

153 FERC ¶ 61,005
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Investigation into MISO Zone 4 Planning Resource Auction Market Participant Offers Docket No. IN15-10-000

ORDER OF NON-PUBLIC, FORMAL INVESTIGATION

(Issued October 1, 2015)

1. Shortly after the conclusion of the 2015/16 Planning Resource Auction (Auction) conducted by Midcontinent Independent System Operator, Inc. (MISO) in April 2015, the Commission's Office of Enforcement began a non-public informal investigation under Part 1b of the Commission's regulations into whether market manipulation or other potential violations of Commission orders, rules and regulations occurred before or during the Auction. That investigation is ongoing. The Commission will determine what further action, if any, may be appropriate with respect to the above described issues after it considers the results of the staff investigation.
2. Pursuant to the Federal Power Act sections 201, 307, and 309 (as amended by the Energy Policy Act of 2005);¹ and Part 1b of the Commission's regulations,² the Commission authorizes the Office of Enforcement to conduct a non-public, formal investigation, with subpoena authority, regarding violations of the Commission's regulations, including section 1c.2, Prohibition of electric energy market manipulation,³ that may have occurred in connection with, or related to, the 2015/16 Auction.⁴

¹ 16 U.S.C. §§ 824, 825f, 825h (2012).

² 18 C.F.R. pt. 1b (2015).

³ 18 C.F.R. § 1c.2 (2015).

⁴ An order converting an informal, non-public investigation to a formal, non-public investigation does not indicate that the Commission has determined that any entity has engaged in market manipulation or otherwise violated any Commission order, rule, or regulation.

3. In conducting such investigations, the Director of the Office of Enforcement, and employees designated by the Director, shall have authority to administer oaths and affirmations, subpoena witnesses, compel their attendance and testimony, take evidence, compel the filing of special reports and responses to interrogatories, gather information, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records.

The Commission orders:

The non-public, formal investigation described above is authorized, pursuant to which the Director of the Office of Enforcement, and officers designated by the Director shall have the powers and authorities listed above, and shall report the results of the investigation to the Commission.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.