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Docket No. RM14-11-000

FERC Proposes to Streamline Open-Access Requirements for Certain Interconnection Facilities

The Federal Energy Regulatory Commission today took steps to remove regulatory inefficiencies and burdens by proposing to grant a blanket waiver from Open-Access Transmission Tariff (OATT) requirements for public utilities whose only transmission assets are interconnection facilities. The Commission is proposing to use the procedures under Federal Power Act sections 210 and 211 for third parties to obtain access to an Interconnection Customer's Interconnection Facilities (ICIF), commonly known as generator tie lines.

The revisions are outlined in a Notice of Proposed Rulemaking (NOPR) that also provides a more efficient process for generators to obtain priority rights to use transmission capacity on their interconnection facilities. The Commission's current policy requires an ICIF owner to make excess capacity available to third parties unless it can justify its planned future use of the line. To establish priority rights and reserve excess ICIF capacity, owners have filed petitions for declaratory order demonstrating their plans and milestones for future development.

The NOPR proposes to allow ICIF owners to wait until a third-party request for service is made under sections 210 and 211 before having to demonstrate their plans and milestones. The proposed rule also creates a "safe harbor" where an ICIF owner is granted the rebuttable presumption that it will not be required to share its facilities for five years after being energized to reduce risks for ICIF owners during the critical early years of their projects.

The proposed reforms follow a technical conference and a subsequent Notice of Inquiry issued in April 2012. They are intended to relieve the burden on ICIF owners while still giving third parties access to available capacity where appropriate.

Comments on the NOPR are due 60 days from publication in the *Federal Register*.

R-14-17

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