

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;
Nora Mead Brownell, Joseph T. Kelliher,
and Suedeen G. Kelly.

PacifiCorp

Docket No. ER04-1095-000

ORDER REJECTING INTERCONNECTION AGREEMENT

(Issued October 1, 2004)

1. In this order, we reject PacifiCorp's interconnection agreement with Rock River I, LLC. This order benefits customers because it ensures that interconnection terms and conditions are just and reasonable.

Background

2. On August 4, 2004, PacifiCorp filed an interconnection agreement with Rock River I, LLC (Rock River) for the Rock River Wind Project (Project) consisting of 50 wind turbine generators with a combined capacity of 50 MW (Agreement). PacifiCorp states that the Project includes seven miles of 34.5 kV circuits that connect to PacifiCorp's Foote Creek substation. No cost information was provided, and PacifiCorp states that transmission service will be provided under separate agreements.

3. Notice of PacifiCorp's filing was published in the *Federal Register*, 69 Fed. Reg. 51,076 (2004), with comments, interventions, and protests due on or before August 25, 2004. None was filed.

Discussion

4. Although PacifiCorp is silent on the matter, the Commission has determined that PacifiCorp's Agreement is not in compliance with PacifiCorp's Commission-approved Large Generator Interconnection Agreement (LGIA) and its Large Generator Interconnection Procedures (LGIP)¹ filed in compliance with Order Nos. 2003 and 2003-A.² Moreover, since the Agreement was filed after January 20, 2004, the effective date of Order No. 2003, it is not eligible for grandfathering.³

5. Accordingly, we reject PacifiCorp's filing and direct it to execute an interconnection agreement with Rock River consistent with its Order No. 2003 compliance filing.⁴ We recognize that wind generation may require special provisions that are unique to such newer technologies.⁵ Any such provisions proposed by PacifiCorp must be filed with this Commission.

The Commission orders:

(A) PacifiCorp's Agreement is hereby rejected, as discussed in the body of the order.

¹ *PacifiCorp*, 107 FERC ¶ 61,318 (2004), *reh'g pending*.

² *Standardization of Generator Interconnection Agreements and Procedures*, Order No. 2003, 68 Fed. Reg. 49,845 (Aug. 19, 2003), FERC Stats. & Regs., Regulations Preambles ¶ 31,146 (2003) (Order No. 2003), *order on reh'g*, Order No. 2003-A, 69 Fed. Reg. 15,932 (Mar. 26, 2004), FERC Stats. & Regs., Regulations Preambles ¶ 31,160 (2004) (Order No. 2003-A), *reh'g pending*.

³ *See* Order No. 2003 at P 911.

⁴ If the interconnection agreement conforms to PacifiCorp's Commission-approved standard form of interconnection agreement, it need not be filed with the Commission. *See* Order No. 2003 at P 915.

⁵ *See* Order No. 2003-A at P 407 n.85.

(B) PacifiCorp is directed to execute an interconnection agreement that follows its Commission-approved LGIA and LGIP and to notify the Commission that it has done so, except that PacifiCorp may file an executed interconnection agreement with this Commission if it proposes any special provisions relating to wind, within 30 days of the date of this order, as discussed in the body of this order.

By the Commission.

(S E A L)

Linda Mitry,
Acting Secretary.