

126 FERC ¶ 61,116
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

February 13, 2009

In Reply Refer To:
Startrans IO, L.L.C.
Docket No. ER09-418-000

Alan J. Statman
Wright & Talisman, P.C.
1200 G Street, N.W.
Suite 600
Washington, D.C. 20005

Reference: Annual Transmission Revenue Balancing Account Adjustment

Dear Mr. Statman:

1. On December 16, 2008, Startrans IO, L.L.C. (Startrans) submitted for filing revisions to Appendix 1 of its Transmission Owner Tariff (TO Tariff),¹ to reflect the first annual update of the Transmission Revenue Balancing Account Adjustment (TRBAA). Startrans requests an effective date of January 1, 2009.

2. Startrans' TO Tariff requires that the TRBAA be recalculated annually consistent with Appendix F, Schedule 3, section 8.1 of the CAISO Tariff. It provides that the revised TRBAA shall be effective January 1 of each year and is based on the balance in the Transmission Revenue Balancing Account (TRBA) as of September 30 of the previous year and a forecast of its Transmission Revenue Credits (TRCs) for the next year. Startrans has submitted the prepared testimony of Royal P. Lefere, Jr. and workpapers to support its TRBAA calculations.

3. Notice of Startrans' filing was published in the *Federal Register* with comments due on or before January 6, 2009.² A timely motion to intervene was filed by Pacific Gas & Electric Company. A timely motion to intervene and protest was submitted by the Cities of Anaheim, Azusa, Banning, Colton, Pasadena, and Riverside, California

¹ Startrans IO, L.L.C., FERC Electric Tariff, Original Volume No. 1.

² 74 Fed. Reg. 1675 (2009).

(collectively, Six Cities). Startrans filed an answer to Six Cities' protest on January 21, 2009.

4. In their protest, Six Cities assert that Startrans has omitted a \$50,000 credit for its 2008 TRBAA from its calculation of its September 30, 2008 TRBA balance. Six Cities contend that a prorated portion of the \$50,000 should be reflected as a credit to Startrans' TRBA in the amount of approximately \$1,250 for the month of April 2008 and \$4,167 per month for the months of May through September 2008.

5. Six Cities also state that they are unable to verify Startrans' interest calculation on Exhibit No. ST-2 of Startrans' filing. Six Cities contend that interest calculations on monthly TRBA balances are generally calculated by summing the beginning and end-of-month balances, dividing by two to derive an average, and then multiplying by the applicable interest rate. Six Cities state that it does not appear that Startrans has followed this methodology.

6. In its answer, Startrans asserts that Six Cities are incorrect and that it included its actual 2008 TRBAA balance, as required. Further, in response to Six Cities' assertion regarding inaccurate interest calculations on Exhibit No. ST-2, Startrans asserts that its miscalculation was unintentional and immaterial because it amounts to a difference of only \$125 that results in an overstatement of the interest included in the 2009 TRBAA, which benefits the ratepayer, not Startrans.

7. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure,³ the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure,⁴ prohibits an answer to a protest unless otherwise ordered by the decisional authority. We will accept Startrans' answer because it has provided information that assisted us in our decision-making process.

8. Upon review of Startrans' filed 2009 TRBAA, we agree with Startrans that use of its actual operating costs to calculate a credit for its 2008 TRBAA is appropriate, and thus, we find that Startrans has correctly included a credit of \$58,951 representing its actual 2008 TRBAA.

9. Also, the Commission finds that requiring Startrans to submit a second, amended filing to address its interest miscalculation would be administratively burdensome and costly. The Commission agrees with Startrans that the miscalculation on Exhibit No. ST-2 results in a difference that is *de minimis* and favors ratepayers.

³ 18 C.F.R. § 385.214 (2008).

⁴ 18 C.F.R. § 385.213(a)(2) (2008).

10. Waiver of the Commission's notice requirements pursuant to section 35.3 of the Commission's rules and regulations⁵ is granted and the revised Appendix I to Startrans' TO Tariff is accepted for filing effective January 1, 2009.

By direction of the Commission. Kelliher is not participating.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

⁵ 18 C.F.R. § 35.3 (2008).