

March 2018

Commission Meeting Summaries

These are summaries of orders voted by the Federal Energy Regulatory Commission at its March 15, 2018 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, E-2, E-3, E-7, E-8, G-1, G-2, G-8 & G-9 – Press Release

G-2, G-3 & G-4 – Press Release

FERC denies a complaint

E-4, *Indicated SPP Transmission Owners v. Southwest Power Pool, Inc.*, Docket No. EL18-20-000. This order denies a complaint filed by a number of SPP transmission owners that alleges that the SPP Open Access Transmission Tariff (Tariff) is unjust and unreasonable because, when a new SPP transmission owner is integrated into an existing transmission pricing zone, the Tariff allows the costs of the new transmission owner's existing transmission facilities to be allocated across the entire pricing zone, resulting in shifting of costs between new and existing transmission customers in the zone. The order denies the complaint because the Complainants did not meet their burden of proof under section 206 of the Federal Power Act to demonstrate that the SPP Tariff is unjust, unreasonable, or unduly discriminatory, or preferential because it does not prohibit cost shifts that result from the addition of a new transmission owner to an existing zone.

FERC approves the acquisition of transmission assets

E-5, *South Central MCN LLC*, Docket No. EC17-126-000. This order authorizes South Central to acquire certain transmission assets from the City of Nixa, Missouri as consistent with the public interest under section 203 of the Federal Power Act.

FERC sets proposed tariff revisions for hearing and settlement judge procedures

E-6, *Southwest Power Pool, Inc.*, Docket No. ER18-99-000. This order sets the proposed Open Access Transmission Tariff (Tariff) revisions for hearing and settlement judge procedures. In this proceeding, SPP submitted proposed revisions to its Tariff to add an annual transmission revenue requirement and implement a formula rate template and implementation protocols for transmission service using the facilities of South Central MCN LLC (South Central) when South Central transfers functional control of the transmission facilities that it proposes to acquire from the City of Nixa, Missouri (Nixa Assets) to SPP. South Central proposes to acquire the Nixa Assets in Docket No. EC17-126-000 and, in an order related to this proceeding (Agenda Item E-5), the Commission authorizes the transaction.

FERC affirms an Initial Decision

E-10, *Louisiana Public Service Commission v. Entergy Corporation, et al.*, Docket No. EL10-65-005. The order affirms the findings of the Initial Decision in this proceeding that (1) Entergy properly accounted for the Waterford 3 Sale/Leaseback Accumulated Deferred Income Taxes, (2) interruptible load should remain in the bandwidth formula for 2010 and 2011, and (3) Entergy properly accounted for the costs of the Allowance for Funds Used During Construction for the River Bend nuclear facility.

FERC grants, in part, and denies, in part, rehearing request

G-5, *SFPP, L.P.*, Docket No. IS11-444-002. The order grants, in part, and denies, in part, SFPP's request for rehearing of Opinion No. 527, reverses an Administrative Law Judge's Summary Judgment, and requires further hearing procedures to evaluate SFPP's 2011 West Line indexed rate increase. The order specifies that the Commission will use SFPP's West Line cost and revenue data to evaluate the indexed rate increases at hearing and provides clarification regarding how this data will be used to evaluate the indexed rate increase at hearing.

FERC lifts abeyance and directs compliance with further procedures

G-6, *ConocoPhillips Company v. SFPP, L.P.*, Docket Nos. OR11-13-000, OR11-16-000, and OR11-18-000. In October 2011, the Commission held in abeyance three complaints in these proceedings challenging SFPP's rates pending the resolution of the income tax allowance issues in the ongoing proceedings in Docket No. IS08-390-000. Now that those issues have been resolved in *United Airlines v. FERC* and the remand order in Opinion No. 511-C (Agenda Item G-3), the order lifts the abeyance and directs compliance with further procedures as outlined in the October 2011 Order.

FERC denies request for rehearing and reconsideration

G-7, *HollyFrontier Refining & Marketing LLC, et al.*, Docket No. OR14-35-002, *et al.* This order denies shippers' request for rehearing and reconsideration of the Commission's December 8, 2016 Order in this proceeding. The December 8, 2016 Order dismissed the complaints filed by the shippers against the 2012 index rate increases for SFPP, L.P.'s East and West Lines and the 2013 index rate increases for SFPP's East, West, North, Oregon, and Sepulveda Lines. The order finds that the complaint was properly dismissed because, notwithstanding the index increases, SFPP's recoveries declined from 2011 through 2013. The shippers thus failed to establish that the index increases would substantially exacerbate any overrecovery by SFPP of its cost of service.

FERC denies petition for a declaratory order

G-10, *Blue Racer NGL Pipelines, LLC*, Docket No. OR18-8-000. This order denies Blue Racer's petition for declaratory order that sought approval of a proposed rate structure and terms of service regarding a pipeline reconfiguration project. The order finds that Blue Racer's proposal raises undue discrimination concerns because it could create two classes of shippers - committed and uncommitted - out of one class of shippers that are currently receiving the same service on existing capacity.

FERC modifies and approves non-project use of project lands and water

H-1, *Public Utility District No. 2 of Grant County, Washington*, Project No. 2114-293. The order approves a non-project use application, filed by Grant PUD, licensee for the Priest Rapids Hydroelectric Project No. 2114, to allow Stockdale, Inc. to increase the watercraft capacity from seven to 17 watercraft and to authorize commercial use at the existing Vantage Riverstone Marina on the Columbia River in the Wanapum Reservoir near Vantage, Washington.

FERC amends license, defers consideration of transfer application

H-2, *PacifiCorp*, Project Nos. 2082-062 and 14803-000. The order amends PacifiCorp's existing license for the Klamath Project No. 2082-062 to remove four developments and place those four developments into a new license for the Lower Klamath Project No. 14803-000. Following the amendment, PacifiCorp would be the licensee for both projects. The order defers a decision on whether to transfer the Lower Klamath Project to the Klamath River Renewal Corporation, a newly formed not-for-profit organization, and sets forth additional information that staff would require from the applicants before acting on the application for license transfer.

FERC denies rehearing

H-3, *California Department of Water Resources and Los Angeles Department of Water and Power*, Project No. 2426-229. The order denies California Trout's rehearing request of Commission staff's November 20, 2017 approval of an Updated Recreation Plan for California Department of Water Resources' and Los Angeles Department of Water and Power's South SWP Hydropower Project. The South SWP Project consists of three developments located on the southern end of the California Aqueduct, known as the State Water Project, in Los Angeles and San Bernardino counties, California. This order denies California Trout's request for rehearing, finding that its request is outside the scope of the proceeding and fails to show that the Updated Recreation Plan would negatively impact aquatic species or increase the occurrence of invasive mussel species.

FERC denies rehearing

H-4, *FFP Missouri 15, LLC, FFP Missouri 16, LLC*, Project Nos. 13762-003 and 13753-003. The order denies several rehearing requests of Commission staff's September 29, 2017 license orders authorizing the Morgantown and Opekiska projects, to be located at the U.S. Army Corps of Engineers' existing Morgantown and Opekiska Lock and Dams on the Monongahela River in West Virginia. The order upholds Commission staff's determination that the West Virginia Department of Environmental Protection waived its Clean Water Action section 401 water quality certification authority by failing to act on the licensee's applications within one year of receipt. In addition, the order upholds Commission staff's determinations regarding the waived water quality certification conditions after staff considered them as recommendations under section 10(a)(1) of the Federal Power Act.

FERC denies rehearing

H-5, *FirstLight Hydro Generating Company*, Project Nos. 2485-074 and 1889-086. The order denies FirstLight Hydro Generating Company's (FirstLight) rehearing request of the Director of the Office of Energy Projects' February 17, 2017 determination on FirstLight's request for a study plan modification regarding the relicensing proceedings for the 67.7-megawatt Turners Falls Hydroelectric Project No. 1889 and 1,166.8-megawatt Northfield Mountain Pumped Storage Project No. 2485.

FERC conditionally authorizes a new interstate natural gas pipeline project

C-1, *DTE Midstream Appalachia, LLC*, Docket No. CP17-409-000. The order grants a certificate of public convenience and necessity to DTE Midstream to construct and operate its proposed Birdsboro Pipeline and related facilities in Berks County, Pennsylvania. The proposed pipeline is approximately 14 miles long and designed to provide up to 79,000 dekatherms per day of firm transportation service to the Birdsboro

Power Facility, a non-jurisdictional electric-generating facility that has contracted for 100 percent of the project's capacity. The order also grants DTE Midstream blanket certificates under Parts 157 and 284 of the Commission's regulations.

FERC grants certificate and abandonment authority for modernization project

C-3, *National Fuel Gas Supply Corporation*, Docket No. CP17-74-000. The order grants National Fuel abandonment and certificate authorizations for its Line YM28 and Line FM120 Modernization Project, located in Cameron, Elk, and McKean counties, Pennsylvania. National Fuel proposes to abandon its Line YM28 in-place and replace it with 14.4 miles of 12-inch-diameter pipeline, designated Line KL. National Fuel also proposes to replace via insertion approximately 5.8 miles, and remove from service and idle approximately 9.5 miles, of its Line FM120.