

127 FERC ¶ 61,053
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;
Sudeen G. Kelly, Marc Spitzer,
and Philip D. Moeller.

Participating Transmission Owners
Administrative Committee

Docket Nos. ER09-626-000
ER09-626-001

ORDER ACCEPTING IN PART AND DENYING IN PART TARIFF AMENDMENTS
AND GRANTING LIMITED WAIVER

(Issued April 15, 2009)

1. On January 30, 2009 (January 30th Filing), as amended on February 18, 2009 (Amended Filing), the PTO Administrative Committee, on behalf of the Participating Transmission Owners (PTOs),¹ the Schedule 20A Service Providers (SSPs),² Central

¹ The PTOs provide service under Schedule 21 – Local Service of the ISO-New England (ISO-NE) Open Access Transmission Tariff (OATT). The PTOs include Bangor Hydro-Electric Company; Town of Braintree Electric Light Department; NSTAR Electric & Gas Corp.; Central Maine Power Company; Central Vermont Public Service Corp. (Central Vermont PSC); Connecticut Municipal Electric Energy Cooperative; The City of Holyoke Gas and Electric Department; Florida Power & Light Company – New England Division; Green Mountain Power Corp.; Massachusetts Municipal Wholesale Electric Company; New England Power Company (New England Power); New Hampshire Electric Cooperative, Inc.; Northeast Utilities Service Company (Northeast Utilities); Taunton Municipal Lighting Plant; Town of Norwood Municipal Light Department; Town of Reading Municipal Light Department; The United Illuminating Company; Until Energy Systems, Inc. and Fitchburg Gas and Electric Light Company (collectively, the Until Companies); Vermont Electric Cooperative, Inc.; Vermont Electric Power Company, Inc.; Vermont Transco, LLC; and Vermont Public Power Supply Authority.

² The SSPs hold the rights to the transmission capacity over the Phase I/II high voltage, direct current-transmission facilities (Phase I/II HVDC-TF) interconnecting the transmission systems operated by ISO-NE and Hydro-Québec TransÉnergie under

(continued...)

Vermont PSC, New England Power, Northeast Utilities Service Company (Northeast Utilities)³ and Unitil Companies⁴ (collectively, the Joint Filing Parties), jointly submitted their compliance filing as required by Order No. 676-C.⁵ In this order, we grant in part, and deny in part, the Joint Filing Parties' request for waivers and accept in part and reject in part the revised tariff sheets of the ISO-NE OATT and Market Services Tariff, effective December 1, 2008.

Background

2. On April 25, 2006, the Commission issued Order No. 676,⁶ which amended the Commission's regulations under the Federal Power Act to incorporate by reference certain standards promulgated by North American Energy Standards Board's (NAESB) Wholesale Electric Quadrant (WEQ).⁷ As an alternative to complying with the standards, Order No. 676 gave public utilities the option of applying for a waiver of some or all of the standards by filing a request explaining the reasons why the waiver should be granted. Shortly after Order No. 676's issuance, ISO-NE filed a request for a limited waiver of the standards with respect to its Regional Network Service and Through or Out

Schedule 20A of the ISO-NE OATT. The SSPs include Bangor Hydro; Boston Edison Company; Commonwealth Electric Company and Cambridge Electric Company; Central Maine; Central Vermont PSC; Green Mountain; New England Power; Northeast Utilities; United Illuminating; and Vermont Electric Cooperative.

³ The Northeast Utilities include the Connecticut Light and Power Company, Western Massachusetts Electric Company, and Public Service Company of New Hampshire (New Hampshire PSC).

⁴ *See supra*, n.1.

⁵ *Standards for Business Practices and Communication Protocols for Public Utilities*, Order No. 676-C, 73 Fed. Reg. 43,848 (July 29, 2008), FERC Stats. & Regs. ¶ 31,274 (2008).

⁶ *Standards for Business Practices and Communication Protocols for Public Utilities*, Order No. 676, FERC Stats. & Regs. ¶ 31,216 (2006), *reh'g denied*, Order No. 676-A, 116 FERC ¶ 61,255 (2006), *amended*, Order No. 676-B, FERC Stats. & Regs. ¶ 31,246 (2007), *revised*, Order No. 676-C, 73 Fed. Reg. 43,848 (July 29, 2008), FERC Stats. & Regs. ¶ 31,274 (2008), *order on clarification and reh'g*, Order No. 676-D, 124 FERC ¶ 61,317 (2008).

⁷ Order No. 676, FERC Stats. & Regs. ¶ 31,216 at P 1, 19.

Service, based primarily on the fact that Point-to-Point transmission services are not offered over New England's regional transmission facilities. On November 16, 2006, the Commission granted ISO-NE's request, finding that ISO-NE's "business model and regional transmission services differ from the business model and transmission services described in the *pro forma* OATT, on which the WEQ standards are generally based," and also finding that the request was reasonable.⁸

3. On July 21, 2008, the Commission issued Order No. 676-C, which revised regulations to incorporate by reference the latest version (Version 001) of certain standards adopted by the WEQ of the NAESB. Specifically, Order No. 676-C required transmission providers to: (1) revise the Open Access Same-Time Information Systems (OASIS) business practice standards and communications protocols; (2) revise four business practice standards relating to reliability issues; (3) add new standards on Transmission Loading Relief (TLR) for the Eastern Interconnection; (4) add new standards for public key infrastructure (PKI); and (5) add a new OASIS implementation guide.⁹ Like Order No. 676, Order No. 676-C contained provisions for an entity to seek a waiver from its requirements.¹⁰

4. On September 30, 2008, ISO-NE requested a limited waiver of the new WEQ standards that address matters relating to Point-to-Point Service and new WEQ standards for invoking TLR procedures. ISO-NE explained that the circumstances that resulted in the Commission granting ISO-NE a waiver of certain business practice standards

⁸ *ISO New England Inc.*, 117 FERC ¶ 61,195, at P 14 (2006). Specifically, ISO-NE has obtained waivers with respect to Regional Network Service and Through or Out Service from the following WEQ-001 standards: (1) Standards 001-2.1 through 001-2.1.14 (Attribute Values Defining the Period of Service); (2) Standards 001-2.2 through 001-2.2.2 (Attribute Values Defining Service Class); (3) Standards 001-2.3 through 001-2.3.2 (Attribute Values Defining Service Types); (4) Standards 001-4 through 001-4.27 (On-Line Negotiation and Confirmation Process); (5) Standards 001-5 through 001-5.6 (Transmission Provider Requirements and Transmission Customer Requirements); (6) Standards 001-8 through 001-8.3.2 (Requirements for Dealing with Multiple, Identical Transmission Service Requests); (7) Standards 001-9 through 9.8.1 (Requirements for Dealing with Redirects on a Firm Basis); and (8) Standards 001-10 through 001-10.8.6 (Requirements for Dealing with Redirects on a Non-Firm Basis).

⁹ *Standards for Business Practices and Communication Protocols for Public Utilities*, Order No. 676-C, 73 Fed. Reg. 43,848 (July 29, 2008), FERC Stats. & Regs. ¶ 31,274 (2008).

¹⁰ Order No. 676-C, FERC Stats. & Regs. ¶ 31,274 at P 19, 84.

established in Order No. 676 continue to apply. Specifically, ISO-NE requested waiver of the new Standard 001-10.8.7, which constitutes a new requirement for dealing with redirects on a non-firm basis; Standards 001-11 (which includes 001-11 through 001-11.7.1) on resales for Point-to-Point Service; Standards 001-12 (which includes 001-12 through 001-12.5.2) on transfers of Point-To-Point Service; and the new WEQ-008-1, which governs TLR Procedures. On November 20, 2008, the Commission granted ISO-NE's request.¹¹ On October 29, 2008, ISO-NE filed tariff sheets incorporating WEQ Version 001 standards by reference into the ISO-NE OATT, which were accepted by the Commission effective as of December 1, 2008.¹²

Compliance Filing

5. As discussed below, the Joint Filing Parties propose in their joint compliance filing to modify certain sections of the NAESB WEQ Version 001 standards and request a limited waiver of certain WEQ business practice standards incorporated by reference into the Commission's regulations and which public utilities are required to incorporate by reference into their OATTs.

Interventions, Protests or Comments

6. Notice of the Joint Filing Parties' January 30, 2009 filing was published in the *Federal Register*, 74 Fed. Reg. 7,417 (2009), with comments, protests and interventions due on or before February 20, 2009. Notice of the Joint Filing Parties' February 18, 2009 filing was published in the *Federal Register*, 74 Fed. Reg. 9,236 (2009), with comments, protests and interventions due on or before March 3, 2009. ISO-NE filed a timely motion to intervene. No protests or adverse comments were filed.

Discussion

A. Procedural Matters

7. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2008), the timely, unopposed motion to intervene makes ISO-NE a party to the proceeding.

¹¹ *ISO New England Inc.*, 125 FERC ¶ 61,201 (2008).

¹² *ISO New England Inc.*, 125 FERC ¶ 61,275 (2008).

B. Request For Limited Waiver Of Certain WEQ Standards

8. The Joint Filing Parties request a limited waiver of certain WEQ standards, arguing that such standards are inapplicable due to the nature of service they provide. The Joint Filing Parties indicate that the PTOs, through the PTO Administrative Committee, have coordinated with each other, ISO-NE and the other transmission owners in New England to make this filing. In addition, the Joint Filing Parties indicate that the proposed waivers were presented, reviewed and discussed during a New England Power Pool Participants Committee (NEPOOL) stakeholder meeting.

C. The Joint Filing Parties**1. OASIS-Related WEQ Standards**

9. In Order Nos. 676 and 676-C, the Commission clarified that, to the extent that a public utility's OASIS obligations are administered by an independent system operator (ISO) or a regional transmission operator (RTO), the public utility will not be required to modify its OATT to include the WEQ OASIS-related standards.¹³ Version 001 of the WEQ Standards contains five WEQ Standards related to OASIS or PKI administration: WEQ-001; WEQ-002; WEQ-003; WEQ-012; and WEQ-013. The Commission accepts the Joint Filing Parties' request for waiver of these standards except as noted below.

10. The Joint Filing Parties contend that ISO-NE, as the New England RTO, plays a primary role in operating and maintaining the OASIS and administering the OASIS for the PTOs and the SSPs. However, the PTOs and SSPs explain that they share responsibilities over the administration of the OASIS. Based on these factors, the Joint Filing Parties indicate that they have inserted conditional language into Schedules 20A and 21¹⁴ indicating that "to the extent applicable" these four OASIS-related WEQ standards (WEQ-001, WEQ-002, WEQ-003 and WEQ-013) are incorporated by reference into Schedules 20A and 21.

¹³ Order No. 676, FERC Stats. & Regs. ¶ 31,216 at P 20; Order No. 676-C, FERC Stats. & Regs. ¶ 31,274 at P 10.

¹⁴ The SSPs hold the rights to transmission capacity over the Phase I/II high-voltage direct current transmission facilities under Schedule 20A to the ISO-NE regional tariff. The PTOs offer Local Network Service and Local Point-to-Point Service over non-pool transmission facilities under Schedule 21 – Local Service of the ISO-NE OATT.

11. With respect to WEQ-012, which provides uniform standards (PKI) to enhance security for business transactions taking place over the Internet, the Joint Filing Parties state that they have not incorporated WEQ-012 by reference into their respective tariff schedules arguing that in Order No. 676-D, the Commission indicated that transmission providers are not required to implement the PKI standards.¹⁵

12. We reject the Joint Filing Parties' request for waiver from WEQ-012 and disagree with the Joint Filing Parties' interpretation of Order No. 676-D. As the Commission explained in Order No. 676-C, the PKI standards have been created to ensure greater security for business transactions taking place over the Internet. While Order No. 676-C does not require public utilities to use PKI for all business transactions over the Internet, the Commission included these standards in the general set of standards to be implemented by October 1, 2008.¹⁶ To receive waiver from these standards, the Joint Filing Parties would have to establish that they would never use PKI and neither would ISO-NE, which has operational control of the Joint Filing Parties' facilities.

13. The Joint Filing Parties have not adequately shown that neither they nor ISO-NE as the RTO, will never need to establish a secure Internet encryption system. For example, the Joint Filing Parties have not offered any evidence that ISO-NE does not schedule or reserve energy service or effectuate energy transactions on its OASIS or that ISO-NE does not designate or undesignate resources via OASIS.¹⁷ Nor have they shown that ISO-NE has obtained waiver with respect to PKI. Accordingly, because operation and control of the Joint Filing Parties transmission facilities are under the operational control of ISO-NE, the Joint Filing Parties must comply with Standard WEQ-012 when it is applicable to ISO-NE's operations.

14. Thus, we reject the Joint Filing Parties' proposed variation and direct the Joint Filing Parties to file, within 30 days of the date of this order, a further compliance filing reflecting the WEQ-012 Standard. This determination is without prejudice to the Joint Filing Parties re-applying for waiver of this standard, supported by a detailed explanation of why waiver would be appropriate.

¹⁵ See January 30th Filing at 9, citing Order No. 676- D, 124 FERC ¶ 61,317 (2008).

¹⁶ Order No. 676-C, FERC Stats. & Regs. ¶ 31,274 at P 80.

¹⁷ The PKI standards and WEQ-012 do not simply apply to the ISO-NE's OASIS applications. They also apply to other Internet applications that entail issues relating to confidentiality, authentication, integrity and non-repudiation security services.

2. WEQ-004 through WEQ-008 and WEQ-011

15. The Joint Filing Parties request waiver of Standard 004, which governs interchange matters. The Joint Filing Parties explain that the PTOs have no authority for matters affecting the identification, quantification or approval of net interchange transactions as contemplated by WEQ-004 and therefore do not qualify to be an Approval Entity.¹⁸ Rather, ISO-NE is the net interchange authority and the Approval Entity on behalf of the New England region. Therefore, Joint Filing Parties contend that Standard WEQ-004 is inapplicable to the Joint Filing Parties. However, in their amended filing made on February 18, 2009, the Joint Filing Parties recognize that the appendices to WEQ-004 contain responsibilities applicable to transmission service providers (TSPs). For example, the appendices include actions related to e-tags, and the SSPs, as the TSPs for the Phase I/II HVDC-TF, maintain responsibility for those e-tag actions. Therefore, the Joint Filing Parties request waiver of WEQ-004 except to the extent they have responsibilities applicable to TSPs as delineated in the aforementioned appendices.

16. Second, the Joint Filing Parties request waiver of the following WEQ Standards: WEQ-005 Area Control Error Equation Special Cases Standards; WEQ-006 Manual Time Error Correction Standards; and WEQ-007 Inadvertent Interchange Payback Standards. The Filing Parties state that these standards apply only to balancing authorities. The Joint Filing Parties are not balancing authorities and thus they assert these standards are inapplicable to them.

17. Third, the Joint Filing Parties seek waiver of NAESB's new standards governing TLRs under WEQ Standard 008-1. The Joint Filing Parties argue that ISO-NE does not call TLRs or utilize TLR-like procedures, but rather implements specific rules in the ISO-NE OATT, as accepted by the Commission, that govern how ISO-NE schedules and curtails transactions.¹⁹ For this reason, the Joint Filing Parties request that the Commission grant waiver from this requirement.

18. Finally, the Joint Filing Parties seek a limited waiver of Standard WEQ-011, governing Gas/Electric Coordination, to the extent that WEQ-011 applies to any of the

¹⁸ An Approval Entity is defined in WEQ 004-0.1 as "An entity that has approval rights for an Arranged Interchange; this includes the Transmission Service Providers (TSP), scheduling Balancing Authorities (BA), Generator-Providing Entity (GPE), and the Load-Serving Entity (LSE) that are included in the Arranged Interchange, as well as any Purchasing Selling Entity (PSE) whose transmission rights are cited (TPSE) in the Arranged Interchange."

¹⁹ See January 30th Filing at 11.

Joint Filing Parties, in whole or in part.²⁰ The Joint Filing Parties explain that with certain limited exceptions,²¹ the Joint Filing Parties “do not own any power plants or any natural gas pipelines in New England.”²² Thus, the procedures required by WEQ Standard 011-1.2²³ are inapplicable to them. Further, the Joint Filing Parties explain that, as transmission providers, they are not among the types of entities described by WEQ Standard 011-1.6.²⁴ Rather, they explain, ISO-NE acts as the balancing authority and reliability coordinator for the New England region and is responsible for the type of coordination and communication contemplated in WEQ Standard 011-1.6. Thus, the Joint Filing Parties conclude that the procedures required by WEQ-011 do not generally apply to the Joint Filing Parties.

19. We find that the Joint Filing Parties’ request for waiver of the specific standards discussed above is reasonable. Specifically, we agree that the Joint Filing Parties do not act as a balancing authority and do not currently provide any of the functions addressed by these standards, thus we grant the Joint Filing Parties’ request for waiver of WEQ-005, WEQ-006 and WEQ-007. We grant waiver of WEQ-004 and WEQ-011 to the extent they are inapplicable, in whole or in part. In addition, we agree that ISO-NE does not initiate the TLR procedures addressed by WEQ-008, and, therefore, grant the Joint Filing Parties’ request for a waiver of this standard.

²⁰ The following companies made a compliance filing in Docket Nos. RM96-1-027 and RM05-5-001 indicating that WEQ-011, in whole or in part, is inapplicable to them: Bangor Hydro-Electric Company; Central Maine Power Company; Central Vermont Public Service Corp., New England Power Company; Northeast Utilities Service Company (on behalf of The Connecticut Light and Power Company and Western Massachusetts Electric Company); NSTAR Electric Company; The United Illuminating Company and Vermont Transco LLC.

²¹ These exceptions are noted in the filing, but not detailed.

²² See January 30th Filing at 12.

²³ WEQ Standard 011-1.2 directs the power plant operator and the transportation service provider directly connected to the power plant operator’s facilities to establish procedures to communicate material changes in circumstances that may impact hourly flow rates, and the power plant operator to provide projected hourly flow rates accordingly.

²⁴ WEQ Standard 011-1.6 establishes operational communication procedures with the appropriate transportation service provider and/or power plant operator.

D. New England Power

20. New England Power requests waiver²⁵ of all Business Practices for OASIS Standards WEQ-001 that relate specifically to Local Point-to-Point Service, which New England Power indicates it does not provide. In support of its request, New England Power states that it is required to “take whatever actions, consistent with Good Utility Practice that [are] reasonably necessary to maintain the reliability of the system for Network Service customers.”²⁶ In addition, New England Power states that Local Network Service provided under Schedule 21 – NEP: (1) is a monthly service which does not require advanced reservations and does not have firm versus non-firm characteristics; (2) does not require advanced reservations; and (3) does not provide for redirects, resales and transfers. Further, New England Power states that it uses periodic system impact studies and other means to ensure that it will be able to serve existing and new local network load in a reliable manner. Therefore, New England Power states that the WEQ standards in WEQ-001 are inapplicable due to the nature of the service it provides.

21. We agree. Because New England Power does not provide the Local Point-to-Point transmission service addressed by WEQ-001, we grant New England Power’s request for a waiver from these standards.

²⁵ Specifically, New England Power seeks waiver from the following WEQ-001 standards: WEQ 001-1.6(b)(1) through 001-1.60(b)(3); 001-2.1 through 001-2.14; 001-2.2 through 001-2.2.2; 001-2.3 through 001-2.3.2; 001-4 through 001-4.27; 001-5 through 001-5.6; 001-8 through 001-8.3.2, including WEQ 001-A; 001-9 through 001-9.8.1, including WEQ 001-B; 001-10 through 001-10.8.7; 001-11 through 001-11.7.1; and 001-12 through 001-12.5.2.

²⁶ January 30th Filing at 14.

E. Northeast Utilities

22. With the limited exception of the New Hampshire PSC,²⁷ the Northeast Utilities request a general waiver of applicability from WEQ Standard 011 (Gas/Electric Coordination). The Northeast Utilities indicate that they do not own or operate any power plants or interstate natural gas pipelines, and the procedures required by WEQ Standards 011-1.2²⁸ and 011-1.3²⁹ do not apply to the Northeast Utilities. Further, none of the Northeast Utilities are entities described by WEQ Standard 011-1.6.³⁰ Instead, the Northeast Utilities indicate that ISO-NE acts as the balancing authority and reliability coordinator for the New England region and is responsible for the type of coordination and communication contemplated in WEQ Standard 011-1.6.³¹ Thus, the Northeast Utilities submit that the only portions of WEQ Standard 011 that apply to any of the Northeast Utilities are WEQ Standards 011-1.2 and 011-1.3, and the applicability of these standards is limited to New Hampshire PSC.

²⁷ On October 31, 2007, the New Hampshire PSC made a compliance filing adopting the protocol required by WEQ Standard 011-1.2 in Docket Nos. RM96-1-027 and RM05-5-001. In that filing, New Hampshire PSC also stated that a third party provides the gas transportation supply to the natural gas generating facility owned by New Hampshire PSC. The Northeast Utilities take the opportunity here to clarify that New Hampshire PSC is not a natural gas supplier, and is not an entity described by WEQ Standard 011-1.6. *See also Standards for Business Practices for Interstate Natural Gas Pipelines; Standards for Business Practices for Public Utilities*, Order No. 698, FERC Stats. & Regs. ¶ 31,251 (2007).

²⁸ *See supra*, n.27.

²⁹ WEQ Standard 011-1.3 applies to power plant operators and transmission service providers whose facilities are directly connected or with whom the power plant operator is a service requester.

³⁰ *See supra*, n.28.

³¹ The Northeast Utilities submit that ISO-NE made a compliance filing on November 1, 2007, in Docket Nos. RM96-1-027 and RM05-5-001, confirming its compliance with WEQ Standard 011-1.6, which governs operational communication procedures. Thus, the Northeast Utilities explains that the procedures required by WEQ Standard 011-1.6 do not apply to the Northeast Utilities. *See also* Order No. 698, FERC Stats. & Regs. ¶ 31,251 (2007).

23. We agree that Northeast Utilities does not act as a balancing authority and does not currently provide any of the functions addressed by Standards 011-1.2 and 011-1.3, and the applicability of these Standards is limited to New Hampshire PSC. Thus, we grant the Northeast Utilities' request for waiver.

F. Unitil Companies

24. The Unitil Companies state they have previously been granted waiver of the OASIS standards in *Unitil Companies*³² because they met the criteria for a small public utility waiver provided in Order No. 676. The waiver was granted unless and until an entity evaluating its transmission needs complains that it could not get information necessary to complete its evaluation. The Unitil Companies certify that the circumstances warranting the waiver of the OASIS requirements and the WEQ standards have not changed.

25. In this proceeding, the Unitil Companies request that waiver of the OASIS requirements be continued and, per their Amended Filing, confirmed as continued.³³ They also request waiver of the newly created standards governing Gas/Electric Coordination (WEQ-011) and TLRs (WEQ-008), as applicable to Schedule 21 – FG&E and Schedule 21 – UES. In support of their latter request, the Unitil Companies state that they do not operate or control an interstate transmission grid, and thus standard WEQ-008 is inapplicable. Regarding WEQ-011, the Unitil Companies state that they do not own or operate a gas pipeline or gas-fired generation, and therefore, WEQ-011 is also inapplicable.

26. Based on the information provided in the Unitil Companies' waiver request, we will grant the requested waiver of the OASIS-related standards, because the Unitil Companies continue to meet the criteria for small public utility waiver provided in Order No. 676,³⁴ subject to the same conditions as applied to the Unitil Companies' earlier

³² Specifically, the Commission granted waiver from WEQ-001, WEQ-002, WEQ-003, WEQ-013, WEQ-001-9, 001-10, WEQ-001-8, WEQ-004, WEQ-005, WEQ-006 and WEQ-007. *See Unitil Companies*, 116 FERC ¶ 61,266 (2006); *see also Concord Electric*, 101 FERC ¶ 61,324 (2002). This waiver continues waivers earlier granted to Unitil Energy Systems' predecessors, Concord Electric Company and Exeter & Hampton Electric Company in *Northern States Power Co.*, 76 FERC ¶ 61,250 (1996).

³³ Amended Filing at 3.

³⁴ Order No. 676, FERC Stats. & Regs. ¶ 31,216 at P 85-87.

waiver of the OASIS-related standards.³⁵ In addition, because the Unitil Companies do not provide the transmission service addressed by WEQ-008 and do not own or operate a gas pipeline or gas-fired generator addressed by WEQ-011, we grant the Unitil Companies' request for a waiver from these standards.

G. Central Vermont PSC

27. Central Vermont PSC requests a general waiver of WEQ Standard 011 (Gas/Electric Coordination) except for WEQ Standards 011-1.2 and 011-1.3³⁶ for the following reasons. Central Vermont PSC explains that it owns one wood-burning power plant that can, and occasionally does, run on gas. Further, Central Vermont PSC submits that it does not own any natural gas pipelines. Central Vermont explains that ISO-NE acts as the balancing authority and reliability coordinator for the New England region and is responsible for the type of coordination and communication that is contemplated in WEQ Standard 011-1.6.³⁷ Thus, Central Vermont PSC requests waiver from the applicability of WEQ Standard 011, with the exception of WEQ Standards 011-1.2 and 011-1.3.

28. We agree that Central Vermont PSC does not act as a balancing authority and does not currently provide any of the functions addressed by Standard 011, with the exception of WEQ Standards 011-1.2 and 011-1.3. Thus, we grant Central Vermont PSC's request for waiver.

H. Effective Date

29. The Joint Filing Parties respectfully requests that the Schedule 20A and 21 changes be made effective as of December 1, 2008, to coincide with the effective date of ISO-NE's 676-C tariff compliance changes requests for waiver, rather than the October 1, 2008 effective date specified in Order No. 676-C. Since a December 1, 2008 effective

³⁵ *Id.* P 87.

³⁶ *See supra*, n.27, 29.

³⁷ Central Vermont PSC submits that ISO-NE made a compliance filing on November 1, 2007, in Docket Nos. RM96-1-027 and RM05-5-001, confirming its compliance with WEQ Standard 011-1.6, which governs operational communication procedures. Thus, the Northeast Utilities explains that the procedures required by WEQ Standard 011-1.6 do not apply to Central Vermont PSC. *See also* Order No. 698, FERC Stats. & Regs. ¶ 31,251 (2007).

date coincides with the effective date of ISO-NE's tariff revisions incorporating WEQ Version 001 standards, we accept the Joint Filing Parties' request.

The Commission orders:

(A) The Joint Filing Parties' compliance filing is hereby accepted in part, to be effective December 1, 2008, as requested, and denied in part as discussed in the body of this order.

(B) The Joint Filing Parties' requests for limited waivers are hereby granted in part and denied in part as discussed in the body of this order.

(C) The separate waiver requests of Northeast Utilities, the Unitil Companies and Central Vermont PSC are also granted as discussed in the body of this order.

(D) The Joint Filing Parties are hereby directed to submit compliance filings, as discussed in the body of this order within 30 days of the issuance of this order.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.