such opting out on other service requests and on Avista's ability to reasonably and timely process the remaining service requests.

28. Powerex also states that it is unclear in Avista's tariff whether a single customer's failure to enter into a service agreement has the effect of terminating all clustered transmission service requests. Specifically, section 19.10 states that "[i]f any such Eligible Customer(s) fails to enter into a Service Agreement . . . the service request of each such Eligible Customer shall be deemed terminated and withdrawn." Therefore, we find that only the transmission service request for the customer who does not enter into a service agreement is terminated and withdrawn, not all requests in the cluster.

29. Finally, Powerex states that any further clustering criteria not established by the tariff should be posted by Avista. Section 19.10 states that "[this] section sets forth the principal criteria and requirements to be applied to [Avista's] consideration of clustering of studies; additional criteria and requirements may be appropriate for any particular request for clustering of studies and may be applied by [Avista] to such request." We agree that criteria and requirements may address unique circumstances and may not apply to all future clustered requests. Therefore, we find it unnecessary to require Avista to post further requirements. However, a further FPA section 205 filing would be necessary in the event that Avista modifies the principal criteria and requirements for clustering studies established herein under Section 19.10.

E. Attachment J - Procedures for Addressing Parallel Flows

30. The *pro forma* OATT includes a blank Attachment J entitled "Procedures for Addressing Parallel Flows" that is to be "filed by the Transmission Provider." The Commission, in the North American Electric Reliability Corporation (NERC) Transmission Loading Relief Order amended the *pro forma* OATT to incorporate NERC's Transmission Loading Relief (TLR) procedures. The Commission also required that every transmission-operating public utility adopting NERC's TLR procedures file with the Commission a notice that its tariff should be considered so modified to reflect the use of such procedures. That order addressed the NERC TLR procedures for public utilities in the Eastern Interconnection. Later, in Order No. 693, the Commission approved, as mandatory and enforceable, the IRO-006-3 Reliability Coordination -- Transmission Loading Relief Reliability Standard, which includes the NERC TLR procedures and, by reference, the equivalent interconnection-wide congestion management methods used in the Western Electricity Coordinating Council (Western

Systems Coordinating Council (WECC) Unscheduled Flow Mitigation Plan) and Electric Reliability Council of Texas (ERCOT) (section 7 of the ERCOT Protocols) regions. As a result, all transmission providers must complete Attachment J by incorporating either of the NERC TLR procedures, WSCC Unscheduled Flow Mitigation Plan, or ERCOT protocol and must provide a link to the applicable procedures. Avista has not filed any procedures in Attachment J. Avista is directed to file, within 30 days of the date of this order, a further compliance filing with a completed Attachment J as shown below:

The North American Electric Reliability Corporation's ("NERC") Qualified Path Unscheduled Flow Relief for the Western Electricity Coordinating Council (WECC), Reliability Standard WECC-IRO-STD-006-0 filed by NERC in Docket No. RR07-11-000 on March 26, 2007, and approved by the Commission on June 8, 2007, and any amendments thereto, are hereby incorporated and made part of this Tariff. See www.nerc.com for the current version of the NERC's Qualified Path Unscheduled Flow Relief Procedures for WECC.

F. Rollover Rights Effective Date

31. In Order No. 890, the Commission adopted a five-year minimum contract term in order for a customer to be eligible for a rollover right and adopted a one-year notice period. The Commission determined that this rollover reform should be made effective at the time of acceptance by the Commission of a transmission provider's coordinated and regional planning process. The Commission explained that rollover reform and transmission planning are closely related, because transmission service eligible for a rollover right must be set aside for rollover customers and included in transmission planning.

32. Avista has included the rollover reforms in section 2.2 of its revised tariff sheets, with a requested effective date of July 13, 2007. However, Avista's Attachment K, setting forth its transmission planning process, which was filed December 7, 2007, in Docket No. OA08-25-000 has not yet been accepted by the Commission. This is contrary to Order No. 890's requirement that rollover reforms are not to become effective until after a transmission provider's Attachment K is accepted. Therefore, we direct Avista to file, within 30 days of the date of this order, a revised tariff sheet that reflects the previous language of section 2.2. Avista should re-file the rollover reform language established in Order No. 890 within 30 days after acceptance of its Attachment K, requesting an effective date commensurate with the date of that filing.

G. Proposed Changes to SGIA

33. As noted above, Avista proposes modifications to its SGIA which reflect rehearing edits where not previously reflected in its OATT. These proposed modifications are

rejected because they are not substantively affected by Order No. 890, and are therefore beyond the scope of the compliance filing.

34. Accordingly, we will accept Avista's compliance filing, as modified, to be effective July 13, 2007. We also direct Avista to file, within 30 days of the date of this order, a further compliance filing as required by this order.

The Commission orders:

(A) Avista's compliance filing is hereby accepted in part, as modified, effective July 13, 2007, and rejected in part as discussed in the body of this order.

(B) Avista is hereby directed to submit a compliance filing, within 30 days of the date of this order, as discussed in the body of this order.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.