

October 2014

Meeting Summaries

These are summaries of orders voted by the Federal Energy Regulatory Commission at its October 16, 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.

E-1, Press Release

E-2 & E-10, Press Release

FERC accepts a compliance filing

E-3. *Iberdrola Renewables, Inc., et al.* Docket Nos. EL11-44-006 and EL11-44-007. This order accepts Bonneville Power Administration's revised oversupply management protocol (OMP), which allocates the costs of the OMP to transmission customers based on scheduled usage of the transmission system during oversupply events. The order finds that this methodology satisfies the Commission's prior directive that Bonneville develop an equitable OMP cost allocation methodology that ensures comparable treatment of all users of Bonneville's transmission system.

FERC denies rehearing

E-4. *Reliability Standard for Geomagnetic Disturbance Operations*, Docket No. RM14-1-001. The order denies the Foundation for Resilient Societies' request for rehearing of Order No. 797, in which the Commission approved Reliability Standard EOP-010-1 (Geomagnetic Disturbance Operations).

FERC conditionally accepts a filing

E-5. *California Independent System Operator Corporation*, Docket No. ER14-2574-000. This order conditionally accepts CAISO's proposed flexible resource adequacy capacity requirements as a just and reasonable set of measures that will ensure CAISO has access to the flexible capacity it needs to reliably operate the grid, subject to a compliance filing and reporting requirement. In particular, the order conditionally accepts (subject to submission of an informational report) CAISO's proposed method for allocating flexible capacity obligations among local regulatory authorities based on the

contributions of their respective jurisdictional load serving entities to the system's flexible capacity needs, and also accepts the inclusion of a forecast adjustment in its flexible capacity needs assessment. The order further directs CAISO, on compliance, to eliminate the proposed tariff provision that would have required a resource to place prior economic bids in order for CAISO to calculate an effective flexible capacity value for that resource, and to make other clarifying revisions to the tariff language.

FERC accepts NERC's 2015 business plan and budget

E-8, *North American Electric Reliability Corporation*, Docket No. RR14-6-000. The order accepts the North American Electric Reliability Corporation 2015 business plan and budget, the 2015 business plans and budgets of each Regional Entity, the 2015 business plan and budget of the Western Interconnection Regional Advisory Body, and the 2015 business plan and budget of Peak Reliability, Inc.

FERC approves a filing

E-9, *Bonneville Power Administration*, Docket No. EF14-5-000, *et al.* This order confirms and approves Bonneville's proposed Oversupply Rate (OS-14 rate) on a final basis. Finding that Bonneville has satisfied the standards of section 7 of the Pacific Northwest Electric Power Planning and Conservation Act, the Commission confirms and approves the rates.

FERC denies rehearing

E-13, *Southwest Power Pool, Inc.*, Docket No. ER12-959-000. This order denies requests for rehearing of the Commission's order issued in this docket on February 21, 2013. In addition, the order accepts SPP's March 19, 2013 compliance filing on behalf of Tri-County Electric Cooperative, Inc. (Tri-County), instituting Tri-County's voluntary commitment to pay refunds of the difference between the proposed rate and the rate ultimately determined by the Commission to be just and reasonable in the hearing held in this proceeding.

FERC rules on compliance filings

G-1, *B-R Pipeline Company, et al.*, Docket No. RP13-673-001, *et al.* The order rules on the filings made in compliance with the Commission's March 20, 2014 order (issued in Docket No. RP14-442-000) that required all interstate pipelines to demonstrate compliance with the Commission's requirement that pipelines provide notice of offers to purchase released capacity. The order states that, out of 157 compliance filings submitted, 64 pipelines revised their respective tariffs in a manner that complies with the Commission's requirement, 23 pipelines demonstrated that their tariffs are in compliance, one pipeline requested clarification regarding a previously granted limited waiver, and 69

pipelines do not appear to be in full compliance. Pipelines that do not appear to be in full compliance must submit additional filings by November 15, 2014.

FERC establishes hearing and settlement judge procedures

G-2, *Transcontinental Gas Pipe Line Corporation*, Docket No. RP06-569-008 *et al.* The order establishes a paper hearing on the issues raised by a February 21, 2014 ruling by the United States Court of Appeals for the District of Columbia Circuit. The court issued an opinion in *BNP Paribas Energy Trading GP v. FERC*, vacating and remanding the Commission's underlying orders in this proceeding (Opinion Nos. 507 and 507-A). Those orders accepted Transcontinental Gas Pipe Line Corporation's (Transco) proposal to charge BNP Paribas Energy Trading GP and South Jersey Resources Group, LLC a new, higher incremental rate for service under Rate Schedule Washington Storage Service-OA instead of the rolled-in rate charged to Transco's historic customers. The court held that the Commission failed to offer a reasoned basis for its decision to accept Transco's incremental rate proposal for the replacement shippers. In addition to establishing a paper hearing, the order suspends the briefing schedule on issues raised by the court, and establishes settlement judge procedures for the parties so that they may attempt to settle the outstanding issues.

FERC grants a preliminary permit, grants priority to file license application

H-1, *New Summit Hydro, LLC*, Project No. 14612-000. The order issues a preliminary permit to New Summit to study the feasibility of the proposed New Summit Pumped Storage Project No. 14612, to be located near the City of Norton in Medina and Summit counties, Ohio, finding that the evidence presented did not establish that New Summit is the same entity as previously held a permit for the site.

FERC issues an original hydroelectric license

H-2, *Andrew Peklo, III*, Project No. 12790-002. The order issues a 40-year original license to Andrew Peklo III to construct, operate, and maintain the proposed 76-kilowatt Pomperaug Project, to be located at an existing dam on the Pomperaug River in Woodbury, Connecticut. The license includes several measures to protect fish and aquatic resources, as well as the aesthetic character of the site.

FERC denies rehearing

H-3, *PacifiCorp*, Project No. 2082-061. The order denies rehearing of the Commission's June 19, 2014 order denying the Hoopa Valley Tribe's petition for a declaratory order either (1) finding that PacifiCorp, the licensee for the Klamath Hydroelectric Project No. 2082, has failed to diligently pursue relicensing of the project, dismissing PacifiCorp's relicensing application, and directing PacifiCorp to file a plan for decommissioning the

project or, in the alternative, (2) declaring that the State of California Water Resources Control Board and the Oregon Department of Environmental Quality have waived their authority to issue water quality certification for the project in accordance with the Clean Water Act. The 169-megawatt Klamath Project is located principally on the Klamath River in Klamath County, Oregon and Siskiyou County, California.

FERC denies rehearing request

H-4, *Pacific Gas and Electric Company*, Project No. 2687-167. The order denies American Whitewater's request for rehearing of the Commission's June 19, 2014 order that granted a temporary flow variance for the Pit 1 Hydroelectric Project No. 2687 to conform with the California State Water Control Board's temporary amendment to the Section 401 Water Quality Certification conditions, finding that Commission staff's adoption of the mandatory State Water Board conditions was appropriate. The project is located in Shasta County, California.

FERC denies rehearing and grants clarification

H-5, *San Diego County Water Authority*, Project No. 12747-004. The order denies rehearing and grants clarification of Commission staff's June 24, 2014 order denying San Diego County Water Authority's (Water Authority) application for a third preliminary permit to study the feasibility of the proposed San Vicente Pumped Storage Project. On rehearing, the Commission finds that the Water Authority did not demonstrate any extraordinary circumstances or factors outside its control that would warrant a third preliminary permit for its proposed project. The order concludes, however, that a sufficient amount of time has passed for any other entities interested in pursuing a project at the site to have had an opportunity to file preliminary permit or license applications. For this reason, and because the Water Authority outlined specific steps it would take under an additional preliminary permit, the order will allow the Water Authority to re-apply for a new preliminary permit for the San Vicente Project site.

FERC grants rehearing in part and amends a new license

H-6, *Sacramento Municipal Utility District*, Project No. 2101-095. The order grants in part and denies in part the rehearing request filed by the Sacramento Municipal Utility District (SMUD) in response to Commission staff's July 23, 2014 order issuing to it a new license for the Upper American River Hydroelectric Project, located in El Dorado and Sacramento counties in central California. The order modifies requirements regarding the scope of revised Exhibit G project boundary maps (License Article 203), due dates for the submission of plans for Commission approval (License Article 401), and SMUD's expanded obligations for various recreation facilities (License Article 408).

FERC grants rehearing

H-7, *Public Utility No. 2 of Grant County, Washington*, Project No. 2114-270. The order grants rehearing of a July 8, 2014 order approving as-built drawings submitted by the Public Utility District No. 2 of Grant County, Washington (licensee), for the Priest Rapids Hydroelectric Project No. 2114 and rescinds the July 8 approval, finding that one drawing shows fewer campsites at a recreational site than specified under the license. The order requires the licensee to either file an application to amend its license to reflect fewer campsites at the location or re-file its as-built drawing after rebuilding the required campsites.

FERC terminates a license

H-8, *AG Hydro, LLC*, Project No. 11910-002. The order terminates AG Hydro's license for the proposed 10-megawatt Applegate Dam Hydroelectric Project. The project was to be located at the U.S. Army Corps of Engineers' Applegate Dam on the Applegate River near the town of Medford in Jackson County, Oregon. The order reviews the history of the project, finds that project construction did not timely commence, and terminates the license as required by section 13 of the Federal Power Act.

FERC revokes a license

H-9, *Eastern Hydroelectric Corporation*, Project No. 7019-061. In accordance with section 31(b) of the Federal Power Act, this order revokes the license for the 687-kilowatt East Juliette Project No. 7019 located on the Ocmulgee River in East Juliette, Jones County, Georgia. The order finds that Eastern Hydroelectric Corporation failed to construct fish passage facilities as required by Article 401 of its license, Condition 4 of its water quality certification, a December 7, 2012 order approving fish passage facilities, and a September 5, 2013 Compliance Order.