

April 2014

Meeting Summaries

These are summaries of orders voted by the Federal Energy Regulatory Commission at its April 17, 2014 public meeting. The summaries are produced by FERC's Office of External Affairs and are intended to provide only a general synopsis of the orders. These summaries are not intended as a substitute for the Commission's official orders. To determine the specific actions and the Commission's reasoning, please consult the individual orders when they are posted to FERC's eLibrary found at www.ferc.gov.

FERC conditionally approves compliance filings

E-1, *PacifiCorp*, Docket No. ER13-64-001, *et al.* This order finds that the compliance filings submitted by the filing parties in the Northern Tier Transmission Group transmission planning region partially comply with the requirements of Order No. 1000 and directs further compliance filings to be submitted within 60 days of the date of issuance of the order.

FERC accepts filing; denies protest

E-2, *Southern California Edison Company*, Docket No. ER14-1331-000. This order accepts SoCal Edison's unexecuted Generator Interconnection Agreement (GIA) and Service Agreement with SEPV Mission Creek, LLC. Also, the order denies SEPV Mission Creek's protest concerning the inclusion of Distribution Upgrade costs in the GIA, explaining that SoCal Edison's actions were consistent with its interconnection procedures.

FERC accepts transmission revenue requirement

E-3, *DATC Path 15, LLC*, Docket Nos. ER14-1332-000 and EL14-33-000. This order accepts DATC Path 15's proposed transmission revenue requirement (TRR), suspends it for a nominal period, to be effective April 20, 2014, subject to refund, and establishes hearing and settlement judge procedures to determine, among other things, the range of reasonableness of the returns on equity for DATC Path 15. The order also affirms that the resulting return should be set at the upper end of that range. Because DATC Path 15 is proposing a rate reduction and a further decrease may be warranted, the order institutes an investigation in accordance with section 206 of the Federal Power Act to determine the justness and reasonableness of DATC Path 15's proposed TRR reduction.

FERC conditionally accepts in part and rejects in part a compliance filing

E-4, *Florida Power & Light Company*, Docket No. ER14-354-000. The order addresses FPL's filing on compliance with Order No. 764 (Variable Energy Resources Final Rule). The order conditionally accepts certain of FPL's proposed revisions to its Open Access Transmission Tariff and *pro forma* Large Generator Interconnection Agreement as consistent with Order No. 764. The order rejects FPL's proposed non-conforming revisions to Schedule 4 (Energy Imbalance Service) and Schedule 9 (Generator Imbalance Service) of its tariff, finding FPL's proposal is vague and premature.

FERC conditionally accepts in part and rejects in part a compliance filing

E-5, *PJM Interconnection, L.L.C.*, Docket No. ER14-381-000. This order conditionally accepts in part and rejects in part PJM's proposed revisions to its Open Access Transmission Tariff to comply with Order No. 764.

FERC accepts compliance filing and grants deadline extension

E-6, *Midcontinent Independent System Operator, Inc.*, Docket No. ER13-2233-001. This order grants MISO's request for an extension of time until June 30, 2015 to comply fully with Order No. 764's requirement to implement intra-hour schedules with 20-minute notification deadlines. The order also accepts the changes MISO made to tariff language as required by the Commission's October 2013 order that accepted in part and rejected in part MISO's Order No. 764 compliance filing.

FERC conditionally accepts a compliance filing

E-7, *Southwest Power Pool, Inc.*, Docket No. ER13-1292-001. The order accepts SPP's proposed revisions to its Open Access Transmission Tariff to comply with the intra-hour transmission service scheduling requirements in accordance with Order No. 764, subject to a further compliance filing.

FERC affirms Initial Decision on tariff issues

E-8, *NorthWestern Corp.*, Docket Nos. ER10-1138-001 and ER12-316-000. This order summarily affirms the disposition of most issues concerning NorthWestern's proposed Open Access Transmission Tariff Schedule 3 rates in the Initial Decision issued September 12, 2012. The order also discusses and affirms the Initial Decision's determination to exclude from NorthWestern's Schedule 3 rates those costs associated with capacity that NorthWestern claims is needed to support regulation down service.

FERC denies a complaint

E-10, *California Wind Energy Association and First Solar, Inc. v. California Independent System Operator and Southern California Edison Company*, Docket No. EL14-14-000. This order denies a complaint filed by the California Wind Energy Association and First Solar, Inc. against CAISO and SoCal Edison. The complaint challenges CAISO's relinquishing operational control to SoCal Edison of certain facilities. The order finds the relinquishment of operational control by CAISO appropriate, as the facilities are no longer integrated into the CAISO transmission grid.

FERC approves an uncontested settlement

E-11, *Arkansas Electric Cooperative Corporation v. Oklahoma Gas and Electric Company*, Docket No. EL14-13-000. This order approves an uncontested settlement between Arkansas Electric Cooperative Cooperation (AECC) and Oklahoma Gas and Electric Company (OG&E). The settlement agreement resolves all issues surrounding a complaint filed by AECC against OG&E challenging certain rate components of the bilateral cost-based formula rate agreement for requirements electric service by and between OG&E and AECC.

FERC denies petition for declaratory order

H-1, *Duke Energy Carolinas LLC*, Project No. 2232-522. The order denies a request by Duke Energy Carolinas that the Commission declare that South Carolina has waived water quality certification for the Catawba-Wateree Project, located on the Catawba River in North Carolina and South Carolina.

FERC denies request to amend license

H-2, *Idaho Power Company*, Project No. 18-095. The order denies licensee Idaho Power Company's request to modify the aesthetic flow requirement under license Article 410 for the Twin Falls Project No. 18, located on the Snake River in Jerome and Twin Falls counties, Idaho.

FERC denies rehearing

H-3, *Appalachian Power Company*, Project No. 2210-240. The order denies Automatic Boat Covers of VA & NC, LLC's and Innovative Marine Technologies' request for rehearing of Commission staff's January 30, 2014 order modifying and approving Appalachian Power Company's shoreline management plan (SMP) update for the Smith Mountain Pumped Storage Project No. 2210. The order finds that the SMP update's definition of "structure" should not be modified to exclude "automatic boat covers," as

requested by petitioners because automatic boat covers could impinge on safe navigation at the project's reservoirs.

FERC denies rehearing

H-4, *South Carolina Electric and Gas Company*, Project No. 516-480. The order denies the request filed by Mr. Pat Kelleher for rehearing of the Commission's January 30, 2014 notice dismissing his motion to intervene and rejecting his request for rehearing of a staff order approving South Carolina Electric and Gas Company's request to convey lands at the Saluda Hydroelectric Project No. 516. The order finds that the proceeding is not one in which Mr. Kelleher has a right to participate.

FERC denies rehearing

H-5, *Sutton Hydroelectric Company LLC*, Project No. 12693-004. The order denies Sutton's request for rehearing of Commission staff's January 24, 2014 order denying its third preliminary permit application to study the feasibility of developing Sutton Hydroelectric Project No. 12693, a 9.2-megawatt project to be located at the U.S. Army Corps of Engineers' Sutton Dam on the Elk River, about a mile east of the Town of Sutton, in Braxton County, West Virginia. The order concludes that Sutton failed to demonstrate that it had suffered an extraordinary circumstance or factor outside of its control that prevented it from filing a final license application before the expiration of its second three-year permit.

FERC denies rehearing

H-6, *KC Pittsfield, LLC*, Project No. 14493-001. This order denies KC Pittsfield's request for rehearing of Commission staff's February 12, 2014 order denying KC Pittsfield's application for a successive preliminary permit for the Drum-Spaulling Small Hydro Project No. 14493.

FERC denies rehearing

H-7, *ECOspensible, Inc.*, Docket No. CD14-15-001. The order denies ECOspensible's request for rehearing of Commission staff's February 20, 2014 letter order rejecting ECOspensible's Notice of Intent requesting that the Commission characterize its Caughdenoy Lock Hydro Project on the Oneida River in Onondaga County, New York as a "qualifying conduit hydropower facility" that would be excluded from the Commission's licensing jurisdiction because the conduit is not operated for the distribution of water for agricultural, municipal, or industrial consumption.

FERC denies rehearing

C-1, *Trunkline Gas Company, LLC*, Docket No. CP12-491-001. The order denies requests for rehearing of the November 7, 2013 order granting Trunkline Gas' request under section 7(b) of the Natural Gas Act to abandon by sale to an affiliate approximately 770 miles of mainline transmission pipeline and appurtenant facilities for conversion to oil pipeline transmission service.

FERC authorizes construction and operation of new pipeline facilities

C-2, *Transcontinental Gas Pipe Line Company, LLC*, Docket No. CP13-523-000. The order grants Transco's requested authorization to construct and operate pipeline and compression facilities in Alabama to provide 225,000 dekatherms per day of incremental southbound firm transportation service on its Mobile Bay Lateral, subject to conditions.

FERC approves abandonment of gas facilities

C-3, *Panhandle Eastern Pipe Line Company, LP*, Docket No. CP14-32-000. The order authorizes Panhandle to abandon facilities at its Mouser Compressor Station, located in Texas County, Oklahoma, over the protest of OXY USA, Inc., a gas producer in the area. It finds that there will be no continuity of service problem, and that the gas producers have other ways to get their gas to Panhandle's transmission lines.