

145 FERC ¶ 61,250
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

December 18, 2013

In Reply Refer To:
Midcontinent Independent
System Operator, Inc.
Docket No. ER14-97-000

Midcontinent Independent
System Operator, Inc.
Attention: Gregory A. Troxell
P.O. Box 4202
Carmel, IN 46082-4202

Dear Mr. Troxell:

1. On October 15, 2013, Midcontinent Independent System Operator, Inc. (MISO) filed revisions to Attachment FF-4 of the MISO Open Access Transmission, Energy and Operating Reserve Markets Tariff (Tariff). MISO explains that the revisions to Attachment FF-4 are intended to add the names of three new MISO Transmission Owners – East Texas Electric Cooperative, Inc., Lafayette City-Parish Consolidated Government (Lafayette Utilities System), and South Mississippi Electric Power Association (SMEPA) – to the list in Attachment FF-4 of Transmission Owners that have decided to use the MISO planning protocols for their local transmission planning process. MISO also included in the filing's transmittal letter a list of transmission projects currently planned or under construction (pre-planned transmission projects) by East Texas Electric Cooperative, Inc., Lafayette Utilities System, SMEPA, and the Entergy Operating Companies.¹ The listed Entergy projects included the Entergy 2014-2018 Final Construction Plan (Entergy 2014-2018 Construction Plan). MISO states that because the transmission projects listed for each of the Transmission Owners were initially planned outside of MISO's Midwest Transmission Expansion Plan (MTEP) process, none of the transmission projects would be eligible for cost allocation under the

¹ The Entergy Operating Companies are Entergy Arkansas, Inc.; Entergy Gulf States Louisiana, L.L.C.; Entergy Louisiana, LLC; Entergy Mississippi, Inc.; Entergy New Orleans, Inc.; and Entergy Texas, Inc. (together, Entergy).

Tariff. MISO requests an effective date of December 19, 2013, concurrent with the expected integration of the new Transmission Owners into MISO.²

2. MISO's October 15, 2013 filing was noticed in the *Federal Register*, 78 Fed. Reg. 63,175 (2013), with comments, protests, and interventions due on or before November 5, 2013. Lafayette Utilities System and SMEPA filed timely motions to intervene. MISO Transmission Owners³ filed a timely motion to intervene along with comments indicating that they do not object to the addition of the three new MISO Transmission Owners to Attachment FF-4. MISO Transmission Owners also request that the Commission affirm MISO's determination that none of the transmission projects on the list of pre-planned transmission projects that MISO included in the transmittal letter would be eligible for cost allocation under the Tariff. Cleco Power LLC (Cleco Power) filed a timely motion to intervene along with a request that MISO add five transmission projects to its list of pre-planned transmission projects.

3. On November 25, 2013, MISO filed a supplement to the October 15, 2013 filing. MISO states that the October 15, 2013 filing contains incorrect information in that it includes transmission projects in the transmittal letter list that are distribution projects or transmission projects that will be evaluated through the MTEP process. MISO states that only transmission projects designated as "complete" or "pre-planned" from the Entergy 2014-2018 Construction Plan would be excluded from the MTEP. MISO states that only

² MISO October 15, 2013 Transmittal Letter at 4.

³ The MISO Transmission Owners for this filing consist of: Ameren Services Company, as agent for Union Electric Company d/b/a Ameren Missouri, Ameren Illinois Company d/b/a Ameren Illinois and Ameren Transmission Company of Illinois; American Transmission Company LLC; Big Rivers Electric Corporation; Central Minnesota Municipal Power Agency; City Water, Light & Power (Springfield, IL); Dairyland Power Cooperative; Duke Energy Corporation for Duke Energy Indiana, Inc.; Great River Energy; Hoosier Energy Rural Electric Cooperative, Inc.; Indiana Municipal Power Agency; Indianapolis Power & Light Company; International Transmission Company d/b/a ITC *Transmission*; ITC Midwest LLC; Michigan Electric Transmission Company, LLC; MidAmerican Energy Company; Minnesota Power (and its subsidiary Superior Water, L&P); Missouri River Energy Services; Montana-Dakota Utilities Co.; Northern Indiana Public Service Company; Northern States Power Company, a Minnesota corporation, and Northern States Power Company, a Wisconsin corporation, subsidiaries of Xcel Energy Inc.; Northwestern Wisconsin Electric Company; Otter Tail Power Company; Prairie Power Inc.; Southern Illinois Power Cooperative; Southern Indiana Gas & Electric Company (d/b/a Vectren Energy Delivery of Indiana); Southern Minnesota Municipal Power Agency; Wabash Valley Power Association, Inc.; and Wolverine Power Supply Cooperative, Inc.

a subset of the SMEPA projects included in the October 15, 2013 filing are excluded from the MTEP. MISO also acknowledges that it had inadvertently excluded Cleco Power's pre-planned transmission projects. MISO submitted a corrected list of pre-planned transmission projects for Entergy, Cleco Power, and SMEPA.

4. MISO's November 25, 2013 filing was noticed in the *Federal Register*, 78 Fed. Reg. 73,854 (2013), with comments, protests, and interventions due on or before December 9, 2013. None was filed. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2013), the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding.

5. We accept MISO's revision to Attachment FF-4 to add the names of the three new MISO Transmission Owners referenced above, effective December 19, 2013, as requested. MISO has appropriately added the names of these three new MISO Transmission Owners, who are scheduled to integrate into MISO on December 19, 2013, to the list of Transmission Owners who have decided to use the MISO planning protocols for their local planning process.

6. In the October 15, 2013 filing, MISO included a list of pre-planned transmission projects for Lafayette Utilities System, East Texas Electric Cooperative, Inc., SMEPA, and Entergy. The list of Entergy transmission projects consisted of the Entergy 2014-2018 Construction Plan including projects labeled "conceptual" that were not scheduled to begin construction until after the 10-year planning horizon. Nevertheless, MISO stated in the transmittal letter that "[b]ecause these projects, for each of the Transmission Owners listed above, were initially planned outside of the MISO MTEP process, none of the above listed projects are eligible for cost sharing under the MISO Tariff."⁴

7. In the November 25, 2013 filing, MISO corrected the deficiencies in the list of pre-planned transmission projects submitted in the October 15, 2013 filing. MISO has added the five projects that Cleco Power had requested to be added to the list of pre-planned transmission projects. MISO has also excluded from the list SMEPA projects with in-service dates beyond 2015. In addition, MISO has resubmitted the list of pre-planned Entergy transmission projects and clarified that only projects labeled "complete" or "pre-planned" in the Entergy 2014-2018 Construction Plan will be excluded from MTEP.

8. We conditionally accept MISO's list of pre-planned transmission projects submitted in the October 15, 2013 filing, as amended by the November 25, 2013 filing, effective December 19, 2013, as requested, subject to a compliance filing as discussed below. While MISO has corrected the deficiencies in the list of pre-planned transmission

⁴ *Id.*

projects that it originally submitted in the October 15, 2013 filing, MISO has not submitted this corrected list as a formal revision to Attachment FF-1 of its Tariff,⁵ as required by the Commission's May 31, 2013 order in Docket No. ER13-1227-000.⁶ Accordingly, we will require MISO to submit within 30 days of the date of this order a compliance filing revising MISO Tariff Attachment FF-1 to include the list of pre-planned transmission projects that it submitted in the October 15, 2013 filing, as amended by the November 25, 2013 filing.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

⁵ MISO, FERC Electric Tariff, Attachment FF-1 (List of Planned Projects to be Excluded from Cost Allocation) (1.0.0). In response to MISO Transmission Owners' request, we note that Attachment FF of MISO's Tariff expressly provides that the "cost allocation provisions of this Attachment FF shall not be applicable to transmission projects identified in Attachment FF-1. . . ." *Id.*, Attachment FF (Transmission Expansion Planning Protocol) (16.0.0), § III.A.2(b).

⁶ *Midwest Indep. Transmission Sys. Operator, Inc.*, 143 FERC ¶ 61,193, at P 8 (2013) (accepting MISO's commitment to file revisions to Attachment FF-1 in connection with Entergy and Cleco Power's planned integration into MISO).