154 FERC ¶ 61,057
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

ISO New England Inc. Docket No. ER16-446-000
New England Power Pool Participants Committee

ORDER ACCEPTING FILING

(Issued January 29, 2016)

1. On December 1, 2015, pursuant to section 205 of the Federal Power Act (FPA),[1] ISO New England Inc. (ISO-NE) and the New England Power Pool (NEPOOL) Participants Committee (collectively, Filing Parties) filed proposed values for the Installed Capacity Requirement (ICR), Local Sourcing Requirement, Hydro Quebec Interconnection Capability Credits (HQICCs), and related values needed to develop the demand curve for the third annual reconfiguration auction for the 2016-2017 Capacity Commitment Period, the second annual reconfiguration auction for the 2017-2018 Capacity Commitment Period, and the first annual reconfiguration auction for the 2018-2019 Capacity Commitment Period (collectively, Identified Reconfiguration Auctions). As discussed below, we will accept the proposed values, effective January 30, 2016, as requested.

I. Background and Summary of Filing

2. ISO-NE administers the Forward Capacity Market (FCM), in which eligible resources compete in an annual Forward Capacity Auction (FCA), to provide capacity three years in advance of the relevant delivery year.[2] Prior to each FCA, ISO-NE makes determinations as to the values it will use each year for certain parameters used in the

[1] 16 U.S.C. § 824d (2012).

[2] *See, e.g.*, ISO-NE Transmission, Markets and Services Tariff (ISO-NE Tariff) § I.2.2 (50.0.0).

FCA, including the ICR, HQICCs,[3] Local Sourcing Requirement, and capacity requirement values needed to develop the demand curve (collectively, ICR-Related Values). The ICR is the minimum level of capacity required to meet the reliability requirements defined for the New England Control Area.[4] In each FCA, ISO-NE seeks to procure net ICR – the amount of capacity remaining after subtracting the HQICC values.[5]

3. Following the initial FCA for a given Capacity Commitment Period, ISO-NE conducts three subsequent annual reconfiguration auctions prior to that Capacity Commitment Period. Filing Parties state that they use the reconfiguration process to: (1) address changes in the amount of the ICR that must be procured for a Capacity Commitment Period due to changes in system conditions that have occurred since the calculation of the ICR for the FCA; (2) provide Market Participants that have procured Capacity Supply Obligations in the FCA for a Capacity Commitment Period the opportunity to modify those obligations; and (3) provide Market Participants with Qualified Capacity not already subject to a Capacity Supply Obligation the opportunity to acquire such an obligation.[6] The calculation methodology used to develop the ICR-Related Values for annual reconfiguration auctions is the same as that used to calculate the values for the corresponding FCAs.[7]

4. In its December 1, 2015 filing, Filing Parties submitted their proposed ICR-Related Values for the Identified Reconfiguration Auctions. The ICR value is based on four essential components: load forecast, resource capacity ratings, resource availability, and tie benefits.[8] Filing Parties state that the forecast published in the 2015 – 2024

[3] HQICCs are capacity credits that are allocated to entities that hold certain rights over the Hydro Quebec Phase I/II HVDC Transmission Facilities (HQ Interconnection). Filing Parties Transmittal at 8.

[4] Filing Parties Transmittal at 5 ("the Installed Capacity Requirement is the amount of resources needed to meet the reliability requirements defined for the New England Control Area of disconnecting non-interruptible customers (a loss of load expectation or 'LOLE') no more than once every ten years (a LOLE of 0.1 days per year)").

[5] *See* ISO-NE Tariff § III.13.2.2 (28.0.0).

[6] Filing Parties Transmittal at 5.

[7] *Id.* at 12; *see* ISO-NE Tariff § III.13.4.5 (13.0.0).

[8] *Id.*

Forecast Report of Capacity, Energy, Loads, and Transmission, dated May 1, 2015 (2015 CELT Report), was used to determine the load forecast. ISO-NE explains that the methodology used to calculate the ICR remains the same as the methodology utilized in previous years, but there is a change to the assumptions used.[9] Filing Parties explain that the ICR now includes "behind-the-meter not embedded in load" (BTMNEL) solar photovoltaic (PV) resources that are forecasted to be installed (referred to here as Non-Embedded Solar Resources), or that have been installed and are not yet reflected in historical loads, as a reduction in the load forecast.

5. Filing Parties state that, as explained in the FCA 10 ICR-Related Values filing, rapid growth and installation of PV resources led ISO-NE, working with the Distributed Generation Forecast Working Group, to develop a forecast that captures the effects of recently installed PV resources and PV resources expected to be installed within the forecast horizon in order to forecast the potential future peak loads as accurately as possible.[10] They further state that this same PV forecast was used in determining the load forecast used in the calculation of the ICR-Related Values for the Identified Reconfiguration Auctions. Filing Parties state that the solar PV forecast separated resources into four categories, the first three of which are not at issue here,[11] and adjusted the load forecast by the forecasted Non-Embedded Solar Resources.[12]

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[9] *Id.* at 12-13.

[10] *Id.* at 14 (citing ISO-NE Transmittal, Docket No. ER16-307-000 at 6 (filed November 10, 2015) (FCA 10 ICR Filing)). The Commission ruled on the FCA 10 ICR-Related Values Filing in *ISO New England Inc.*, 154 FERC ¶ 61,008 (2016) (FCA 10 ICR Order).

[11] Those first three types are (1) PV resources that already participate in the FCM, (2) PV resources that do not participate in the FCM but participate in the energy market as non-dispatchable Settlement Only Resources, and (3) behind-the-meter PV resources embedded in load (PV resources that have been installed with enough time for their historical output to become part of the model estimation period of historical load used to forecast future load). Filing Parties Transmittal at 14.

[12] ISO-NE arrived at its Non-Embedded Solar Resources proposal by working with state agencies and developing forecasts of future nameplate ratings of PV installations anticipated over the 10-year planning horizon. These forecasts are created for each state based on policy drivers, recent PV growth trends, and discount adjustments designed to represent a degree of uncertainty in future PV commercialization. To estimate the expected output from these future installations during summer peak load

(continued ...)

6. Filing Parties propose that the ICR for the 2016-2017, 2017-2018, and 2018-2019 Capacity Commitment Periods be 34,247 MW, 34,510 MW, and 34,836 MW, respectively. ISO-NE states that, after deducting the relevant HQICC values, the net ICRs are 33,152 MW, 33,442 MW, and 33,883 MW, respectively.[13]

7. ISO-NE states that, by vote on October 21, 2015, the NEPOOL Reliability Committee supported the ICR and the ICR-related values for the Identified Reconfiguration Auctions. ISO-NE further states that on November 16, 2015, the NEPOOL Participant's Committee voted in favor of the ICR and ICR-related values for the Identified Reconfiguration Auctions, with a vote of 80.97 percent in favor.[14]

II. Notice of Filing and Responsive Pleadings

8. Notice of ISO-NE's filing was published in the *Federal Register*, 80 Fed. Reg. 76,282 (2015), with interventions and protests due on or before December 22, 2015. Timely-filed motions to intervene were submitted by Entergy Nuclear Power Marketing, LLC, National Grid, NRG Power Market LLC, GenOn Energy Management, LLC, PSEG Companies,[15] and Eversource Energy Service Company. New England States Committee on Electricity (NESCOE) filed a timely motion to intervene and comments. Dominion Resources Services, Inc. (Dominion), NRG Companies,[16] and New England Power Generators Association (NEPGA) each filed a timely motion to intervene and protest. On December 23, 2015, NEPGA filed an errata to its protest. On January 5, 2016, ISO-NE filed an answer to the protests.

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conditions, ISO-NE used state PV profiles from three years of historical data (2012 – 2014) that were developed from production data available from 665 currently installed individual PV sites throughout New England. Testimony of Stephen Rourke and Peter Wong, Attachment to Filing Parties Transmittal (Rourke-Wong Testimony), at 18-20.

[13] Filing Parties Transmittal at 9-11.

[14] *Id.* at 21.

[15] PSEG Companies include PSEG Power LLC, PSEG Energy Resources & Trade LLC, and PSEG Power Connecticut LLC.

[16] NRG Companies include NRG Power Marketing LLC and GenOn Energy Management, LLC.

A. Protests

9. Dominion, NRG Companies, and NEPGA state that, given that ISO-NE bases the proposed ICRs for the Indicated Reconfiguration Auctions on the same behind- the-meter generation forecast and ICR methodology as were proposed in the FCA 10 ICR proceeding, they wholly incorporate and adopt their protests in those proceedings.[17] Unique to this proceeding, NEPGA argues that resources that acquired Capacity Supply Obligations in the base FCAs reasonably understood that changes to the ICR for each annual reconfiguration auction would be based on observable, historical peak load changes, and that the reduction in the ICR following ISO-NE's consideration of Non-Embedded Solar Resources in the ICR affects liquidity and resource positions in the annual reconfiguration auctions.[18]

10. In their protests of the FCA 10 ICR Filing, Dominion, NRG Companies, and NEPGA argued that ISO-NE should submit the change in the calculation of the ICR to the Commission as a section 205 revision to the ISO-NE Tariff. They assert that ISO-NE and NEPOOL stakeholders have yet to fully consider the potential market and operational effects of ISO-NE's proposed change to the methodology of calculating ICR, and that the proposal constitutes a material change to rates, terms and conditions that should be filed for Commission review under section 205.[19] NRG Companies also state that while ISO-NE has some flexibility in how to conduct its load forecast, there appears to be no limiting principle to the changes ISO-NE has applied to the ICR calculation. [20]

11. NEPGA states that, though not all practices potentially affecting wholesale rates must be on file, those that "affect rates and service significantly, that are reasonably susceptible of specification, and that are not so generally understood in any contractual arrangement as to render recitation superfluous" must be included in a Commission-approved tariff,[21] and that the Commission determines what practices fit this definition

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[17] Dominion Protest at 3; NRG Companies Protest at 4; NEPGA Protest at 5.

[18] NEPGA Protest at 6.

[19] Dominion Protest, ER16-307-000, at 4 (filed December 1, 2015); NRG Companies Protest, Attachment 1 at 3; and NEPGA Protest, Attachment A at 2.

[20] NRG Companies Protest, Attachment 1 at 3-5.

[21] NEPGA Protest at 11 (citing *City of Cleveland, Ohio v. FERC*, 773 F.2d 1368, 1376 (D.C. Cir. 1985)). NEPGA also cites to *Energy Spectrum, Inc. v. New York Indep. Sys. Operator Inc.*, 141 FERC ¶ 61,197, at P 51 n.25 (2012).

through a "rule of reason," balancing the benefits of notice and full disclosure against any potential burden to the public utility of filing terms that do not so affect rates and services.[22] NEPGA refers to two recent Commission decisions that required revisions to the ISO-NE Tariff to include the Winter Reliability Program payment rate[23] and the automatic reduction in the Offer Review Trigger Price for wind resources.[24] NEPGA argues these cases presented circumstances similar to those here, and therefore, the Commission should require tariff changes to be filed under section 205.[25]

12. NRG Companies state that incorporating future load forecasts of new solar PV resources is a departure from how ISO-NE has previously treated the load impact of emerging technologies, noting that ISO-NE's practice has been to wait for unaccounted energy efficiency to appear in customer consumption patterns before utilizing it to reduce the ICR value.[26] Dominion and NEPGA argue the methodology to incorporate Non-Embedded Solar Resources into the ICR calculation should be treated similarly to demand response resources in the ISO-NE Tariff.[27]

13. NRG Companies argue that the current method of incorporating the Non-Embedded Solar Resources forecast in the ICR calculation is unreliable because it is subject to state legislatures and local politics, which are subject to change. NRG Companies explain that, in ISO-NE's filing of proposed values for the ICR for FCA 9, ISO-NE stated that values forecasting future performance of capacity resources in the two-settlement market design "would be purely speculative,"[28] and the Commission

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[22] *Id.* Attachment A at 11 (citing *Midcontinent Indep. Sys. Operator, Inc.*, 152 FERC ¶ 61,073 (2015) (*MISO*) (citing *PacifiCorp*, 127 FERC ¶ 61,144, at P 11 (2009))).

[23] *Id.* Attachment A at 12 (citing *ISO New England Inc.*, 152 FERC ¶ 61,190, at P 51 (2015) (Winter Reliability Order)).

[24] *Id.* (citing *ISO New England Inc.*, 147 FERC ¶ 61,109, at P 22 (2014) (Wind Price Order)).

[25] *Id.* Attachment A at 12.

[26] NRG Companies Protest, Attachment 1 at 5-6.

[27] Dominion Protest, ER16-307-000, at 5 (filed December 1, 2015); NEPGA Protest, Attachment A at 13(citing ISO-NE Tariff § III.12.8 (13.0.0)).

[28] NRG Companies Protest, Attachment 1 at 7 (citing ISO-NE, Answer, Docket No. ER15-325-000, at 7 (filed December 10, 2015)).

agreed in its order stating that there is "no basis to use forecasted performance data in the absence of actual historical performance under this nascent two-settlement market design."[29]

14. NRG Companies also argue that incorporating distributed generation resources into the long-term load forecast and calculations of the ICR, combined with the Renewable Technology Resource Exemption from buyer-side market power mitigation, undermines FCA price formation and will prevent the emergence of the appropriate price signals needed to attract new entry.[30] NEPGA similarly argues that market issues surrounding ISO-NE's proposed calculation of the ICR include price suppression effects and the elimination of the load growth that was projected to displace the uneconomic entry permitted by the Renewable Technology Resource Exemption. NEPGA contends that the proposed inclusion of Non-Embedded Solar Resources in the ICR, combined with the Renewable Technology Resource Exemption, will "compromise if not eliminate the ability of load growth to displace the uneconomic entry allowed in the [FCA]."[31] NEPGA argues that this will create a new market design with flat or declining growth, without subjecting the new generation to buyer-side market power mitigation review under ISO-NE's Minimum Offer Price Rule.[32]

15. NEPGA asserts that the ISO-NE proposal also raises potential consequences for long-term system reliability and ISO-NE operations, in that the decrease in the FCA clearing price that will result from a lower ICR could result in a capacity market design that, over time, prices capacity below the Net Cost of New Entry and the level necessary to enable resources to recover their costs on average and over time.[33] NEPGA states that, in addition, distributed generation will have a disincentive to participate in the FCA because credit will be given to load that does not have performance obligations required of capacity resources, and the potential for double counting exists for forecasted Non-Embedded Solar Resources that actually participate in the FCM.[34]

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[29] *Id.* (citing *ISO New England Inc.*, 150 FERC ¶ 61,003, at P 19 (2015)).

[30] *Id.* at 3-4.

[31] *Id.*, Attachment A at 8.

[32] *Id.*

[33] *Id.* at 9-10.

[34] *Id.* at 9.

16. Dominion argues that, in the stakeholder process, ISO-NE solely focused on developing a solar PV forecast in the Distributed Generation Forecast Working Group and then included that forecast in the calculations of the ICR without any further discussion with stakeholders on the methods used to do this.[35] NEPGA also states that the stakeholder discussions on ICR methodology did not include consideration of issues beyond details of the peak load forecast for solar PV.[36] NEPGA further asserts that NEPOOL's discussion of ISO-NE's proposal focused on assumptions, projections, and data in the peak load forecast, but not the market and operational issues, which NEPGA states "the Commission deemed critical to a proper evaluation of the proposal."[37]

B. Comments Supporting ISO-NE's Proposal

17. NESCOE states that it supports Filing Parties' filing and incorporates by reference and adopts its comments filed in support of the FCA 10 ICR Filing.[38] In those comments, NESCOE states that the resources captured in ISO-NE's solar PV forecast are small-scale installations (less than 5 MW), and that utilizing the solar PV forecast in the ICR calculation removes the lag between when resources are placed in service and when load calculations reflect the resource's output, thus avoiding over-procurement of FCM resources.[39] NESCOE asserts that efforts to link ISO-NE's consideration of Non-Embedded Solar Resources in the ICR with buyer-side market power mitigation are inapposite, because Non-Embedded Solar Resources do not participate in the ISO-NE markets as supply-side resources, and because the inclusion of Non-Embedded Solar Resources does not alter the requirements for the Renewable Technology Resource Exemption.[40] NESCOE also argues that Non-Embedded Solar Resources will continue to have an impact on demand whether or not they are used in the ICR value calculation, which could force consumers to purchase unnecessary capacity.[41]

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[35] Dominion, Protest, Docket No. ER16-307-000, at 4 (filed December 1, 2015).

[36] NEPGA Protest, Attachment A at 6.

[37] *Id.*

[38] NESCOE Comments at 2.

[39] *Id.*, Attachment 1 at 7.

[40] *Id.*, Attachment 1 at 9.

[41] *Id.*, Attachment 1 at 10.

C. ISO-NE's Answer

18. In its answer, ISO-NE states that it incorporates by reference and adopts its answer in the proceeding for the FCA 10 ICR Filing.[42] In that answer, ISO-NE states that the reduction in the load forecast to account for Non-Embedded Solar Resources was fully vetted in the stakeholder process. In addition, ISO-NE states that NEPGA presented the market issues described in its protests to the Markets Committee on three occasions, and that NEPGA's argument that the proposal to include Non-Embedded Solar Resources as a reduction in the ICR conflicts with other features of the FCM was not substantiated. ISO-NE states that several of the issues that NEPGA raises, such as the Renewable Technology Resource Exemption from buyer-side market power mitigation and the design of the system-wide demand curve, are outside the scope of this proceeding and, accordingly, should be dismissed by the Commission.[43]

19. ISO-NE asserts that the methodology to account for Non-Embedded Solar Resources does not need to be included in the tariff. ISO-NE states that the load forecast methodology, like other methodologies that it uses to calculate the ICR, has not been incorporated in the ISO-NE Tariff. ISO-NE states that the only tariff filing relating to the methodology for calculating ICR was made in 2006 at the advent of the FCM, and that, by design, the details of calculating the ICR-Related Values are to be reflected in ISO-NE's annual filing of the ICR as part of the FCM process. ISO-NE further explains that these tariff provisions anticipate that the assumptions underlying ICR calculations will evolve over time and thus be reflected in the annual ICR filing. ISO-NE further states that, in its order accepting the FCM, the Commission rejected claims that certain aspects of the ICR calculations must be filed with the Commission under section 205.[44] ISO-NE states that the Commission found that the combination of the annual ICR filing under section 205 and the opportunity for stakeholders to participate in the process affords stakeholders sufficient opportunity to address any issues, and thus, a separate section 205 filing of the calculations underlying the ICR values was not required.[45]

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[42] ISO-NE Answer at 3.

[43] *Id.* Attachment at 5

[44] *Id.* Attachment at 6-7 (citing *ISO New England, Inc.*, 118 FERC ¶ 61,157, at PP 65-68 (2007) (ICR Rules Order).

[45] *Id.* (citing ICR Rules Order, 118 FERC ¶ 61,157 at PP 65-68).

III. Commission Determination

A. Procedural Matters

20. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2015), the timely-filed unopposed motions to intervene serve to make the entities filing them parties to this proceeding.

21. 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 or answer unless otherwise ordered by the decisional authority. We will accept the answer filed by ISO-NE because it has provided information that has assisted us in our decision-making process.

B. Substantive Matters

22. As discussed further below, we accept the proposed ICR-related values, effective January 30, 2016, as requested. The purpose of the instant filing is for ISO-NE to propose ICR-Related Values to be used in the Indicated Reconfiguration Auctions, and we find that ISO-NE followed its Commission-approved tariff in calculating these values. In making this determination, we note that challenges to Filing Parties' filing are limited to incorporation of Non-Embedded Solar Resources into the ICR calculation. We also note that these challenges were addressed in the Commission's order accepting the FCA 10 ICR Filing.[46]

23. The Commission's determination in the FCA 10 ICR Order is applicable here. In that Order we found that ISO-NE followed the Commission's expectation that ISO-NE would work with its stakeholders to address the incorporation of solar PV forecasts into the ICR calculation for FCA 10. As in the FCA 10 ICR Filing, ISO-NE has incorporated the load forecast published in the 2015 CELT Report in the determination of the ICRs for the Indicated Reconfiguration Auctions.[47] Filing Parties state that, to ensure that Non-Embedded Solar Resources are properly accounted for in the ICR-Related Values, and in order to avoid double-counting (*i.e.*, considering particular solar PV resources as both a generation resource and a load), ISO-NE separated the types of solar PV resources into categories, and ensured that it would only consider as BTMNEL generation "in-service behind-the-meter PV resources that have not been captured in the historical load and behind-the-meter PV resources forecasted to be installed prior to the Capacity

[46] FCA 10 ICR Order, 154 FERC ¶ 61,008 (2016).

[47] Filing Parties Transmittal at 13.

Commitment Period of interest."[48] Accordingly, we find that ISO-NE has properly incorporated Non-Embedded Solar Resources into its ICR calculation, and has supported that action.

24. We disagree with protesters' argument that the use of a forward-looking estimate of the penetration of Non-Embedded Solar Resources is a sufficiently "significant and material" change to ISO-NE's current method of calculating the ICR that requires ISO-NE to submit tariff revisions under FPA section 205. As noted in the FCA 10 ICR Order, the Commission has not previously required tariff revisions under FPA section 205 each time ISO-NE revised the methodology used to calculate the ICR.[49] We reiterate that the Commission accepted the current ICR rules, stating that "insofar as ISO-NE and stakeholders continue to develop and file with the Commission annual ICR values," parties could challenge ISO-NE's inputs into the ICR in those annual filings, and thus "the combination of the annual ICR filing and the opportunity for state regulatory agencies to participate in the process" afforded parties sufficient opportunity to address their concerns.[50] Furthermore, as the Commission stated in the FCA 10 ICR Order, the cases cited by NEPGA with regard to FPA section 205 tariff changes are factually distinguishable from this case and are therefore inapposite.[51]

25. NEPGA notes in its protest that the Commission employs a "rule of reason" to determine what practices, terms or conditions must be filed as part of a tariff.[52] In the FCA 10 ICR Order, the Commission found that, under the rule of reason, the arguments repeated here did not justify a burden of filing with the Commission the ICR methodology to incorporate Non-Embedded Solar Resources in FCA 10. We reassert that holding here with respect to the Indicated Reconfiguration Auctions. We also reject NEPGA's request that we act under FPA section 206[53] to require ISO-NE to file the change to its method of calculating ICR under FPA section 205. As in the FCA 10 ICR

[48] Rourke-Wong Testimony at 18.

[49] FCA 10 ICR Order, 154 FERC ¶ 61,008 at P 31.

[50] ICR Rules Order, 118 FERC ¶ 61,157 at P 68.

[51] FCA 10 ICR Order, 154 FERC ¶ 61,008 at P 33.

[52] NEPGA Protest, Attachment A at 10-11.

[53] 16 U.S.C. §824e (2012)

Order, we find that ISO-NE has appropriately utilized the annual filing to provide relevant information on the underlying assumptions for the calculation of the ICR values.[54]

26. We also find unpersuasive NEPGA's argument that the reduction in ICR following ISO-NE's consideration of Non-Embedded Solar Resources in the ICR inappropriately affects liquidity and resource positions in the annual reconfiguration auctions. The Commission recognizes that the reduction in ICR based on ISO-NE's consideration of Non-Embedded Solar Resources in the ICR may affect liquidity and resource positions. As the Commission stated in the FCA 10 ICR Order, the purpose of the ICR – and the subject of this particular filing – is to ensure that ISO-NE procures sufficient resources to meet reliability requirements.[55] With respect to NEPGA's concern that Non-Embedded Solar Resources should be subject to buyer-side market power mitigation, we reiterate the Commission finding that such concerns are irrelevant, as ISO-NE has demonstrated that the Non-Embedded Solar Resources that it is adding to the load forecast do not participate in ISO-NE's capacity markets.[56] Further, as the Commission stated in the FCA 10 ICR Order, we find speculative NRG's argument that the incorporation of these resources in the load forecast in conjunction with the Renewable Technology Resource Exemption will lead to early retirements.[57]

27. Regarding arguments that ISO-NE failed to hold an appropriate stakeholder process to discuss the changes to the calculation of the ICR, we restate the Commission's finding in the FCA 10 ICR Order that the stakeholder process conducted by ISO-NE provided sufficient process, and considered the operational and market consequences of

[54] FCA 10 ICR Order, 154 FERC ¶ 61,008 at P 32. With regard to protesters' arguments that ISO-NE is improperly treating Non-Embedded Solar Resources differently from energy efficiency and demand response, as the Commission has often stated, there can be more than one just and reasonable rate or rate design, and, as we note above at PP 22-23, the filing at issue here is just and reasonable. Nothing that protesters argue about the treatment of new solar PV resources, as compared to the treatment of other types of resources, justifies a finding that the proposed treatment at issue here is not just and reasonable.

[55] FCA 10 ICR Order, 154 FERC ¶ 61,008 at P 36.

[56] Rourke-Wong Testimony at 20.

[57] FCA 10 ICR Order, 154 FERC ¶ 61,008 at P 36.

its change to its method of calculating the ICR.[58] Furthermore, in contrast to the FCA 10 ICR Filing, the proposed ICR-Related Values for the Indicated Reconfiguration Auctions were supported by the NEPOOL Participants Committee.[59]

The Commission orders:

Filing Parties' proposed ICR values for the Indicated Reconfiguration Auctions are hereby accepted, effective January 30, 2016, as requested.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[58] With regard to the issues presented here, we also reiterate that ISO-NE uses, and has previously stated that it uses, a mix of assumptions as to future occurrences to develop the ICR. *See ISO New England Inc.*, 130 FERC ¶ 61,105, at PP 8-9 (2010).

[59] At the November 6, 2015, meeting, the Participants Committee voted to support the proposed ICR-related values with a vote of 80.97% in favor, with oppositions and abstentions noted. Filing Parties Transmittal at 21.