

150 FERC ¶ 61,175
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

March 6, 2015

In Reply Refer To:
Midcontinent Independent System
Operator, Inc.
Docket Nos. ER11-2059-004
ER11-2059-005

Midcontinent Independent
System Operator, Inc.
Assistant General Counsel
P.O. Box 4202
Carmel, IN 46082

Attention: Michael L. Kessler

Dear Mr. Kessler:

1. On April 7, 2014, the Commission approved a Settlement Agreement, filed in Docket No. ER11-2059-000, among the Midwest Independent Transmission System Operator, Inc. (MISO)¹ and the parties involved in Docket No. ER11-2059-000 with whom MISO had not previously entered into a settlement (the Parties).² The Settlement Agreement revised MISO's Open Access Transmission, Energy, and Operating Reserve Markets Tariff (Tariff) to address the impact to long-term firm transmission rights when a market participant withdraws from MISO. The Settlement Agreement included Tariff changes that revised the proposed Tariff changes that MISO originally filed with the

¹ Effective April 26, 2013, MISO changed its name from "Midwest Independent Transmission System Operator, Inc." to "Midcontinent Independent System Operator, Inc."

² *Midwest Indep. Transmission Sys. Operator, Inc.*, 147 FERC ¶ 61,018 (2014) (April 7 Order). The Commission previously approved two settlements in Docket Nos. ER11-2059-002 and ER11-2059-003: one between MISO and FirstEnergy Service Company and the other between MISO, Duke Energy Ohio, Inc., and Duke Energy Kentucky, Inc. See *Midwest Indep. Transmission Sys. Operator, Inc.*, 140 FERC ¶ 61,139 (2012).

Commission for approval in Docket No. ER11-2059-000 on November 9, 2010, which were set for hearing.

2. In the April 7 Order, the Commission accepted the revised Tariff provisions filed with the Settlement Agreement to be effective January 9, 2011, the same effective date as the Tariff changes initially filed in Docket No. ER11-2059-000.³ However, the Commission found that the Settlement Agreement was not filed in the eTariff format required by Order No. 714,⁴ and directed MISO to submit a compliance filing through eTariff to ensure that its electronic tariff data base reflects the Commission's action in this proceeding.

3. On May 6, 2014, in Docket No. ER11-2059-004, MISO submitted its compliance filing in accordance with the Commission's direction (Compliance Filing). MISO requests an effective date of January 9, 2011 for the revisions, as set forth in the April 7 Order.⁵ Also on May 6, 2014, in Docket No. ER11-2059-005, MISO filed a re-collation of the Tariff sections submitted in its Compliance Filing in order to administratively establish these updated Tariff sections in MISO's new eTariff software (Re-Collation Filing).⁶ MISO requests that the Commission approve the Re-Collation Filing to be effective one day after filing, on May 7, 2014.

4. Notice of the Compliance Filing was published in the *Federal Register*, 79 Fed. Reg. 27,595 (2014), with interventions and protests due on or before May 27, 2014. Notice of the Re-Collation Filing was published in the *Federal Register*, 79 Fed. Reg. 27,594 (2014), with interventions and protests due on or before May 27, 2014. On May 27, 2014, the Midwest TDUs⁷ protested the Compliance Filing and the Re-Collation Filing. The Midwest TDUs state that, in both filings, MISO appears to have inadvertently omitted the last three characters of the language added to section 43.7.4.5 of MISO's Tariff, such that the period was dropped and the word "withdrawal" became "withdraw." The Midwest TDUs state that they submitted an inquiry to MISO and MISO agreed to fix the language in a compliance filing if so directed by the Commission.

³ April 7 Order, 147 FERC ¶ 61,018 at P 5.

⁴ See *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276 (2008).

⁵ Compliance Filing at 2.

⁶ Re-Collation Filing at 1.

⁷ Midwest TDUs consist of Madison Gas and Electric Company, the Midwest Municipal Transmission Group, Missouri Joint Municipal Electric Utility Commission, Missouri River Energy Services, Southern Minnesota Municipal Power Agency, and WPPI Energy.

5. We conditionally accept the Compliance Filing, effective January 9, 2011, as requested, subject to MISO submitting a compliance filing within 30 days of the date of this order that restores the omitted characters in Tariff section 43.7.4.5. We also conditionally accept the Re-Collation Filing, effective May 7, 2014, as requested, subject to MISO submitting a compliance filing within 30 days of the date of this order that restores the omitted characters in Tariff section 43.7.4.5.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

cc: All Parties