

150 FERC ¶ 61,008
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Cheryl A. LaFleur, Chairman;
Philip D. Moeller, Tony Clark,
Norman C. Bay

Midcontinent Independent System Operator, Inc.	Docket No. ER15-368-000
	Docket No. ER15-346-000
Illinois Power Marketing Company	Docket No. ER14-2619-000
Midcontinent Independent System Operator, Inc.	Docket Nos. ER13-1962-000 ER13-1962-001
	Docket Nos. ER13-1963-000 ER13-1963-001 ER13-1963-002
	Docket No. ER14-1210-000
	Docket No. ER14-1212-001
	Docket No. EL14-53-000
AmerenEnergy Resources Generating Company	Docket No. EL13-76-000 (consolidated)

v.

Midcontinent Independent System Operator, Inc.

ORDER ACCEPTING AND SUSPENDING TARIFF FILING, ESTABLISHING
HEARING AND SETTLEMENT JUDGE PROCEDURES, AND CONSOLIDATING
PROCEEDINGS

(Issued January 9, 2015)

1. On November 10, 2014, pursuant to section 205 of the Federal Power Act (FPA),¹ Midcontinent Independent System Operator, Inc. (MISO) submitted an unexecuted Amended and Restated System Support Resource (SSR)² Agreement (Restated 2014 SSR Agreement) by and between Illinois Power Marketing Company (Illinois Power) and MISO containing additional compensation for unanticipated repairs to Edwards Unit No. 1 (Edwards Unit 1), which is providing SSR service in MISO as described more fully below.³ In this order, we accept MISO's filing, suspend it for a nominal period, to become effective November 1, 2014, as requested, subject to refund, set the proposed rate for hearing and settlement judge procedures, and consolidate this proceeding with the ongoing hearing and settlement judge procedures established by the Ameren Complaint Order in Docket No. ER13-1962-000, *et al.* (Edwards SSR Proceedings).⁴

I. Background

2. Under MISO's Tariff, market participants that have decided to retire or suspend a generation resource or SCU must submit a notice (Attachment Y Notice), pursuant to Attachment Y (Notification of Potential Resource/SCU Change of Status) of the Tariff, at least 26 weeks prior to the resource's retirement or suspension effective date. During this 26-week notice period, MISO will conduct a study (Attachment Y Study) to determine whether all or a portion of the resource's capacity is necessary to maintain system reliability, such that SSR status is justified. If so, and if MISO cannot identify an SSR alternative that can be implemented prior to the retirement or suspension effective date,

¹ 16 U.S.C. § 824d (2012).

² MISO's Open Access Transmission, Energy, and Operating Reserve Markets Tariff (Tariff) defines SSRs as "Generation Resources or Synchronous Condenser Units [(SCU)] that have been identified in Attachment Y – Notification to this Tariff and are required by the Transmission Provider for reliability purposes, to be operated in accordance with the procedures described in Section 38.2.7 of this Tariff." MISO, FERC Electric Tariff, [1.643, System Support Resource \(SSR\):, 0.0.0](#). Unless indicated otherwise, all capitalized terms shall have the same meaning given them in the MISO Tariff.

³ Edwards Unit 1 is a 90 MW coal fired steam boiler located in Bartonville, Illinois that was the subject of SSR designation and associated proceedings in calendar year 2014.

⁴ *Midcontinent Indep. Sys. Operator, Inc.*, 148 FERC ¶ 61,057 (2014) (Ameren Complaint Order).

then MISO and the market participant shall enter into an agreement, as provided in Attachment Y-1 (Standard Form SSR Agreement) of the Tariff, to ensure that the resource continues to operate, as needed.⁵

3. On July 25, 2012, in Docket No. ER12-2302-000, MISO submitted proposed Tariff revisions regarding the treatment of resources that submit Attachment Y Notices. On September 21, 2012, the Commission conditionally accepted MISO's proposed Tariff revisions effective September 24, 2012, subject to two compliance filings due within 90 and 180 days of the date of the order.⁶ On July 22, 2014, the Commission conditionally accepted MISO's compliance filing made in response to the 2012 SSR Order subject to further compliance.⁷

4. A detailed history of proceedings related to the designation of Edwards Unit 1 as an SSR is provided in an order issued on October 6, 2014 in Docket No. ER14-2619-000, which is discussed more fully below.⁸

5. On January 30, 2014, in Docket No. ER14-1210-000, pursuant to section 205 of the FPA, MISO filed an SSR agreement between Illinois Power and MISO for Edwards Unit 1, covering a one-year term beginning on January 1, 2014 and terminating on December 31, 2014 (Edwards Year 2 SSR Agreement). Of importance to the instant proceeding, Exhibit 2 to the Edwards Year 2 SSR Agreement contains provisions regarding a turbine generator exciter overhaul (overhaul). Specifically, the Edwards Year 2 SSR Agreement proposes the recovery of \$4,679,500 for costs associated with the overhaul, and any costs in excess of this specified amount would be treated as unanticipated repairs, which will be discussed more fully below. On March 31, 2014, the Commission accepted the Edwards Year 2 SSR Agreement and the associated rate schedule, suspended them for a nominal period, to be effective January 1, 2014, as requested, subject to refund and further Commission order.⁹

⁵ See *Midwest Indep. Transmission Sys. Operator, Inc.*, 108 FERC ¶ 61,163, *order on reh'g*, 109 FERC ¶ 61,157 (2004).

⁶ *Midwest Indep. Transmission Sys. Operator, Inc.*, 140 FERC ¶ 61,237 (2012) (2012 SSR Order), *order on compliance*, 148 FERC ¶ 61,056 (2014) (2014 SSR Order).

⁷ 2014 SSR Order, 148 FERC ¶ 61,056 at P 1.

⁸ *Ill. Power Mktg. Co.*, 149 FERC ¶ 61,017, at PP 4-8 (2014) (October 6 Order).

⁹ *Midcontinent Indep. Sys. Operator, Inc.*, 146 FERC ¶ 61,238 (2014). The Commission previously addressed the Edwards Year 1 SSR Agreement in an order issued

(continued ...)

6. On July 22, 2014, the Commission issued the Ameren Complaint Order where it directed MISO to “revise its Tariff to reflect that SSR compensation should not exceed a resource’s full cost-of-service, including the fixed costs of existing plant (rather than providing that this compensation must not exceed a resource’s going-forward costs). . . .”¹⁰ The Commission also allowed for “generation or SCU owners designated as SSRs to file their own revenue requirements in order to protect that generation or SCU owner’s rights under FPA section 205.”¹¹ The Commission also established hearing and settlement judge procedures in order to address issues of material fact with regard to the appropriate level of compensation under the Edwards Year 1 SSR Agreement and Edwards Year 2 SSR Agreement.¹²

7. On August 7, 2014, in Docket No. ER14-2619-000, Illinois Power submitted, pursuant to section 205 of the FPA, a revised unexecuted Amended and Restated SSR Agreement between Illinois Power and MISO (Illinois Power Restated SSR Agreement), seeking full cost-of-service compensation for Edwards Unit 1 for 2014 SSR service. The Illinois Power Restated SSR Agreement provided for additional compensation, adjusting Edwards Unit 1 monthly fixed compensation from \$927,860 to \$1,344,570. Illinois Power requested an effective date of January 1, 2014. The Commission conditionally accepted the Illinois Power Restated SSR Agreement, denied Illinois Power’s request for an effective date of January 1, 2014, and suspended it for a nominal period to become effective August 8, 2014, subject to refund and further compliance.¹³ The Commission also set the proposed rates under the Illinois Power Restated SSR Agreement for hearing and settlement judge procedures, and consolidated the proceeding in Docket No. ER14-2619-000 with the ongoing hearing and settlement procedures established in the Ameren

November 25, 2013, in which the Commission accepted the Edwards Year 1 SSR Agreement and the associated rate schedule, suspended them for a nominal period, to be effective January 1, 2013, as requested, subject to refund and further Commission order. The Edwards Year 1 SSR Agreement covered a one-year term beginning on January 1, 2013 and terminating on December 31, 2013. *Midcontinent Indep. Sys. Operator, Inc.*, 145 FERC ¶ 61,163 (2013).

¹⁰ Ameren Complaint Order, 148 FERC ¶ 61,057 at P 87.

¹¹ *Id.* P 92.

¹² *Id.* PP 82, 88.

¹³ October 6 Order, 149 FERC ¶ 61,017 at P 1.

Complaint Order and directed Illinois Power and MISO to maintain the Illinois Power Restated SSR Agreement in their respective tariffs.

8. Most recently, on November 5, 2014, MISO made a filing in Docket No. ER15-346-000 that incorporates into its Tariff the proposed rates in the Illinois Power Restated SSR Agreement that the Commission accepted, subject to refund and hearing and settlement judge procedures, and consolidated with the Edwards SSR Proceedings, in the October 6 Order. In an order issued on January 2, 2015, the Commission accepted MISO's filing in Docket No. ER15-346-000, to become effective August 8, 2014, subject to refund, set MISO's proposed rates for hearing and settlement judge procedures, and consolidated the proceeding with the ongoing hearing and settlement judge procedures in the Edwards SSR Proceedings.¹⁴

II. MISO's Filing

9. MISO states that Illinois Power contacted MISO in late October 2014 regarding the need for additional repairs for the generator stator that was discovered during the overhaul that is provided for in the Edwards Year 2 SSR Agreement and the instant Restated 2014 SSR Agreement. A report provided by Illinois Power states that:

Electrical testing of the generator stator winding identified that the winding insulation was in poor condition. Specifically, one of the three phase windings was not capable of preventing rated voltage potential from discharging to ground. In the process of removing bars, the looseness of the wedges and the stator was confirmed and, in fact, determined to be very significant and possibly the root cause of the failure. *This unit cannot be operated given the condition of the stator.*¹⁵

10. According to MISO, the Illinois Power Report discusses two options to repair the stator: either a partial or a full rewinding of the stator. MISO states that the additional cost for these repairs would increase the overhaul costs above the amount budgeted, bringing the situation within the terms of the "unanticipated repairs" provision, section 9.E of the 2014 Restated SSR Agreement, pursuant to the overhaul provisions found in

¹⁴ *Midcontinent Indep. Sys. Operator Inc.*, 150 FERC 61,002 (2015). Need to make sure that the above description remains accurate at time of issuance of the instant order.

¹⁵ Transmittal at 3 (citing Exhibit D at 1, "IPM Report on Unanticipated Repair Options." (Illinois Power Report) (emphasis added)).

Exhibit 2.¹⁶ MISO observes that, according to the Illinois Power Report, the partial and full rewind projects would incrementally increase the overhaul cost by \$370,000 and \$1,370,000, respectively.¹⁷ In addition to the Illinois Power Report and the 2014 Restated SSR Agreement, MISO also includes an affidavit from Joseph Reddoch (MISO Senior Advisor Expansion Planning) and a MISO letter to Illinois Power containing repair instructions.

11. MISO asserts that section 9.E permits unanticipated repairs to be treated as either: (1) non-emergency repairs; or (2) emergency repairs. MISO further states that the test for whether a repair qualifies as an “emergency” is whether “MISO reasonably believes that system security and reliability require any unanticipated repairs to be made before FERC can act on a Section 205 filing.”¹⁸ According to MISO, the Illinois Power Report “partially addresses” this test, stating that “[i]f the direction to proceed is given after a Commission order on the unanticipated repair, the repair could be delayed into the summer of 2015.”¹⁹ MISO states that Illinois Power has vendors working on the overhaul and can conduct these additional repairs as part of the scheduled overhaul.

12. Given the situation described to MISO in the Illinois Power Report, MISO states that it notified Illinois Power on October 30, 2014 to proceed with the partial rewind option on an emergency repair basis. According to MISO, the partial rewind provides safe and full operability, but with less assurance concerning the length of time at which the SSR Unit will be able to operate. MISO observes that the Edwards Year 2 SSR Agreement limits the number of starts and run time hours that Edwards Unit 1 could be operated in order to reduce the cost of maintenance that customers would have to pay, and the selection of the partial rewind option is consistent with these limitations. MISO adds that it agreed with the Illinois Power Report that additional time waiting for approval of the repairs would likely threaten the availability of Edwards Unit 1 during at least part of summer 2015, which would defeat the purpose of extending the service of Edwards Unit 1 for reliability purposes.²⁰

¹⁶ *Id.*

¹⁷ *Id.* (citing Exhibit D at 3, Illinois Power Report).

¹⁸ *Id.* at 3-4 (citing the 2014 Restated SSR Agreement, section 9.E(2)).

¹⁹ *Id.* at 4 (citing Exhibit D at 1, Illinois Power Report).

²⁰ *Id.*

13. MISO states that pursuant to the terms of the Restated 2014 SSR Agreement, MISO's instruction to Illinois Power to proceed with the partial rewind on an emergency basis requires the instant section 205 filing. MISO notes that Exhibit 3 to the Restated 2014 SSR Agreement proposes to recover the \$370,000 for the partial rewind over the remaining two months of that agreement (November and December 2014). MISO requests a November 1, 2014 effective date and waiver of the prior notice requirement as this filing is made pursuant to the unanticipated repairs provision of an SSR agreement that was accepted by the Commission, and a filing under the emergency provision for unanticipated repairs is necessarily made following the evaluation and instruction by MISO concerning the treatment for the repair situation.²¹

14. Finally, MISO notes that the clean version of this proposed Restated 2014 SSR Agreement – which contains adjustments to the compensation for unanticipated repairs to Edwards Unit 1 – is redlined against MISO's version of the Restated SSR Agreement that is contained in MISO's November 5, 2014 filing in Docket No. ER15-346-000.²²

III. Notice of Filings and Responsive Pleadings

15. Notice of the Restated 2014 SSR Agreement was published in the *Federal Register*, 79 Fed. Reg. 68,675 (2014), with interventions and protests due on or before December 1, 2014.

16. Illinois Commerce Commission filed a notice of intervention. Wisconsin Electric Power Company, Ameren Services Company, and Illinois Municipal Electric Agency filed timely motions to intervene. Illinois Power filed a timely motion to intervene and limited protest.²³ Prairie Power, Inc., Wabash Valley Power Association, Inc., Hoosier Energy Rural Electric Cooperative, Inc., and Southern Illinois Power Cooperative (together, Joint Protesters) filed timely motions to intervene and a joint protest.

17. On December 16, 2014, MISO filed a motion for leave to answer and answer.

²¹ *Id.* at 4-6. MISO adds that “Illinois Power has authorized MISO to represent to the Commission that it supports the adjustments to the SSR Agreement, as highlighted in Exhibit A to this transmittal letter, for purposes of implementing MISO's decision to proceed with the unanticipated repairs.” *Id.* at n.17.

²² *Id.* at 5.

²³ Illinois Power Resources Generating, LLC was also included on Illinois Power's filing.

A. Protests and Comments

18. Illinois Power states that it fully supports MISO's filing insofar as it addresses the issue of the unanticipated repairs. Illinois Power argues, however, that because the Restated 2014 SSR Agreement is an amended version of the SSR agreement filed in Docket No. ER15-346-000, the Restated 2014 SSR Agreement must, like the SSR agreement filed in Docket No. ER15-346-000, be made subject to the outcome of the Edwards SSR Proceedings. According to Illinois Power, because this proceeding shares much of the procedural history of the consolidated Edwards SSR Proceedings and further amends the SSR agreement filed in Docket No. ER15-346-000, the same underlying SSR compensation amount and effective date issues are present here that are in those proceedings. Therefore, while Illinois Power requests that the Commission accept the treatment of the unanticipated repairs as filed, it also requests that the underlying SSR compensation amount and effective date issues also presented in the Restated 2014 SSR Agreement be made subject to the ultimate outcome of the Edwards SSR Proceedings.²⁴

19. Joint Protesters argue that MISO's filing does not provide adequate cost support to justify the compensation requested by Illinois Power. Joint Protesters observe that the primary support is a one page affidavit and associated letter from MISO giving notice to proceed with such repairs as well as a communication by an Illinois Power representative, adding that Exhibit D acknowledges that only limited cost estimates were provided and that there may be additional risks not reflected in the provided estimates. According to Joint Protesters, these cannot replace a detailed itemization of estimated costs of the kind that would be provided by a vendor versed in these types of repairs. Joint Protesters also state that while on its face this may not be a significant cost increase, the scant material provided should not support such costs or serve as precedent for any type of other future costs Illinois Power may seek to recover.²⁵

20. Joint Protesters also assert that the filing adds costs to the Restated 2014 SSR Agreement which appear to benefit Edwards Unit 1 in 2015 and which assume that Edwards Unit 1 will be an SSR unit in 2015 even though there has been no filing confirming that such service is required. Joint Protesters argue that without the required determinations regarding the need for Edwards Unit 1 as an SSR in 2015, it is unjust and unreasonable for Illinois Power to incur and recover costs for 2015-related usage of

²⁴ Illinois Power Protest at 4-6.

²⁵ Joint Protesters Protest at 4-5.

Edwards Unit 1 in 2014.²⁶ Given the need for annual reevaluation of Edwards Unit 1, the age of the unit, and Edwards' "impending phase-out," Joint Protesters argue that requests for cost recovery should be closely examined and sufficiently supported. If the Commission does not reject this filing, Joint Protesters request that this proceeding be consolidated with the Edwards SSR Proceedings.

B. MISO's Answer

21. In response to Illinois Power's limited protest, MISO agrees with Illinois Power that the Restated 2014 SSR Agreement is subject to the ultimate outcome of the Edwards SSR Proceedings. MISO contends that the compensation for unanticipated repairs at issue in this proceeding should be in addition to the compensation under the Edwards Year 2 SSR Agreement that will be determined in the Edwards SSR Proceedings.²⁷

22. In response to Joint Protestors, MISO argues that the present filing continues to implement the provisions accepted by the Commission in the Edwards Year 2 SSR Agreement and that MISO reasonably determined that the unanticipated repairs constituted "Emergency Repairs" under section 9.E(2). The Edwards Year 2 SSR Agreement, states MISO, contained compensation for a required turbine generator excite overhaul "outside the period of May 15 through September 15" in order to preserve the availability of the Edwards Unit 1 during summer months. MISO states that after hearing the argument against maintenance on Edwards Unit 1 that can provide for the safe and reliability use of the SSR Unit following 2014,²⁸ the Commission accepted the provision for "Compensation for Unanticipated Repairs" as part of the Edwards Year 2 SSR Agreement.

23. MISO states that in response to inquiries at the last stakeholder meeting on November 4, 2014 that discussed the need for Edwards Unit 1 as a SSR Unit in 2015, additional explanation was provided regarding project implementation challenges, transformer equipment modeling parameters, voltage schedules, and limitations of the nearby Generation Resources. MISO performed further analyses and concluded that thermal overload problems continue to exist at least for 2015 even with transmission

²⁶ *Id.* at 5 (citing Ameren Complaint Order, 148 FERC ¶ 61,057 at P 154 (stating, among other things, that SSR filings must describe the findings and methodologies in the related Attachment Y reliability studies as well as potential reliability criteria violations and MISO's evaluation of feasible alternatives)).

²⁷ MISO Answer at 3.

²⁸ *Id.* at 5.

upgrades in service and transformer tap adjustments in place as an alternative to the Edwards Unit 1 SSR Unit. Transmission upgrades that will permit the end to designation of Edwards Unit 1 as an SSR Unit have been moved from December 2016 to mid-2016, but the date remains well beyond summer 2015. Under these circumstances, the likely practical result of delay in making the unanticipated repairs would have been to render Edwards Unit 1 unavailable for further service to provide needed reliability services.²⁹

24. MISO provides additional cost information regarding the unanticipated repairs,³⁰ but reiterates that, for clarity, MISO presents only the incremental \$370,000 in repair costs that were unanticipated at the time the Edwards Year 2 SSR Agreement was submitted to the Commission. MISO contends that any additional future repair costs would need to be the subject of additional review under section 9.E of the Edwards Year 2 SSR Agreement.³¹

25. MISO argues that Joint Protestors' request to consolidate the proceeding with the hearing and settlement procedures under the Edwards SSR Proceedings is a collateral attack on the Ameren Complaint Order that accepted section 9.E(2) as part of the Edwards Year 2 SSR Agreement. MISO contends that this proceeding is limited to reviewing the manner in which unanticipated repair costs will be recovered from load-serving entities, whereas the Edwards SSR Proceedings relate to the level of compensation due to Illinois Power.³²

IV. Discussion

A. Procedural Matters

26. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2014), the notice of intervention and timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding.

27. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(a)(2) (2014), prohibits an answer to a protest unless otherwise ordered by the

²⁹ *Id.*

³⁰ *Id.* at Attachment (Edwards Unit 1 Unanticipated Repairs).

³¹ *Id.* at 3-5.

³² *Id.* at 6.

decisional authority. We will accept MISO's answer because it has provided information that assisted us in our decision-making process.

B. Substantive Matters

28. We find that MISO has sufficiently supported the overall need for the repairs to the stator. The documentation provided information sufficient for MISO to conclude that such repairs were necessary to ensure that Edwards Unit 1 would be able to operate safely and reliably to satisfy its SSR requirements. Additionally, no party argues that the need for such repairs was evident prior to when the repairs for the overhaul had begun and the generator was opened. According to both the Illinois Power Report and MISO, compensation for these repairs was not provided for in the budget. Therefore, we find that these repairs properly fall within the category of "unanticipated repairs" as contemplated by section 9.E of the Edwards Year 2 SSR Agreement.

29. In addition, given that the Illinois Power Report states that delay in receiving approval to commence repairs could result in delay of the repairs into the summer of 2015 and thereby impair system security and reliability, and inasmuch as MISO expects the need to designate the unit as an SSR in 2015, we find that MISO has properly designated this to be an emergency repair situation pursuant to section 9.E of the Edwards Year 2 SSR Agreement.³³

30. We find, however, that the support for the costs associated with the repair of the stator as set forth in the Restated 2014 SSR Agreement raises issues of material fact that cannot be resolved based on the record before us, and that are more appropriately addressed in the hearing and settlement judge procedures ordered below.

31. Our preliminary analysis indicates that the costs associated with the repairs have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. Therefore, we accept the Restated 2014 SSR Agreement for filing, suspend it for a nominal period, to become effective November 1, 2014, as requested, subject to refund, and set Illinois Power's proposed recovery of costs associated with the repair of the stator as set forth in the Restated 2014 SSR Agreement for hearing and settlement judge procedures.

32. We note that the appropriate level of cost recovery for 2014 SSR service from Edwards Unit 1 is already subject to the hearing and settlement procedures in the Edwards SSR Proceedings. Therefore, we consolidate this proceeding with the Edwards

³³ A further filing by MISO to support a new term for this SSR covering calendar year 2015 is nonetheless required.

SSR Proceedings for purposes of settlement, hearing and decision, as there are common issues of law and fact in these proceedings, and we find that consolidation will promote administrative efficiency.

33. While we are setting these matters for a trial-type evidentiary hearing, we encourage the parties to make every effort to settle their dispute before hearing procedures are commenced. To aid the parties in their settlement efforts, we will hold the hearing in abeyance. The settlement judge or presiding judge previously designated in the Edwards SSR Proceedings shall determine the procedures best suited to accommodate the consolidation ordered herein.³⁴

34. Additionally, we reject arguments raised by Joint Protesters stating that it is unjust and unreasonable for Illinois Power to incur and recover costs for 2015-related usage of Edwards Unit 1 in 2014. As the Commission stated in the Ameren Complaint Order regarding environmental compliance, “the Attachment Y Study Report states that the transmission upgrades required to obviate the need for Edwards Unit 1 to continue operating as an SSR will not be in place until the end of 2016. MISO has demonstrated in this proceeding that this is still the case. As a result, it is reasonable for Illinois Power to incur such expenses and to seek recovery of such costs in 2014.”³⁵ As noted above, MISO continues to expect that Edwards 1 Unit will be needed as an SSR in 2015.

35. Last, we grant MISO’s request for waiver of the prior notice requirement for good cause shown. We note that no party specifically objected to MISO’s request, and agree that Illinois Power should be permitted to recover costs associated with an emergency repair that is critical to ensuring that reliability needs will be met pursuant to the Restated 2014 SSR Agreement.

The Commission orders:

(A) The Restated 2014 SSR Agreement is hereby accepted for filing and suspended for a nominal period, to become effective November 1, 2014, as requested, subject to refund, as discussed in the body of this order.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Commission by section 402(a) of the Department of Energy Organization Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission’s Rules of Practice and Procedure and the

³⁴ 18 C.F.R. § 385.503 (2014).

³⁵ Ameren Complaint Order, 148 FERC ¶ 61,057 at P 220.

regulations under the Federal Power Act (18 C.F.R. Chapter I), a public hearing shall be held concerning the justness and reasonableness of MISO's proposed costs under the Restated 2014 SSR Agreement, as discussed in the body of this order. However, the hearing shall be held in abeyance to provide time for settlement judge procedures, as discussed in the body of this order.

(C) This proceeding is hereby consolidated with the Edwards SSR Proceedings for the purposes of settlement, hearing, and decision, as discussed in the body of this order.

(D) The settlement judge or presiding judge, as appropriate, designated in the Edwards SSR Proceedings shall determine the procedures best suited to accommodate the consolidation ordered herein.

By the Commission. Commissioner Honorable is not participating.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.