

157 FERC ¶ 61,188
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

December 9, 2016

In Reply Refer To:
Midcontinent Independent
System Operator, Inc.
Docket No. ER17-67-000

Midcontinent Independent
System Operator, Inc.
720 City Center Drive
Carmel, IN 46032

Attention: Daniel M. Malabonga

Dear Mr. Malabonga:

1. On October 12, 2016, Midcontinent Independent System Operator, Inc. (MISO) proposed non-substantive revisions to reorganize section 40.3.3 (Real-Time Energy and Operating Reserve Market Settlement Calculations) of its Open Access Transmission, Energy and Operating Reserve Markets Tariff (Tariff).
2. MISO states that the proposed Tariff revisions improve the overall structure and flow of section 40.3.3 by reorganizing and re-numbering its sub-sections to more efficiently group the settlement rules concerning Real-Time Market charges and credits (including those for Energy, Operating Reserves, and Ramp products). MISO also states that the revisions will more clearly distinguish the provisions on Revenue Sufficiency Guarantee charges, credits and exemptions (including those associated with Voltage & Local Reliability Commitments). MISO clarifies that the Tariff changes do not involve any substantive modifications to the text of the sub-sections themselves.¹ Finally, MISO

¹ Transmittal Letter at 1.

states that its filing includes corresponding changes to cross-reference section 40.3.3's sub-sections found in other Tariff provisions.²

3. MISO requests that the Commission make the proposed revisions effective on November 12, 2016, subject to the outcome of the pending proceedings in Docket Nos. ER16-2580-000, ER16-2580-001, ER16-1922-000, ER16-1922-001, ER16-1766-000, ER12-678-008, ER16-2355-000, ER16-2225-000, and ER14-1736-001, and waive the Commission's prior notice requirements necessary to allow this effective date.³

4. Notice of the Filing was published in the *Federal Register*, 81 Fed. Reg. 71,715 (2016), with interventions and protests due on or before November 2, 2016. Timely motions to intervene were filed by Entergy Services, Inc. on behalf of Entergy Arkansas, Inc., Entergy Louisiana, LLC, Entergy Mississippi, Inc., Entergy New Orleans, Inc., and Entergy Texas, Inc.; and American Municipal Power, Inc. A timely motion to intervene and comment was filed by MidAmerican Energy Company (MidAmerican).

5. MidAmerican states that it supports MISO's proposal to restructure section 40.3.3 of the Tariff. MidAmerican states, however, that additional revisions are necessary beyond those proposed by MISO. MidAmerican states that in the final paragraph of

² Transmittal Letter at 2. Midcontinent Independent System Operator, Inc., FERC FPA Electric Tariff, FERC Electric Tariff, [1.M, Definitions - M, 45.0.0](#); [1.R, Definitions - R, 43.0.0](#); [1.V, Definitions - V, 36.0.0](#); [39.2.1B, Resource Requirements for Operating Reserve, 35.0.0](#); [39.3.1A, Day-Ahead Revenue Sufficiency Guarantee Charges, 32.0.0](#); [39.3.1B, Day-Ahead Operating and Reserve Procurement Charges, 34.0.0](#); [39.3.2B, Day-Ahead Revenue Sufficiency Guarantee Payments, 44.0.0](#); [40.2.19, Real-Time Revenue Sufficiency Guarantee, 34.0.0](#); [40.3.3, Real-Time Energy and Operating Reserve Market Settlement Cal, 66.0.0](#); [40.3.3.1, Charges and Credits for Real-Time Energy and Operating Reser, 31.0.0](#); [40.3.3.2, Real-Time Revenue Sufficiency Guarantee Distribution, 31.0.0](#); [40.3.3.3, Credits for Real-Time Energy and Operating Reserve Market, 31.0.0](#); [40.3.3.4, Charges and Credits for Real-Time Energy and Operating, 31.0.0](#); [40.3.3.5, Charges and Credits for Transmission Provider Balancing Auth, 31.0.0](#); [40.3.4, Charge for Excessive/Deficient Energy and Reserve Deployment, 34.0.0](#); [40.3.4.1, Regulation Performance Accuracy Measurement Test Failure Cha, 31.0.0](#); [83.4.1, , 31.0.0](#); [83.4.2, , 33.0.0](#); [83.5.2, , 33.0.0](#); [SCHEDULE 3, Regulating Reserve, 35.0.0](#); [SCHEDULE 5, Spinning Reserve, 36.0.0](#); [SCHEDULE 6, Supplemental Reserve, 36.0.0](#); [SCHEDULE 27, RTORSGP and DAMAP, 39.0.0](#); [SCHEDULE 30, Emergency Demand Response Initiative, 36.0.0](#); [SCHEDULE 46, Constraint Management Charge Allocation Factor Study, 33.0.0](#).

³ Transmittal Letter at 3 & n.4.

section 40.2.4.c, the citation to section 40.3.3.b.vi. should be modified, and in the final paragraph of section 40.2.22, the citation to section 40.3.3.d.ii. should be modified.⁴ The modifications would update the citations to correspond with the reorganized section 40.3.3 sub-sections that are applicable.

6. We accept MISO's filing to be effective on November 12, 2016, subject to the outcome of the pending proceedings in Docket Nos. ER16-2580-000, ER16-2580-001, ER16-1922-000, ER16-1922-001, ER16-1766-000, ER12-678-008, ER16-2355-000, ER16-2225-000, and ER14-1736-001, as requested, subject to condition.⁵

7. We agree with MidAmerican that all citations to section 40.3.3 in MISO's Tariff should be revised to correctly cite to the updated corresponding section in the reorganized section 40.3.3 and therefore direct MISO, on compliance, to make the appropriate modifications to the section 40.3.3 citations found in sections 40.2.4.c and 40.2.22. We also direct MISO to revise the citation in section 40.3.3.1.b.iii (Ramp Capability Cost Allocation) so that it refers to section "39.3.2A.d (Day-Ahead Ramp Capability Procurement Credits)" instead of section 39.3.2.A.a.

8. Finally, we will grant MISO's request for waiver of our 60-day prior notice requirement in order for the proposed Tariff revisions to become effective November 12, 2016.⁶

By direction of the Commission.

Kimberly D. Bose,
Secretary.

⁴ MidAmerican Comment at 3.

⁵ The Commission can revise a proposal under section 205 of the FPA as long as the filing utility accepts the change. *See City of Winnfield*, 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.

⁶ *Central Hudson Gas & Electric Corp.*, 60 FERC ¶ 61,106, *reh'g denied*, 61 FERC ¶ 61,089 (1992).