

143 FERC ¶ 61,071
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

April 26, 2013

In Reply Refer To:
Midwest Independent Transmission
System Operator, Inc.
Docket No. ER13-984-000

Midwest Independent Transmission
System Operator, Inc.
720 City Center Drive
Carmel, Indiana 46032

Attention: Michael L. Kessler, Assistant General Counsel

Reference: Revenue Sufficiency Guarantee Charge Tariff Revisions

Dear Mr. Kessler:

1. On February 25, 2013, you submitted, on behalf of the Midwest Independent Transmission System Operator, Inc. (MISO), proposed revisions to section 40.3.3 (Real-Time Energy and Operating Reserve Market Settlement Calculations) of MISO's Open Access Transmission, Energy and Operating Reserve Markets Tariff (Tariff). As discussed below, we will accept the proposed revisions¹ to be effective April 27, 2013, as amended, and require an additional compliance filing as discussed below.

2. MISO proposes certain revisions to section 40.3.3.a of its Tariff concerning the calculation of the Real-Time Revenue Sufficiency Guarantee (RSG) Constraint Management Charge. MISO's filing focuses on revisions to the standard for which a particular deviation in the MISO market would be subject to the RSG Constraint Management Charge. Specifically, MISO states that the RSG Constraint Management Charge is triggered by the extent to which the deviations increase the flow on the Active

¹ Midwest Independent Transmission System Operator, Inc., FERC Electric Tariff § 40.3.3 (8.0.0) (Real-Time Energy and Operating Reserve Market Settlement Calculations).

Transmission Constraint.² MISO proposes to revise this section of the Tariff to distinguish deviations that occur before the Notification Deadline from deviations that occur thereafter, and proposes additional revisions explaining how deviations that increase flows are netted against deviations that decrease flows in the determination of the RSG Constraint Management Charge rate. Furthermore, in order to avoid confusion, MISO proposes to eliminate references to “positive” and “negative” mathematical symbols when describing the RSG Constraint Management Charge.

3. Notice of the filing was published in the *Federal Register*, 78 Fed. Reg. 15,363 (2013), with interventions and protests due on or before March 18, 2013. Timely motions to intervene were filed by Wisconsin Electric Power Company, Consumers Energy Company, DTE Electric Company, NRG Companies, and Ameren Services Company.

4. Xcel Energy Services, Inc. (Xcel) filed a timely motion to intervene and comments in support of MISO’s proposed Tariff revisions. Xcel states that accepting the revisions would remedy RSG allocations that are contrary to cost causation principles.

5. MidAmerican Energy Company (MidAmerican) also filed a motion to intervene and comment. MidAmerican argues that the proposed addition to section 40.3.3.a.ii of the Tariff, “to the extent they increase the flow on the Active Transmission Constraint,” should be eliminated because it will conflict with the netting provisions of section 40.3.3.a.iv(a).

6. MISO filed a motion for leave to answer and answer to MidAmerican’s comment. MISO states that it agrees with the comment and proposes to delete the phrase “to the extent they increase the flow on the Active Transmission Constraint” from the introductory language of section 40.3.3.a.ii.

7. Pursuant to Rule 214 of the Commission’s Rules of Practice and Procedure, 18 C.F.R § 385.214 (2012), 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, 18 C.F.R. § 385.213(a)(2) (2012), prohibits an answer to a protest unless otherwise ordered by the decisional authority. We will accept MISO’s answer because it has provided information that assisted us in our decision-making process.

² Transmittal Letter at 6. An Active Transmission Constraint is defined to be any transmission constraint for which a resource is committed to avoid exceeding, or to relieve, the constraint limit. Tariff, section 1.1.

8. We find the proposed Tariff revisions to be just, reasonable, and not unduly discriminatory or preferential, as modified below. The proposed revisions ensure that the allocation of RSG costs will remain consistent with Commission policy and precedent.

9. We agree with MidAmerican and MISO that deleting the phrase “to the extent they increase the flow on the Active Transmission Constraint” from section 40.3.3.a.ii will help to avoid confusion as to the netting of deviations in section 40.3.3.a.iv(a) of the Tariff. We require MISO to revise its Tariff accordingly and to submit its revisions in a compliance filing within 30 days of the date of this order.

By direction of the Commission.

Kimberly D. Bose,
Secretary.