APRIL 2020
Commission Meeting Summaries

These are summaries of orders voted by the Federal Energy Regulatory Commission at its April 16, 2020 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.

FERC denies rehearing

E-1, Public Utility Transmission Rate Changes to Address Accumulated Deferred Income Taxes, Docket No. RM19-5-001. The order addresses requests for rehearing and clarification of Order No. 864. The order reaffirms the Commission’s determinations in Order No. 864 that public utilities with transmission formula rates must propose tariff revisions to implement certain excess or deficient accumulated deferred income taxes (ADIT)-related mechanisms in their transmission formula rates as a result of the Tax Cuts and Jobs Act of 2017 and that public utilities with transmission stated rates will address any excess or deficient ADIT resulting from the Tax Cuts and Jobs Act in their next rate cases.

FERC denies rehearing, grants clarification

E-4, Calpine Corporation, et al. v. PJM Interconnection, LLC, Docket No. EL16-49-001, et al. The order denies requests for rehearing and grants requests for clarification of the Commission’s June 29, 2018 order finding PJM’s then-existing tariff unjust and unreasonable because it failed to protect the integrity of competition in the capacity market against the price-distorting impact of resources receiving out-of-market support.
FERC denies in part and grants in part requests for rehearing and clarification

E-5, Calpine Corporation, et al. v. PJM Interconnection, LLC, Docket No. EL16-49-002, et al. The order denies in part and grants in part requests for rehearing and clarification of the Commission’s December 19, 2019 order determining the just and reasonable replacement rate for PJM’s minimum offer price rule. The order also directs PJM to submit a compliance filing within 45 days of the issuance of the order.

FERC dismisses complaint as moot

E-6, CPV Power Holdings, L.P., et al. v. PJM Interconnection, LLC, Docket No. EL18-169-000. The order dismisses as moot a complaint filed against PJM alleging that PJM’s minimum offer price rule (MOPR) is unjust and unreasonable. The order finds that the determination sought by petitioners was made by the Commission in a related proceeding, Docket No. EL16-49-000, et al. (PJM Capacity Market Proceeding) in an order issued June 29, 2018. The complaint also seeks a replacement MOPR, a matter subsequently addressed and rendered moot by a Commission order issued in the PJM Capacity Market Proceeding on December 19, 2019.

FERC grants in part a complaint

E-7, Consumers Energy Co. v. Midcontinent Independent System Operator, Inc. and Michigan Electric Transmission Company, LLC, Docket No. EL19-59-000. The order grants in part Consumers Energy’s complaint challenging the inclusion of the Morenci Interconnection Project in the 2018 MISO Transmission Expansion Plan (MTEP) and alleging that the Morenci Project is a local distribution facility. The order finds that the Morenci Project is local distribution in accordance with the application of the Commission’s seven-factor test and determines that the Morenci Project should not have been included in the 2018 MTEP.

FERC denies a complaint

E-8, City and County of San Francisco v. Pacific Gas & Electric Company, Docket No. EL19-38-000. The order denies a complaint filed by the City and County of San Francisco against PG&E alleging that PG&E is unjustly and unreasonably implementing its wholesale distribution tariff and treating San Francisco in an unduly discriminatory manner with respect to San Francisco’s requests to interconnect its loads to PG&E’s system at secondary voltages rather than at primary voltages.
FERC accepts a proposed tariff

**E-9, Wilderness Line Holdings, LLC, Docket No. ER20-511-002.** The order accepts a proposed open access transmission tariff (OATT) in anticipation of a proposed transaction pursuant to which Wilderness Holdings intends to acquire from Sky River LLC, a majority ownership interest in a nine-mile, 230 kV radial transmission line located in Kern County, California.

FERC grants waivers

**E-10, Wilderness Line Holdings, LLC, Docket Nos. ER20-519-000 and TS20-2-000.** The order grants Wilderness Holdings requests for waivers of the Standards of Conduct and the requirements to establish and maintain an Open Access Same-Time Information, because it meets the Commission’s definition of a small public utility and its annual electric sales do not exceed more than four million MWh. Wilderness Holdings explains that it will own, operate or control only the Wilderness Line, a radial transmission line that is used to transmit energy produced by individual generating facilities to the transmission grid.

FERC denies rehearing and grants clarification

**E-11, Entergy Arkansas, Inc., Docket No. ER19-211-001.** The order denies rehearing and grants clarification of the Commission’s September 30, 2019 order accepting a Joint Ownership and Operating Agreement, pursuant to which the Entergy Operating Companies will jointly own undivided interests in two Transmission Control Centers and pursuant to which Entergy Services, LLC will continue to provide Control Center operations and maintenance services to the Entergy Operating Companies.

FERC denies rehearing and grants clarification

**E-12, Entergy Services, LLC, Docket No. EC19-18-001.** The order denies rehearing and grants clarification of the Commission’s September 30, 2019 order that had authorized the transfer of undivided ownership interests in two transmission control centers from Entergy Services, LLC to the Entergy Operating Companies.

FERC dismisses a complaint

**E-14, Potomac Economics, Ltd. v. PJM Interconnection, Docket No. EL17-62-000.** The order dismisses Potomac’s complaint against PJM that alleged that PJM’s tariff was unjust and unreasonable because it required external generators seeking to provide capacity to load within PJM to obtain a pseudo-tie. The order finds that Potomac failed to meet its burden to demonstrate that PJM’s pseudo-tie requirement is unjust and unreasonable.
FERC directs a further compliance filing

**E-15, Radford's Run Wind Farm, LLC v. PJM Interconnection, LLC, Docket No. EL18-183-000.** The order finds that the PJM tariff required PJM to use the information available to PJM at the time it completed the System Impact Study for Radford’s interconnection request when it evaluated the Radford Upgrade for Incremental Capacity Transfer Rights (ICTR). The order directs PJM to make a compliance filing within 60 days of the date of the order detailing its determination on ICTRs for the Radford Upgrade.

FERC denies rehearing

**E-17, PJM Interconnection, LLC, Docket No. ER15-2563-002.** The order denies rehearing of the Commission’s April 22, 2016 order that addressed amendments to Schedule 12-Appendix A of the PJM tariff that assigned cost responsibility for transmission enhancements and expansions for the Artificial Island Project.

FERC denies rehearing

**E-18, PJM Interconnection, LLC, Docket No. ER19-105-004.** The order denies rehearing of the Commission’s May 28, 2018 order that accepted PJM’s quadrennial revision of its Variable Resource Requirement curve used in the Reliability Pricing Model. The order affirms the Commission’s determination to accept PJM’s selection of the CT H-class turbine as the Reference Resource.

FERC grants an uncontested waiver

**E-20, New York Independent System Operator, Inc., Docket No. ER20-922-000.** The order grants NYISO’s uncontested request for a prospective waiver of certain language in the definition of “Public Power Entity” in section 2.16 of NYISO’s Market Administration and Control Area Services Tariff. The requested waiver is for a period of nine months and will allow NYISO to continue to grant unsecured credit, in the amount of up to $1 million annually each, to government entities that do not meet the current definition of a Public Power Entity, consistent with NYISO’s current practice.

FERC partially accepts a filing, directs a further compliance filing

**E-21, Portland General Electric Company, Docket No. ER19-1927-002.** The order finds Portland General’s filing partially complies with the requirements of Order Nos. 845 and 845-A and the Commission’s directives in the November 2019 order on compliance. The order directs Portland General to submit a further compliance filing within 120 days of the issuance date of the order.
FERC denies a challenge


FERC partially accepts a filing, directs a further compliance filing

**E-23**, Golden Spread Electric Cooperative, Inc., Docket No. ER19-1900-002. The order finds that Golden Spread’s filing partially complies with the requirements of Order Nos. 845 and 845-A and the Commission’s directives in the November 2019 order on compliance. The order directs Golden Spread to submit a further compliance filing within 120 days of the date of issuance of the order.

FERC denies rehearing


FERC partially accepts a filing, directs a further compliance filing

**E-25**, Tampa Electric Company, Docket No. ER19-1920-002. The order finds that Tampa Electric’s compliance filing partially complies with the requirements of Order Nos. 845 and 845-A and the Commission’s order on Tampa Electric’s May 21, 2019 compliance filing. The order accepts Tampa Electric’s filing and directs Tampa Electric to submit a further compliance filing within 120 days of the date of the Commission order.

FERC grants rehearing in part, denies rehearing in part


FERC rules state waived water quality certification authority

**H-1**, Nevada Irrigation District, Project No. 2266-102. The order finds that the California State Water Resources Control Board waived its authority under section 401(a)(1) of the Clean Water Act to issue water quality certification regarding the relicensing of Nevada Irrigation District’s Yuba-Bear Project No. 2266, located on the
Middle and South Yuba rivers, Bear River, and Jackson and Canyon creeks in Nevada, Placer and Sierra counties, California.

FERC approves power sales contracts beyond license term

H-2, Public Utility District No. 1 of Chelan County, Washington, Project No. 943-131. The order grants a request from Chelan PUD, licensee for the Rock Island Hydroelectric Project No. 943, to approve an agreement that provides for the sale of power from the Rock Island Project to Avista Corporation beyond the term of Chelan PUD’s existing license for the project, as required by section 22 of the Federal Power Act. The project is located on the Columbia River in Chelan and Douglas counties, Washington.

FERC denies rehearing and stay requests

H-3, McMahan Hydroelectric, L.L.C., Project No. 14858-002. The order denies requests for rehearing by PK Ventures and North Carolina Department of Environmental Quality of the Commission’s September 20, 2019 order granting an original license to McMahan Hydro for the Bynum Hydroelectric Project No. 14858, located on the Haw River in Bynum, Chatham County, North Carolina. The order also denies a stay request from PK Ventures.

FERC denies protest and authorizes construction

C-1, Mountain Valley Pipeline, LLC, Docket No. CP19-477-000. The order denies a protest to Mountain Valley’s prior notice request to construct and operate a new metering and regulating station and related facilities in accordance with its Part 157 blanket certificate in Monroe County, West Virginia. While the order authorizes Mountain Valley to construct and operate the proposed facilities under the Part 157 blanket certificate, the authorization is stayed until Mountain Valley receives appropriate federal permits, and the Director of the Office of Energy Projects lifts the stop-work order and authorizes Mountain Valley to continue constructing along portions of the mainline.

FERC authorizes certificate amendments, partially vacates certain authorizations

C-2, National Fuel Gas Supply Corporation, Docket No. CP20-2-000. The order grants National Fuel’s requests to amend and vacate authorizations associated with its existing Queen storage facilities and Line Q, and the Line QP Project located in Forest and Warren counties, Pennsylvania, granted by the Commission in Docket No. CP16-28-000 in an order issued September 6, 2017. Specifically, the order: (1) amends the authorization to abandon by sale the Queen Storage Field, including associated base gas, and the Queen Compressor Station to reflect a new purchaser; (2) vacates the authorization to abandon by sale a segment of Line Q that National Fuel is now retaining;
and (3) vacates, in part, the certificate authorization to construct the new Line QP that would have replaced Line Q.

FERC denies rehearing and stay requests

C-3, Transcontinental Gas Pipe Line Company, LLC, Docket No. CP17-101-001. The order denies requests for rehearing and stay of the Commission’s order granting authorization under section 7 under the Natural Gas Act for Transco’s Northeast Supply Enhancement Project.

FERC denies rehearing and stay requests

C-4, Transcontinental Gas Pipe Line Company, LLC, Docket No. CP18-18-001. The order denies requests for rehearing and stay of the Commission’s order granting authorization under section 7 under the Natural Gas Act for Transco’s Gateway Expansion Project.

FERC denies rehearing and stay requests

C-6, Adelphia Gateway, LLC, Docket No. CP18-46-002. The order denies requests for rehearing and stay of the Commission’s order granting Adelphia Gateway authority to acquire, construct and operate a new interstate pipeline system in Delaware and Pennsylvania.

FERC denies rehearing request

C-7, Texas Eastern Transmission, LP, Docket No. CP19-104-001 and Columbia Gas Transmission, LLC, Docket No. CP19-103-001. The order denies Washington Gas Light’s request for rehearing of the Commission’s order granting Texas Eastern’s and Columbia’s proposal to abandon their natural gas exchange service under Rate Schedules X-128 and X-130.

FERC terminates certain authorizations for a liquefied natural gas project

C-9, Freeport LNG Development, L.P., Docket No. CP14-57-000. The order grants a request from Freeport to terminate its March 28, 2014 authorization under section 3 of the Natural Gas Act to integrate and operate a boil-off gas chiller at its liquefied natural gas terminal on Quintana Island, near Freeport, Texas to stabilize and augment system operations. In its December 18, 2019 pleading, Freeport explained the BOG chiller is no longer needed.