

154 FERC ¶ 61,010
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Transource Wisconsin, LLC

Docket Nos. ER15-13-001
ER15-13-003

ORDER ON REHEARING AND COMPLIANCE

(Issued January 8, 2016)

1. On January 28, 2015, Transource Wisconsin, LLC (Transource Wisconsin) submitted a compliance filing in response to the Commission's November 26, 2014 order accepting Transource Wisconsin's proposed formula rate template and formula rate implementation protocols (collectively, Formula Rate), subject to condition.¹ Additionally, on December 29, 2014, Transource Wisconsin filed a request for rehearing and clarification of certain aspects of the November 26 Order related to Transource Wisconsin's request for transmission incentive rate treatment. In this order, we deny Transource Wisconsin's request for rehearing and clarification, and accept its compliance filing, subject to condition and further compliance, as discussed below.

I. Background

2. On October 1, 2014, Transource Wisconsin, a wholly owned subsidiary of Transource Energy, which is a joint venture between American Electric Power Company (AEP) and Great Plains Energy, filed its transmission Formula Rate pursuant to section 205 of the Federal Power Act (FPA),² and requested incentive rate treatment under section 219 of the FPA³ and Order No. 679⁴ or, alternatively under section 205.⁵

¹ *Transource Wisconsin, LLC*, 149 FERC ¶ 61,180 (2014) (November 26 Order).

² 16 U.S.C. § 824d (2012).

³ 16 U.S.C. § 824s (2012).

Transource Wisconsin stated that its primary focus is to develop and own transmission facilities that emerge from the Order No. 1000⁶ regional transmission planning and competitive solicitation process established by MISO. Transource Wisconsin's proposed Formula Rate is comprised of: (i) a forward-looking Attachment O formula; (ii) an Attachment GG for calculating project-specific network upgrade charges for Market Efficiency Projects; (iii) an Attachment MM for calculating project specific charges for Multi-Value Projects; and (iv) implementation protocols.

3. On November 26, 2014, the Commission accepted the Formula Rate to be effective once filed with the Commission to become part of MISO's Open Access Transmission, Energy and Operating Reserve Markets Tariff (Tariff), consistent with the effective date established in that future proceeding, subject to a further compliance filing.⁷ The Commission also granted Transource Wisconsin's request for authorization to defer as a regulatory asset its prudently-incurred costs, including pre-commercial and formation costs, effective December 1, 2014, as requested. The Commission rejected Transource Wisconsin's request for authorization, under sections 219 and 205 of the FPA, to recover prudently-incurred costs related to transmission facilities abandoned for reasons beyond its control (Abandoned Plant) and its request for authorization to include 100 percent of construction work in progress (CWIP) in rate base during development and construction.

4. On January 28, 2015, Transource Wisconsin submitted revised tariff sheets in compliance with the Commission's directives. Specifically, Transource Wisconsin provided additional support for its proposed depreciation rates and post-retirement benefits other than pensions (PBOP) costs and made numerous revisions to its

⁴ *Promoting Transmission Investment through Pricing Reform*, Order No. 679, FERC Stats. & Regs. ¶ 31,222 (2006), *order on reh'g*, Order No. 679-A, FERC Stats. & Regs. ¶ 31,236, *order on reh'g*, 119 FERC ¶ 61,062 (2007).

⁵ AEP owns affiliates that are incumbent transmission owning members in both PJM Interconnection, L.L.C. (PJM) and Southwest Power Pool, Inc. (SPP). Great Plains Energy owns Kansas City Power and Light Company, an incumbent transmission owning member of SPP.

⁶ *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000, FERC Stats. & Regs. ¶ 31,323 (2011), *order on reh'g*, Order No. 1000-A, 139 FERC ¶ 61,132, *order on reh'g and clarification*, Order No. 1000-B, 141 FERC ¶ 61,044 (2012), *aff'd sub nom. S.C. Pub. Serv. Auth. v. FERC*, 762 F.3d 41 (D.C. Cir. 2014).

⁷ November 26 Order, 149 FERC ¶ 61,180.

transmission formula rates to correct issues identified by the Commission.⁸ In addition, Transource Wisconsin is proposing in its compliance filing to modify its formula to include a 50-basis point adder for participation in a regional transmission organization (RTO).

5. On December 29, 2014, Transource Wisconsin filed a request for rehearing of the Commission's decision not to grant the CWIP and Abandoned Plant requests. Alternatively, Transource Wisconsin requests that the Commission commit to process future project-specific requests for incentive rate treatments on an expeditious basis. Transource Wisconsin also requests clarification regarding its regulatory asset incentive.

II. Notice of Filing and Responsive Pleading

6. Notice of Transource Wisconsin's compliance filing was published in the *Federal Register*, 80 Fed. Reg. 7444 (2015), with interventions and protests due on or before February 18, 2015. On February 18, 2015, WPPI Energy (WPPI) and Madison Gas and Electric Company (Madison Gas and Electric) jointly filed a limited protest. On March 3, 2015, Transource Wisconsin filed motion for leave to answer and answer to the protest.

III. Procedural Matters

7. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(a)(2) (2015), prohibits an answer to a protest unless otherwise ordered by the decisional authority. We accept Transource Wisconsin's answer because it has provided information that assisted us in our decision-making process.

⁸ Transource Wisconsin also provided additional supporting documents explaining the cost allocation and direct assignment to Transource Wisconsin from its parent companies or affiliates in Docket No. ER15-13-003. On September 22, 2015, Commission staff, pursuant to delegated authority, issued a deficiency letter requesting additional information relating to such cost allocation and direct assignment. Transource Wisconsin submitted a response on October 23, 2015. Issues relating to Transource Wisconsin's cost allocation and direct assignment will be addressed in a separate order in Docket No. ER15-13-003.

IV. Request for Rehearing

A. CWIP and Abandoned Plant Incentives

1. Rehearing Petition

8. Transource Wisconsin argues that the Commission should apply its Order No. 679 policy more flexibly to allow incentive rate treatments for large transmission development projects that emerge from an RTO-conducted competitive process in order to accommodate the timing requirements of that competitive process. Transource Wisconsin contends that the category of projects to which the Abandoned Plant and CWIP incentives would apply is more defined than the Commission suggested in the November 26 Order, as it would include only Multi-Value Projects and Market Efficiency Projects that are designated in the MISO Transmission Expansion Plan. Transource Wisconsin notes that the Market Efficiency Projects and Multi-Value Projects included in the MISO Transmission Expansion Plan are large-scale and complex, with an average project cost exceeding \$300 million. Accordingly, Transource Wisconsin argues, this category of projects presents development risks that the Commission has found to be sufficient to support incentive requests in the past.

9. Transource Wisconsin contends that the Commission should consider other policy justifications under section 205 for granting the CWIP and Abandoned Plant incentives aside from the policy goal of creating a level playing field between incumbents and non-incumbents. For instance, the Commission should consider the policy goal of aligning its incentive rate practices with the new MISO competitive developer selection processes to enable the development of well-informed bids without contingencies related to later incentive requests, thereby fostering competition and ultimately lowering costs for consumers.⁹

2. Commission Determination

10. We decline to apply Order No. 679 “more flexibly” so as to allow incentive rate treatment for unspecified transmission projects that might emerge from the Order No. 1000 competitive solicitation process. Order No. 679 requires an applicant to demonstrate that there is a nexus between the incentive sought and the investment being made and that the total package of incentives requested is “tailored to address the demonstrable risks or challenges faced by the applicant.”¹⁰ The flexibility sought by Transource Wisconsin would circumvent this requirement because it is impossible to

⁹ Request for Rehearing at 13-14.

¹⁰ Order No. 679-A, FERC Stats. & Regs. ¶ 31,236 at P 40.

demonstrate that the requested package of incentives is tailored to address the risks of an unspecified project. Therefore, in order to obtain incentives under Order No. 679, the Commission requires a project-specific demonstration that the incentive is tailored to the investment. The nexus test demonstration under Order No. 679 requires more than just a general representation that the project will be a Multi-Value Project or a Market Efficiency Project.

11. However, as the Commission held in the November 26 Order, incentives for unspecified projects may be granted under section 205 if the applicant can demonstrate that the incentive is needed to further a specific policy goal. In the November 26 Order, the Commission found that granting Transource Wisconsin the regulatory asset incentive under section 205 of the FPA would further the public policy goal of placing nonincumbent transmission developers on a level playing field with incumbent transmission owners in the Order No. 1000 competitive solicitation process. However, the Commission found that the Abandoned Plant and CWIP incentives did not serve this public policy goal because both incumbent and non-incumbent transmission developers are similarly situated with respect to obtaining these incentives in the Order No. 1000 competitive solicitation processes. Transource Wisconsin argues that the Commission should have considered other policy objectives, such as “the Commission’s policy goals of aligning its incentive rate practices with the new MISO competitive developer selection processes to enable the development of well-informed bids in MISO’s competitive solicitation processes without contingencies related to later incentive requests, thereby fostering competition and ultimately lowering costs for customers.”¹¹ However, Transource Wisconsin fails to consider that incumbents and nonincumbents alike face the same uncertainty regarding the availability of CWIP and Abandoned Plant incentives when formulating their bids. Therefore, we disagree that granting the CWIP and Abandoned Plant incentives under section 205 is necessary to foster competition. Further, Transource Wisconsin has not identified a specific need for the Commission to expand its public policy goals beyond that which it has already enunciated in order to align the Commission’s incentive rate practices with an RTO’s competitive solicitation process. Accordingly, we deny Transource Wisconsin’s request for rehearing.

B. Request for Expedited Processing of Incentive Rate Applications

1. Rehearing Petition

12. If the Commission declines to grant the incentives Transource Wisconsin requested in this case because a project is not specified, Transource Wisconsin requests that the Commission commit to process project-specific incentive rate requests on an expedited and streamlined basis, so that Transource Wisconsin can file a request soon

¹¹ Request for Rehearing at 4.

after an Open Transmission Project is posted for bid and receive a Commission order on the request within 60 days. Specifically, Transource Wisconsin requests clarification that such expedited filings can be made through a request for declaratory order without an associated filing fee or, if processed under section 205, through a single-issue ratemaking process without the requirement to rejustify the entire formula rate.

2. Commission Determination

13. We deny Transource Wisconsin's request that the Commission adopt at this time a special policy to waive filing fees for declaratory orders addressing incentive rate requests or that the Commission process such declaratory orders within a prescribed period of time. Those requesting incentive rate treatments for specific projects may explain the need for an expedited determination as appropriate to the facts for that project. Accordingly, we see no need to adopt special procedures for incentive requests. Similarly, we will not at this time change our existing policies with respect to single-issue rate filings.¹²

C. Request for Clarification of Regulatory Asset Incentive

1. Clarification Petition

14. In light of the Commission's holding in *XEST*¹³ that the costs of unsuccessful bids in a competitive transmission developer selection process may be recovered as an expense, or deferred in a regulatory asset for later recovery, Transource Wisconsin requests clarification that the November 26 Order (1) was not predicated on Transource Wisconsin's statement that it would not seek to recover costs associated with the development of an unsuccessful bid in MISO's competitive solicitation such that it can, like XEST, recover the costs of unsuccessful bids as an expense or, if necessary, defer the recovery of such costs in the approved regulatory asset, and (2) was not predicated on Transource Wisconsin's statement that it would not establish a regulatory asset until it was awarded an Open Transmission Project, and that a regulatory asset could be established effective December 1, 2014, such that Transource Wisconsin can, like XEST, book costs of bid development to a regulatory asset immediately and accrue carrying costs rather than waiting until it has been awarded an Open Transmission Project.¹⁴

¹² See Order No. 679, FERC Stats. & Regs. ¶ 31,222 at P 23 (stating that the Commission "typically require[s] a utility seeking a rate increase to expose all of its costs to review and therefore do[es] not generally permit 'single issue' rate filings").

¹³ *Xcel Energy Sw. Transmission Co., LLC*, 149 FERC ¶ 61,182 (2014) (*XEST*).

¹⁴ Request for Rehearing at 16-18.

2. Commission Determination

15. We deny Transource Wisconsin's request for clarification. The November 26 Order made note of Transource Wisconsin's representations that it would not seek to recover the costs of unsuccessful bids and that it would not establish a regulatory asset until it was awarded an Open Transmission Project. The Commission's determination in the November 26 Order was contingent upon those representations. Allowing revisions to an application after it has been accepted by the Commission defeats the acceptance process for rate filings. Applicants must stand by their initial representations or else file amended or revised applications and request Commission authorization anew. A rehearing request is not the appropriate avenue to submit such amendments or revisions which should instead be pursued through a new section 205 filing.

V. Compliance Filing

A. Depreciation Rates

16. In the November 26 Order, the Commission stated:

Transource Wisconsin states that its proposed depreciation rates were calculated using a 2010 depreciation study approved by the Commission for use in Docket No. ER14-1408-000. However, Transource Wisconsin's proposed depreciation rates differ from those that the Commission accepted in Docket No. ER14-1408-000. Additionally, the depreciation study in Exhibit No. TWI-502 does not support Transource Wisconsin's proposed depreciation rates in Exhibit No. TWI-503. Accordingly, we direct Transource Wisconsin, in its compliance filing due within 30 days of the date of this order, to provide a depreciation study which supports its proposed depreciation rates, or revise the depreciation rates filed to conform to those accepted in Docket No. ER14-1408-000.¹⁵

1. Transource Wisconsin's Submittal

17. Transource Wisconsin maintains that the depreciation study in Exhibit No. TWI-502 for the Indiana Michigan Company does in fact support Transource Wisconsin's proposed depreciation rates. Transource Wisconsin states that page 33 of the study supports the average service life and net salvage percentages that were used to develop Transource Wisconsin's proposed depreciation rates using the formula: Annual Depreciation Rate = (100 – Net Salvage %) / Average Remaining Life. Transource

¹⁵ November 26 Order, 149 FERC ¶ 61,180 at P 36.

Wisconsin explains that the resultant depreciation rates for the Indiana Michigan Company differ from those proposed for Transource Wisconsin because Indiana Michigan's assets have shorter remaining service lives than the unbuilt assets of Transource Wisconsin. Transource Wisconsin states that the same approach was used to develop the depreciation rates on file for a number of transmission-only companies with no pre-existing assets.¹⁶

2. Protest

18. Based on information in Transource Wisconsin's transmittal letter, Madison Gas and Electric and WPPI contend that Transource Wisconsin made arithmetic errors in calculating the depreciation rates for Accounts 396, 397, and 398, which resulted in overstating the depreciation rates for Accounts 396 and 398 and understating the depreciation rate for Account 397.

3. Answer

19. Transource Wisconsin explains that there are several transcription errors in the summary table in its transmittal letter but maintains that the depreciation rates provided in its filing are correct. Specifically, Transource states that the depreciation rates listed in the far right hand column of the summary table are correct and that the apparent errors result from the improper transcription of figures from page 33 of Exhibit No. TWI-501 into the "Net Salvage Factor" column on the summary table.

4. Commission Determination

20. We accept Transource Wisconsin's explanatory support for its depreciation rates, and we find that the inputs from the Indiana Michigan depreciation rates do in fact yield Transource Wisconsin's proposed depreciation rates. We disagree with Madison Gas and Electric and WPPI's arithmetic concerns. The transmittal letter for Transource Wisconsin's compliance filing incorrectly states that the Indiana Michigan depreciation study supports Net Salvage factors of 2, 5, and 17 percent, respectively. These figures were incorrectly copied from column 10 instead of column 11 of page 33 of the Indiana Michigan depreciation study. We find that the calculations were made using the correct values in column 11, and we accept Transource Wisconsin's explanatory support for the depreciation rates for Accounts 396, 397, and 398.

¹⁶ Transmittal at 3-5 (citing *Tallgrass Transmission, LLC*, 132 FERC ¶ 61,114 (2010); *Pioneer Transmission, LLC*, 129 FERC ¶ 61,065 (2009); *Potomac-Appalachian Transmission Highline, L.L.C.*, 133 FERC ¶ 61,152 (2010); *Transource Missouri, LLC*, 143 FERC ¶ 61,104 (2013)).

B. Formula Rate Revisions**1. November 26 Order and Transource Wisconsin's Submittal**

21. In the November 26 Order, the Commission directed Transource Wisconsin to propose numerous revisions to its formula rate. Among its directives, the Commission directed Transource Wisconsin to propose revisions to its formula rate template to credit any unfunded reserves against rate base.¹⁷ To comply with this directive, Transource Wisconsin proposes to add Line 23c for unfunded reserves to page 2 of Attachment O and page 2 to Attachment 4. The Commission also found that Attachment 7 is unclear of the source (page and/or line number cite) for those costs on Lines 2, 3, and 5 and how the costs from Lines 4, 6 and 8 are to be calculated. In order to ensure sufficient specificity in calculations and the source for data, the Commission directed Transource Wisconsin to provide those clarifications in Attachment 7. Transource Wisconsin's compliance filing includes the actuarial reports for AEP, GPE, and KCP&L. Transource Wisconsin also proposes revisions specifying that Lines 2 and 3 come from AEP and KCP&L actuarial reports and Line 5 comes from page 354 of the FERC Form No. 1 excluding labor dollars associated with a nuclear facility. Transource Wisconsin also proposes revisions to Attachment 7 adding calculation descriptions to Lines 4, 6, and 8 and specifying that PBOP amounts cannot be changed absent approval from the Commission in a separate proceeding.

22. Additionally, the Commission found that on Page 4, Lines 5, 27, 28 and 29, Transource Wisconsin references, note MM which states, "If page 4 Lines 12-15 equal 0, TP shall equal '1'" which relate to Long Term Debt, Preferred Stock, and Common Stock, respectively. It determined that this note appears applicable to the development of allocators and not the elements of the rate of return and required a correction for this error.¹⁸ Transource Wisconsin proposes to remove the reference to Note MM for Lines 5, 27, 28, and 29 of Page 4 of Attachment O and replace them with references to Note Y, which describes use of 13-month averages except for ADIT amounts.

23. Finally, as agreed to by Transource Wisconsin, the Commission accepted the protocols subject to the outcome of MISO's formula rate protocols proceedings which were pending in Docket No. ER13-2379-000, et al. Transource Wisconsin largely conformed its proposed protocols to those in the ER13-2379-000, et al. proceeding.

¹⁷ *Id.* P 43.

¹⁸ *Id.* P 53.

2. Commission Determination

24. We accept Transource Wisconsin's Formula Rate revisions subject to condition.¹⁹ Except as discussed below, we find that Transource Wisconsin's explanations and proposed Formula Rate revisions comply with the Commission's directives in the November 26 Order. Transource Wisconsin is directed to make a compliance filing within 30 days of the date of this order to address the concerns identified below.

25. We accept Transource Wisconsin's proposed Formula Rate provisions in response to the Commission's directive to credit any unfunded reserves against rate base subject to condition. Although the broad methodology, as shown on page 2 of Attachment 4 appears reasonable, we find that Line 23c of Page 2 of Attachment O should state "Unfunded Reserves (enter negative)." Absent the "enter negative" language, the unfunded reserves amount would be inappropriately added to, rather than subtracted from, rate base. The heading of Attachment 4, Page 2, Column F, as well as the purpose of that column, is unclear, as is the phrase "exclude the portion of any balance offset by a balance sheet account" in Attachment 4, note G. In addition to correcting the aforementioned error on Line 23c of Page 2 of Attachment O, we direct Transource Wisconsin to explain the purpose of Column F and the quoted phrase in Note G, and how they ensure that capital contributions from customers are appropriately deducted from rate base before they are used to fund liabilities.

26. We accept Transource Wisconsin's proposed revisions to Attachment 7, Post-Retirement Benefits Other than Pensions, in response to the Commission's directive to clarify sources as well as its provision of the requested actuarial report in the Commission's tenth directive, subject to condition. However, Attachment 7, Post-Retirement Benefits other than Pension (PBOPs), contains some items that are not clearly supported. Specifically, it is not clear from the submitted actuarial reports why the amount relating to retired personnel on Line 3 is zero. Further, for Line 5, it is not clear how the labor dollars for AEP are derived, or are appropriate, given that AEP has a number of public utility and non-public utility operating company subsidiaries for which PBOP expenses are included in the -\$27,206,002 figure on Line 2. Finally, Line 7 contains no specification of the inputs and/or underlying calculations to be placed in that line. We direct Transource Wisconsin to provide additional clarification and support to address these issues.

¹⁹ The Commission can revise a proposal filed under section 205 of the FPA as long as the filing utility accepts the change. *See City of Winnfield La., v. FERC*, 744 F.2d 871, 875-77 (D.C. Cir. 1984). The filing utility is free to indicate that it is unwilling to accede to the Commission's conditions by withdrawing its filing.

27. We accept Transource Wisconsin's proposed revisions in response to the November 26 Order to Lines 5, 28, 29, and 30 of Attachment O, where Note MM was deleted and/or replaced with Note Y, subject to condition. However, Note Y cites Attachment 4, when the support and FERC Form No. 1 references for Lines 28, 29, and 30 are in Attachment 5. We direct Transource Wisconsin to correct this error in its compliance filing. We also accept Transource Wisconsin's changes to its protocols in response to the Commission's twenty-first directive, conditioned upon its further revision of the protocols to be consistent with those that the Commission accepted in Docket No. ER13-2379-004.²⁰ Specifically, Interested Parties should have until April 15, rather than March 31, to make Formal Challenges.

C. Request for RTO Participation Adder

1. Transource Wisconsin's Submittal

28. Transource Wisconsin asks in its compliance filing that the Commission accept the same RTO participation adder footnote to its Attachment O template that the Commission accepted for the incumbent transmission owners.²¹ Specifically, the Commission held that the 50-basis point adder would be available "for use by any transmission-owning members of MISO that have turned operational control of their transmission system over to MISO and use the generally applicable MISO ROE."²² However, for transmission owners that have not yet incorporated the 50-basis point adder into their filed formula rate tariffs, the Commission held that the use of the adder would be contingent on a future FPA section 205 filing to incorporate the necessary language.²³ Transource Wisconsin argues that provision of this incentive will obviate the need for future compliance filings and more importantly will place Transource Wisconsin on a level playing field relative to incumbent transmission owners.

²⁰ See *Midcontinent Indep. Sys. Operator, Inc.*, Docket No. ER13-2379-004 (Aug. 21, 2015) (delegated letter order).

²¹ Transmittal at 12.

²² *Midcontinent Indep. Sys. Operator, Inc.*, 150 FERC ¶ 61,004, at P 48 (2015) (RTO Adder Order).

²³ *Id.*

2. Protest

29. Madison Gas and Electric and WPPI contend that Transource Wisconsin's request for an RTO participation incentive is inappropriate in a compliance filing because the Commission did not address the RTO Participation Incentive in the November 26 Order or direct such changes. Madison Gas and WPPI cite Commission precedent limiting compliance filings to directives ordered by the Commission.²⁴

3. Answer

30. Transource Wisconsin responds that the RTO adder request in this proceeding is intended to promote administrative efficiency by avoiding the need to initiate a new section 205 proceeding to include the RTO adder footnote. Transource Wisconsin argues that the Commission has already determined that the RTO participation adder can be applied to new entrants and that there is no purpose in requiring an additional, separate section 205 proceeding to implement this result.

4. Commission Determination

31. We deny Transource Wisconsin's request for the RTO participation adder as beyond the scope of the compliance filing. We agree with Madison Gas and WPPI that, consistent with Commission precedent, compliance filings must be limited to the specific directives ordered by the Commission; their only purpose is to make the directed revisions, and the sole issue in reviewing them is whether they comply with those directives.²⁵ The Commission did not direct Transource Wisconsin to file a request for an additional incentive not included in its initial application. Therefore, this request should not have been included in Transource Wisconsin's compliance filing. The denial of the RTO adder is without prejudice to a subsequent section 205 filing to incorporate the adder into the tariff, as the Commission allowed and required in the RTO Adder Order.

²⁴ Madison Gas and Electric and WPPI Protest at 2-3 (citing *Cal. Indep. Sys. Operator Corp.*, 148 FERC ¶ 61,023, at P 23 n.27 (2014)).

²⁵ See *Cal. Indep. Sys. Operator Corp.*, 148 FERC ¶ 61,023, P 23 n.27 (2014); *Pacific Gas and Electric Co.*, 109 FERC ¶ 61,336, at P 5 (2004); *Midwest Indep. Transmission Sys. Operator, Inc.*, 99 FERC ¶ 61,302, at 62,264 (2002).

The Commission orders:

(A) Transource Wisconsin's request for rehearing and clarification is hereby denied, as discussed in the body of this order.

(B) Transource Wisconsin's request to include an RTO participation adder incentive is denied, without prejudice, as discussed in the body of this order.

(C) Transource Wisconsin's compliance filing is accepted subject to condition, as discussed in the body of this order.

(D) Transource Wisconsin is hereby directed to submit a further compliance filing within 30 days of the date of this order, as discussed in the body of this order.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.