

155 FERC ¶ 61,193
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Midwest Independent Transmission
System Operator, Inc.

Docket No. ER11-4081-004

ORDER GRANTING CLARIFICATION AND DISMISSING REQUEST FOR
REHEARING AS MOOT

(Issued May 20, 2016)

1. On December 21, 2015, Great Lakes Utilities, Madison Gas & Electric Company, Midwest Municipal Transmission Group, Missouri Joint Municipal Electric Utility Commission, Missouri River Energy Services, Southern Minnesota Municipal Power Agency, and WPPI Energy (collectively, Midwest TDUs) filed a conditional request for rehearing or clarification of the Commission's order issued on November 20, 2015.¹ We grant clarification and dismiss the request for rehearing as moot, as discussed below.

I. Background

2. On July 11, 2012, Midwest Independent Transmission System Operator, Inc. (MISO)² filed proposed revisions to section 69 and Attachment VV of Module E-1 of its Open Access Transmission, Energy and Operating Reserve Markets Tariff (Tariff)³ in compliance with the Commission's June 11, 2012 order accepting MISO's Resource

¹ *Midwest Indep. Transmission Sys. Operator, Inc.*, 153 FERC ¶ 61,230 (2015) (November 20 Order).

² Effective April 26, 2013, MISO changed its name from "Midwest Independent Transmission System Operator, Inc." to "Midcontinent Independent System Operator, Inc."

³ Midcontinent Independent System Operator, Inc., FERC Electric Tariff, Fourth Revised Vol. No. 1.

Adequacy Requirement provisions subject to a compliance filing.⁴ In the November 20 Order, the Commission accepted the revisions proposed in MISO's July 11, 2012 filing, subject to a further compliance filing. On December 18, 2015, MISO submitted a compliance filing (December 18 Compliance Filing), and on March 15, 2016, the Commission accepted the December 18 Compliance Filing by delegated letter order.⁵

3. According to Midwest TDUs, their concern arises from paragraph 53 of the November 20 Order, where the Commission stated that it interpreted an earlier response by MISO to mean that the only Load Serving Entities (LSEs) capable of receiving Zonal Deliverability Charges Hedges (ZDC Hedges) were transmission-owning LSEs, but directed MISO to confirm whether this interpretation was correct on compliance. In the December 18 Compliance Filing, MISO explained that it did not intend for the ZDC Hedge to be available to transmission-owning LSEs only, but that "MISO intended the ZDC Hedge to be available to any Market Participant that is also an LSE and funds a transmission upgrade caused by a Transmission Service Request."⁶

4. Midwest TDUs state that they seek clarification that eligibility to receive ZDC Hedges is not limited to those transmission-funding LSEs that are transmission owners. If and to the extent that the November 20 Order intended that eligibility be limited to transmission owners, Midwest TDUs seek rehearing. Midwest TDUs state that if the Commission clarifies that eligibility for ZDC Hedges is not limited to transmission owners, then the Commission may deem their rehearing request to be moot or withdrawn.⁷

II. Discussion

5. We grant Midwest TDUs' request for clarification. We clarify that the Commission has accepted the interpretation of eligibility for ZDC Hedges as stated by MISO in the December 18 Compliance Filing. Accordingly, we dismiss Midwest TDUs' request for rehearing as moot.

⁴ *Midwest Indep. Transmission Sys. Operator, Inc.*, 139 FERC ¶ 61,199 (2012) (June 11 Order).

⁵ *Midcontinent Indep. Sys. Operator, Inc.*, Docket No. ER11-4081-003 (Mar. 15, 2016) (delegated letter order).

⁶ Midwest TDUs Conditional Request for Rehearing or Clarification at 2.

⁷ *Id.*

The Commission orders:

(A) Midwest TDUs' request for clarification is hereby granted, as discussed in the body of this order.

(B) Midwest TDUs' request for rehearing is hereby dismissed as moot, as discussed in the body of this order.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.