

December 2017 Commission Meeting Summaries

These are summaries of orders voted by the Federal Energy Regulatory Commission at its December 21, 2017 public meeting. The summaries are produced by FERC's Office of External Affairs and are intended to provide only a general synopsis of the orders. These summaries are not intended as a substitute for the Commission's official orders. To determine the specific actions and the Commission's reasoning, please consult the individual orders when they are posted to FERC's eLibrary found at www.ferc.gov.

E-1 - Press Release

E-2, E-3, E-4, & E-5 – Press Release

FERC accepts an agreement

E-6, *Southwest Power Pool, Inc.*, Docket No. ER18-208-000. This order accepts an unexecuted Agreement Establishing a Pseudo-Tie Electrical Interconnection Point among SPP, Arkansas Electric Cooperative Corporation, and Entergy Arkansas, Inc.

FERC accepts proposed tariff revisions

E-7, *Southwest Power Pool, Inc.*, Docket No. ER17-2027-000/-001. This order accepts SPP's proposed revisions to the Integrated Transmission Planning process provisions of its Open Access Transmission Tariff.

FERC approves an uncontested settlement

E-8, *Southwest Power Pool, Inc.*, Docket No. ER17-1741-000. This order approves an uncontested settlement submitted by SPP that resolves a proceeding that had been set for hearing and settlement procedures in a July 2017 order. Under the settlement agreement, Central Nebraska Public Power and Irrigation District agrees to an Annual Transmission Revenue Requirement of \$410,000 as compared with the filed amount of \$462,294.

FERC approves an uncontested settlement

E-9, *Southwest Power Pool, Inc.*, Docket No. ER17-426-000, *et al.* This letter order approves an uncontested settlement that revises SPP's Open Access Transmission Tariff to add an annual transmission revenue requirement, formula rate template and protocols for Denison Municipal Utilities.

FERC accepts proposed tariff revisions

E-10, *Midcontinent Independent System Operator, Inc.*, Docket No. ER17-2097-001. This order accepts MISO's proposed revisions to its Open Access Transmission, Energy, and Operating Reserve Markets Tariff to establish Dynamic Narrow Constrained Areas (Dynamic NCAs). In addition to the existing market power mitigation measures in Narrow Constrained Areas (NCAs) and Broad Constrained Areas (BCAs), MISO proposes to implement mitigation measures in a third type of constrained area, Dynamic NCAs, which is intended to address situations of severe, transitory congestion that is not currently covered by MISO's existing NCA or BCA mitigation provisions.

FERC, on remand, establishes briefing and settlement judge procedures

E-11, *Chehalis Power Generating, L.P.*, Docket No. ER05-1056-010. The order directs briefing on the equities of Chehalis's recoupment of amounts previously refunded to Bonneville Power Administration (Bonneville). Previously, the Commission denied Chehalis's request for recoupment of amounts refunded to Bonneville. The US Court of Appeals for the District of Columbia Circuit subsequently remanded the case to the Commission to balance the equities in determining the amount of recoupment. The order establishes a briefing schedule. However, recognizing the age of this proceeding and the possibility that the parties may be able to reach an amicable resolution on this matter, the order holds the briefing in abeyance to allow for settlement judge procedures.

FERC dismisses rehearing request

E-12, *Northern Maine Independent System Administrator, Inc.*, Docket No. ER17-192-002. The order dismisses Merlin One, LLC's request for rehearing of a July 12, 2017 delegated letter order approving an uncontested settlement in this proceeding. That delegated order noted that Merlin One had submitted comments but was not an intervenor and therefore not a party entitled to seek rehearing. The order confirms Merlin One's non-party status and dismisses its request for rehearing.

FERC approves an uncontested settlement

E-13, *Arizona Public Service Company*, Docket Nos. EL17-51-000 and ER17-912-002. This order approves an uncontested settlement between APS and Navopache Electric Cooperative, Inc. The settlement stems from APS' proposed revisions to reduce the Post-Employment Benefits Other than Pension expense used in calculating the charges for transmission service under APS' formula rate.

FERC approves an uncontested settlement

E-14, *Talen Energy Marketing, LLC, et al.*, Docket No. EL16-116-000, *et al.* The order approves an uncontested settlement establishing the Talen Entities' rate schedules for providing reactive supply and voltage control service in PJM Interconnection, L.L.C.

FERC grants a waiver

G-1, *Enterprise Products Operating LLC, et al.*, Docket No. RP18-183-000. This order grants Enterprise and Tenaska Marketing Ventures' joint petition requesting a temporary waiver of the Commission's capacity release regulations and related Northern Border Pipeline Company tariff provisions.

FERC accepts tariff records, subject to conditions

G-2, *Gulf South Pipeline Co., LP*, Docket No. RP17-851-000. The order clarifies the list of exceptions to the general rule that a pipeline may not confirm service more than 90 days in advance. Specifically, the Commission accepts tariff language creating an exception for customers who are currently served by Gulf South via a third party, but who wish to contract directly with Gulf South. The order accepts Gulf South's tariff records, subject to conditions.

FERC approves tariff revisions

G-3, *Midcontinent Express Pipeline, LLC*, Docket No. RP17-848-000. The order approves various tariff modifications proposed by the pipeline, including changes regarding the assignment of service agreements.

FERC accepts accounting adjustments

G-4, *Bay Gas Storage Co., Ltd.*, Docket No. PR17-28-000. This order accepts the pipeline's annual adjustment to its company use percentage (fuel use and unaccounted-for gas). The Commission grants a waiver so that Bay Gas can take advantage of a settlement provision designed to refund past over-collections.

FERC accepts a report

G-5, *Discovery Gas Transmission, LLC*, Docket No. RP17-806-000. The order accepts, as clarified in response to shipper comments, Discovery's May 31 filing of its annual Fuel, Lost and Unaccounted for Gas (FL&U) retention rate report. Discovery states that it is not revising its currently effective FL&U retention rate of 0.0 percent at this time.

FERC grants a waiver

G-6, *Northern Natural Gas Company*, Docket No. RP17-990-000. This order grants Northern's request for limited tariff waiver in order to allow Big Ox Energy – Siouxland, LLC to resolve its July 2017 imbalance volumes using the imbalance-to-storage mechanism outside of the timelines set forth in Northern's tariff.

FERC grants a waiver

G-7, *Energy Corporation of America and Greylock Production, LLC*, Docket No. RP18-167-000. This order grants the request for temporary waiver of the Commission's capacity release regulations, policies and related tariff provisions to permit a permanent release of natural gas transportation capacity.

FERC grants request for a declaratory order

G-8, *Grieve Pipeline, LLC*, Docket No. OR17-21-000. The order grants Grieve's petition for a declaratory order approving the open season procedures, rate structure, and key contract and tariff terms of the Grieve Pipeline Project.

FERC approves a final rule

H-1, *Annual Charges for Use of Government Lands in Alaska*, Docket No. RM16-19-000. The final rule revises the Commission's current methodology for calculating annual charges for the use of government lands under Part 11 of the Commission's regulations. In accordance with the final rule, the Commission will calculate a statewide per-acre land value for hydropower lands in Alaska. The Commission will use this statewide per-acre land value, rather than a regional per-acre land value, to calculate annual charges for the use of federal lands for all hydropower projects in Alaska, except those located in the Aleutian Islands Area.

FERC denies request for a declaratory order

H-2, *Woodland Pulp LLC*, Project No. 2660-029. Woodland Pulp LLC filed a petition for declaratory order seeking a determination that its Forest City Project, located on the St. Croix River in Maine along the U.S.-Canadian Border, would not require licensing if the project was transferred to the state of Maine to operate for recreational and fishery purposes. The order denies the petition, finding that the ownership and operational purpose of the project have no effect on the determination that the project significantly contributes to downstream generation and requires licensing by the Federal Power Act.

FERC issues a preliminary permit and grants priority to file license application

H-3, *GreenGenStorage LLC*, Project No. 14796-000. The order issues to GreenGenStorage a preliminary permit to study the feasibility of developing the Mokelumne Pumped Storage Project, to be located in Amador and Calaveras counties, California. The project would utilize waters within the North Fork Mokelumne River watershed and reservoirs within Pacific Gas & Electric's existing Mokelumne River, Project No. 137.

FERC denies requests for reconsideration and for rehearing

H-4, *Advanced Hydropower, Inc.*, Project No. 14837-001. The order denies reconsideration and rehearing of Commission staff's September 7, 2017 order denying Advanced Hydropower's preliminary permit application for the McNary Advanced Hydropower Project No. 14837, which would be located at the U.S. Army Corps of Engineers' (Corps) McNary Dam. The order finds that the Commission has jurisdiction over the proposed development, but affirms staff's denial of the preliminary permit application based on the Corps' opposition to the Commission's jurisdiction.

FERC denies request for rehearing and motion for a stay

H-5, *Loup River Public Power District*, Project No. 1256-032. The order denies Loup River Public Power District's request for rehearing and motion for a stay of Commission staff's May 22, 2017 order issuing a new license for the District's 50.937-megawatt Loup River Hydroelectric Project No. 1256. The project is located on the Loup and Platte rivers in Nance and Platte counties, Nebraska. The order finds that justice does not require a stay pending any possible judicial review. The order denies rehearing on the grounds that the new license requirements are reasonable and supported by the record, and the required environmental measures will protect and enhance water quality, recreational resources, and fish and wildlife resources, including threatened and endangered species and their habitat.

FERC denies rehearing and grants clarification

H-6, *Idaho Power Company*, Project No. 1971-122. The order denies Idaho Power's request for rehearing of the Commission's January 19, 2017 order that dismissed as premature Idaho Power's Petition for a Declaratory Order. The order affirms the Commission's finding that there is currently no conflict of law that would justify a ruling that the Supremacy Clause of the U.S. Constitution, Part I of the Federal Power Act preempts the State of Oregon's fish passage requirements with respect to Idaho Power's Hells Canyon Hydroelectric Project No. 1971.

FERC grants a service area determination, subject to conditions

C-1, *Town of Walnut, Mississippi*, Docket No. CP16-33-000. The order grants, subject to conditions, the Town of Walnut's request that the Commission designate, in accordance with section 7(f) of the Natural Gas Act, a service area within which Walnut may construct, enlarge, and expand its natural gas distribution facilities without further Commission authorization. The order also grants Walnut's request that it be considered a local distribution company for purposes of section 311 of the Natural Gas Policy Act of 1978.

FERC grants request to vacate a certificate of public convenience and necessity

C-2, *Arlington Storage Company, LLC*, Docket No. CP13-83-000. The order grants Arlington Storage's request to vacate its certificate of public convenience and necessity for construction of the Gallery 2 Expansion Project at Arlington's Seneca Lake Storage Facility in Schuyler County, New York.

FERC denies rehearing

C-3, *Algonquin Gas Transmission, LLC & Maritimes & Northeast Pipeline, LLC*, Docket Nos. CP16-9-003, CP16-9-005, CP16-9-006 and CP16-9-007. The order denies five requests for rehearing of actions taken by Commission staff pertaining to Algonquin's and Maritimes' Atlantic Bridge Project which was certificated by the Commission on January 25, 2017. The rehearing requests questioned three authorizations to proceed with construction, a variance to use additional temporary workspace, and an authorization to place into service certain piping modifications at a compressor station. All five of the authorizations granted by staff pertain to Atlantic Bridge's facilities in Connecticut.