

132 FERC ¶ 61,091
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;
Marc Spitzer, Philip D. Moeller,
John R. Norris, and Cheryl A. LaFleur.

Southern Company Services, Inc.

Docket Nos. OA08-37-003
OA08-37-004

ORDER ON REHEARING AND COMPLIANCE

(Issued July 30, 2010)

1. On July 20, 2009, in Docket No. OA08-37-003, Southern Company Services, Inc. (Southern),¹ in conjunction with the City of Dalton and Georgia Transmission Corporation (collectively, the Southeastern Regional Transmission Planning Process (SERTP) Sponsors), filed a request for rehearing of the Commission's June 18 Order addressing Southern's transmission planning process.² On August 17, 2009, in Docket No. OA08-37-004, Southern submitted a compliance filing with revisions to its transmission planning process, as required by the June 18 Order. In this order, we grant in part, and deny in part, the SERTP Sponsors' request for rehearing and accept Southern's compliance filing.

¹ Southern is acting as agent for Alabama Power Company, Georgia Power Company, Gulf Power Company, and Mississippi Power Company.

² *Southern Company Services, Inc.*, 127 FERC ¶ 61,282 (2009) (June 18 Order). The SERTP, in which Southern participates along with the Alabama Electric Cooperative, Dalton Utilities, Georgia Transmission Corporation, Municipal Electric Authority of Georgia, and South Mississippi Power Association is set forth in Attachment K to Southern's OATT. Southern's Attachment K also includes an additional document, the Southeast Inter-Regional Participation Process (SIRPP) as Exhibit K-2, which relates to inter-regional economic studies. Duke Energy Carolinas, LLC, Entergy Operating Companies, E.ON U.S., Progress Energy Carolinas, Inc., South Carolina Public Service Authority, South Carolina Electric & Gas Company, and the Tennessee Valley Authority also incorporate the SIRPP into their planning processes.

I. Background

2. In Order No. 890, the Commission reformed the *pro forma* Open Access Transmission Tariff (OATT) to clarify and expand the obligations of transmission providers to ensure that transmission service is provided on a non-discriminatory basis.³ One of the Commission's primary reforms was designed to address the lack of specificity regarding how customers and other stakeholders should be treated in the transmission planning process. To remedy the potential for undue discrimination in planning activities, the Commission directed all transmission providers to develop a transmission planning process that satisfies nine principles and to clearly describe that process in a new attachment to their OATTs.

3. The nine planning principles each transmission provider was directed by Order No. 890 to address in its planning process are: (1) coordination; (2) openness; (3) transparency; (4) information exchange; (5) comparability;⁴ (6) dispute resolution; (7) regional participation; (8) economic planning studies; and (9) cost allocation for new projects. The Commission also directed transmission providers to address the recovery of planning-related costs. The Commission explained that it adopted a principles-based reform to allow for flexibility in implementation of and to build on transmission planning efforts and processes already underway in many regions of the country. The Commission also explained, however, that although Order No. 890 allows for flexibility, each transmission provider has a clear obligation to address each of the nine principles in its transmission planning process, and that all of these principles must be fully addressed in the tariff language filed with the Commission. The Commission emphasized that tariff rules, as supplemented with web-posted business practices when appropriate,⁵ must be specific and clear to facilitate compliance by transmission providers and place customers on notice of their rights and obligations.

³ *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, FERC Stats. & Regs. ¶ 31,241, *order on reh'g*, Order No. 890-A, FERC Stats. & Regs. ¶ 31,261 (2007), *order on reh'g*, Order No. 890-B, 123 FERC ¶ 61,299 (2008), *order on reh'g*, Order No. 890-C, 126 FERC ¶ 61,228 (2009), *order on clarification*, Order No. 890-D, 129 FERC ¶ 61,126 (2009).

⁴ In Order No. 890-A, the Commission clarified that the comparability principle requires each transmission provider to identify, as part of its Attachment K planning process, how it will treat resources on a comparable basis and, therefore, how it will determine comparability for purposes of transmission planning. *See* Order No. 890-A, FERC Stats. & Regs. ¶ 31,261 at P 216.

⁵ Order No. 890, FERC Stats. & Regs. ¶ 31,241 at P 1649-55.

4. In the June 18 Order, the Commission accepted Southern's compliance filing, but required further modifications. The Commission found that Southern complied with the transparency and cost allocation planning principles, but directed Southern to file, in a further compliance filing, revisions regarding the coordination, openness, comparability, dispute resolution, regional participation, and economic planning studies principles.

II. Compliance Filing

5. On August 17, 2009, in Docket No. OA08-37-004, Southern submitted a compliance filing with revisions to Attachment K of its OATT, as required by the June 18 Order.

III. Notice of Compliance Filing and Responsive Pleadings

6. Notice of Southern's compliance filing was published in the *Federal Register*, 74 Fed. Reg. 42,887 (2009), with interventions and protests due on or before September 8, 2009. None were filed.

IV. Request for Rehearing

7. On July 20, 2009, the SERTP Sponsors submitted a request for rehearing concerning the regional participation and economic planning studies principles. On August 4, 2009, E.ON U.S. LLC, and its subsidiaries, Louisville Gas and Electric Company and Kentucky Utilities Company (collectively, E.ON U.S.), filed an answer in support of the SERTP Sponsors' request for rehearing.

V. Discussion

A. Procedural Matters

8. Rule 713(d) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.713(d) (2010), prohibits an answer to a request for rehearing. We will, therefore, reject E.ON U.S.'s answer.

B. Substantive Matters

9. In this order, we address the SERTP Sponsors' request for rehearing and Southern's compliance filing, which sets forth further revisions regarding the coordination, openness, comparability, dispute resolution, regional participation, and economic planning studies principles in response to the Commission's June 18 Order. We address each principle in turn.

1. Coordination

10. In the June 18 Order, the Commission found that Southern's proposed section 1.2.1 did not clearly provide stakeholders an opportunity to review and provide input regarding the methodology and criteria used to develop the transmission plans at the initial Regional Planning Stakeholders Group (RPSG) meeting and training session. Accordingly, the Commission directed Southern to revise its proposal to provide for stakeholder review and comment on these planning criteria and methodology and for Southern to consider these comments.⁶

a. Southern's Compliance

11. Southern proposes to revise section 1.2.1, regarding the initial RPSG meeting and training session, to clarify the time period during which the expansion plan would be implemented. The revised provision would allow stakeholders to submit comments regarding Southern's criteria and methodology either during the RPSG meeting or within 10 business days after the meeting, and further provides that Southern will consider such comments. Southern also clarifies that a transmission expansion plan that is developed in a calendar year is implemented in the following calendar year.

b. Commission Determination

12. We find that Southern's proposed revisions satisfy the Commission's directives in the June 18 Order with respect to coordination. Consistent with the June 18 Order, section 1.2.1 provides that stakeholders may submit comments regarding the methodology and criteria used to develop the transmission plans either at the initial RPSG meeting and training session or within 10 business days of that meeting. In addition, the section now states that Southern will consider such comments. We also accept Southern's additional language clarifying that a transmission expansion plan that is developed in a calendar year is implemented in the following calendar year.

2. Openness

13. In the June 18 Order, the Commission found that Southern must revise section 2.5.1 and Exhibit K-2 so that information provided by transmission providers that are not public utilities under section 201(e) of the Federal Power Act (FPA)⁷ do not have more confidentiality protections in the transmission planning process than information provided by transmission providers that are public utilities. Specifically, the Commission

⁶ June 18 Order, 127 FERC ¶ 61,282 at P 17.

⁷ 16 U.S.C. § 824(e) (2006).

directed Southern to revise its proposal prohibiting Southern from disclosing confidential information, but non-Critical Energy Infrastructure Information (CEII), of a non-public utility without consent from the non-public utility or an order of an applicable court or agency requiring disclosure. Southern did not propose to provide this level of protection for confidential information, but non-CEII, provided by entities that are public utilities.

14. The Commission explained that, in Order No. 890, a coordinated, open, and transparent regional planning process cannot succeed unless all transmission owners participate. The Commission also explained that it expects all non-public utility transmission providers will fully participate in the transmission planning processes required by Order No. 890. Accordingly, the Commission directed Southern to revise its proposal so that non-public utility transmission providers participating in the transmission planning process are subject to the same information disclosure and confidentiality protections as public utility transmission providers in the transmission planning process.⁸

a. Southern's Compliance

15. Southern proposes to revise section 2.5.1 (Procedures to Obtain Confidential Non-CEII Information) of its Attachment K by deleting the provision restricting disclosure of confidential information, but non-CEII, of a non-public utility.

16. Southern also proposes to modify sections 2.3.3 (CEII Certification) and 2.4 (Other Sponsor and Stakeholder Submitted Confidential Information) of its OATT to: (i) notify other SERTP Sponsors that the information they provide that implicates transmission planning may be required to be disclosed in accordance with its Attachment K provisions; (ii) remove the reference to Exhibit K-1 (i.e., requirement that stakeholders seeking access to CEII obtain Southern's FERC Form No.715 from the Commission); and (iii) post the SERTP CEII Confidentiality Agreement on its regional website. Southern points out that the Commission has allowed such procedures for other transmission operators.⁹

17. Southern further proposes deleting section 2.5.2 that would have provided that Southern would post and identify on the SERTP website the identity of the entity that provided confidential information, but non-CEII, used in implementing the SERTP.

⁸ *Id.* P 21. Additional Attachment K provisions related to openness, specifically provisions regarding resource-specific data and Form No.715, are discussed under Economic Planning Studies, because those provisions are similar to those in the SIRPP, Exhibit K-2.

⁹ Southern's Compliance Filing at 9 n.12 (citing CAISO Tariff § 20.4(e)(i)).

Southern also proposes revisions to section 2.5.1 to reflect NERC requirements and SERC confidentiality requirements.¹⁰

b. Commission Determination

18. We find that Southern's proposed revisions satisfy the directives in the June 18 Order with respect to the openness principle. Southern's planning process clarifies that information provided by non-public utility transmission providers is subject to the same information disclosure and confidentiality protections that are applied to public utility transmission providers and other stakeholders, and Southern's additional revisions to sections 2.3.3, 2.4, 2.5.1, and 2.5.2 are reasonable conforming changes.

3. Comparability

19. In the June 18 Order, the Commission found that Southern partially complied with its requirements regarding the comparability principle. The Commission found that Southern did not explain how it would evaluate alternatives when determining which projects to include in its plan. As a result, the Commission directed Southern to state how it would evaluate and select from among competing solutions, such that all types of resources are considered on a comparable basis.

20. Also, in the June 18 Order, the Commission found that Southern did not explain when stakeholders would receive the preliminary transmission plan to which they could propose alternatives, and whether the plan would be posted on Southern's transmission planning website. As a result, the Commission directed Southern to provide these additional explanations in its Attachment K.

21. Further, the Commission noted that Southern stated that "to the extent similarly situated" it would treat stakeholder submitted demand resource projects on a comparable basis for transmission planning purposes. However, the Commission found that Southern had not explained how it defines "similarly situated." Therefore, the Commission directed Southern to explain the phrase in its compliance filing.¹¹

a. Southern's Compliance

22. Section 3.5.3(4) (The Transmission Expansion Review and Input Process) of Southern's Attachment K currently provides that "[t]he transmission expansion plan/enhancement alternatives suggested by the stakeholders will be considered by the

¹⁰ *Id.* at 10 n.13.

¹¹ June 18 Order, 127 FERC ¶ 61,282 at P 29-32.

transmission provider for possible inclusion in the transmission expansion plan.” Southern proposes to revise section 3.5.3(4) to add a provision providing that, when evaluating proposed alternatives to the transmission expansion plan, Southern

will, from a transmission planning perspective, take into account factors such as, but not limited to, the proposed alternatives’ impacts on reliability, relative economics, effectiveness of performance, impact on transmission service (and/or cost of transmission service) to other customers and on third-party systems, project feasibility/viability and lead time to install.¹²

23. Southern also responds to the Commission’s requirement that Southern explain when stakeholders will receive the transmission plan and if the plan will be posted on its transmission planning website. Southern states that sections 3.5.3(3)-(6) of its Attachment K already provide for posting the preliminary transmission expansion plan on Southern’s website at least 10 calendar days prior to the Preliminary Expansion Plan meeting, that Southern will report regarding its consideration of proposed alternatives at the Second RPSG Meeting, and that the presentations and the ten-year transmission expansion plan will be posted on Southern’s website at least 10 calendar days prior to the Annual Transmission Planning Summit.

24. In addition, Southern states that it intended the “similarly situated” requirement to be defined as “to the extent that a demand resource project was comparable to other alternatives under consideration,” and used in the way that the standard has been historically used to prevent undue discrimination under sections 205 and 206 of the FPA. Southern asserts that, since the basis for the Commission’s comparability requirements is its statutory mandate to prevent undue discrimination, the “similarly situated” standard should provide context for the Commission’s comparability requirements.¹³

b. Commission Determination

25. We find that Southern has complied with the requirements in the June 18 Order regarding the comparability principle. Southern’s description of how it will evaluate and select from among competing solutions such that all types of resources are considered on a comparable basis complies with the Commission’s direction in the June 18 Order. Further, we find that Southern’s explanation regarding the “similarly situated” requirement clarifies that it will treat resources on a comparable basis. In addition,

¹² Southern’s Compliance Filing at 12.

¹³ *Id.* at 14.

consistent with the June 18 Order, sections 3.5.3(3)-(6) provide when the drafts of the preliminary expansion plan and the final expansion plan will be provided to stakeholders by postings on Southern's website.

4. Dispute Resolution

26. In the June 18 Order, the Commission required Southern to file modifications so that the dispute resolution provisions apply to disputes arising from the Attachment K transmission process generally and are not limited to disputes arising only within the SIRPP.¹⁴

a. Southern's Compliance

27. Southern proposes to revise section 5.1 (Negotiation) to delete the specific origin of disputes and state that the dispute resolution provisions can be used regarding disputes from "the Attachment K transmission planning process generally."

b. Commission Determination

28. We find that Southern's proposed revision satisfies the Commission's directive in the June 18 Order regarding dispute resolution.

5. Regional Participation

29. In the June 18 Order, the Commission found that Southern did not provide that all solutions will be considered in regional studies conducted to improve the reliability of the bulk power system. Accordingly, the Commission directed Southern to revise section 6 (Regional Participation) to provide that all transmission, generation and demand resource solutions would be considered in regional studies conducted to improve the reliability of the bulk power system and that this information would be shared among the regional entities.¹⁵

a. Request for Rehearing

30. The SERTP Sponsors argue that, if read literally, satisfying the Commission's requirement in the June 18 Order would be impossible, as "all solutions" represent an infinite number of potential studies. The SERTP Sponsors request that the Commission clarify that it meant that the transmission, generation, and demand resource transmission expansion plan/enhancement alternatives suggested by the stakeholders pursuant to

¹⁴ June 18 Order, 127 FERC ¶ 61,282 at P 35.

¹⁵ *Id.* P 42-43.

section 3.5.3(4) of Attachment K will be considered in regional studies conducted to improve the reliability of the bulk power system and that this information will be shared with the other SERTP sponsors.¹⁶

b. Southern's Compliance

31. In its compliance filing, Southern proposes adding a sentence to the end of section 6.2 (Coordination with the Other Sponsors) to comply with the June 18 Order and respond to the request for rehearing. Specifically, Southern proposes language providing that the transmission, generation, and demand resource transmission expansion plan/enhancement alternatives suggested by the stakeholders pursuant to section 3.5.3(3) will be considered in regional studies conducted to improve the reliability of the bulk power system and this information will be shared with the other SERTP sponsors.

c. Commission Determination

32. We find that Southern's proposed tariff language in its compliance filing satisfies the directive in the June 18 Order regarding the regional participation principle. Consistent with the June 18 Order, Southern's proposed language specifically provides that the transmission, generation and demand resource alternatives suggested by stakeholders will be considered in its regional studies and that this information will be shared with other sponsors, that is, the other transmission providers and owners that participate in the SERTP and that are identified on the Regional Planning Website. In addition, Southern's Attachment K includes provisions that provide for the sharing of transmission models in order to develop a SERC regional model and for the coordination of study activities with the Florida Reliability Coordinating Council (FRCC).¹⁷

33. Regarding the SERTP Sponsors' request for rehearing, we note that they propose language similar to that proposed by Southern in its compliance filing. Because we accept Southern's proposed language, we dismiss the SERTP Sponsors' request for rehearing as moot.

¹⁶ The SERTP Sponsors' Request for Rehearing at 19-20. In addition to Southern, City of Dalton, and Georgia Transmission Corporation, the other sponsors of the SERTP are Power South Energy Cooperative, MEAG Power, and South Mississippi Electric Power Association.

¹⁷ See proposed section 6.6.4(a)(i) (Participation Through the Southeastern Regional Transmission Planning Process); see also proposed section 6.6.2 (A Description of How the Various Reliability Study Processes Interact with Each Other).

6. Economic Planning Studies

34. In the June 18 Order, the Commission accepted many of the revisions that Southern made to comply with the economic planning studies principle, but directed Southern to make additional changes. Specifically, the Commission directed Southern to: (1) demonstrate how SIRPP participants will coordinate with the FRCC in performing economic studies; (2) modify Exhibit K-1 (CEII Confidentiality Agreement) section 4 (Conditions of Access) and Exhibit K-2 (SIRPP) to remove the proposed requirement that stakeholders obtain authorization from the Commission to access CEII contained in FERC Form No. 715 before the stakeholders are permitted access to confidential information and CEII related to the transmission planning process; and (3) revise the provisions to require that resource-specific data provided in the planning process must be disclosed by participating transmission owners, under applicable confidentiality provisions, if the information is needed to participate in the transmission planning process and to replicate transmission planning studies.¹⁸

a. Request for Rehearing

35. The SERTP Sponsors request that the Commission clarify that the requirement in the June 18 Order – that transmission owners must disclose resource-specific data provided in the planning process – is triggered only if the information is provided in the planning process and necessary for stakeholders to replicate the transmission planning studies and participate in the transmission planning process. The SERTP Sponsors anticipate that they will be able to provide sufficient assumptions and data to comply with this requirement without disclosing competitive confidential information and that competitive confidential information is not even exchanged in development of their transmission plans.

36. The SERTP Sponsors state that their concern is limited to a subset of confidential information, specifically, detailed competitively-sensitive resource-specific data concerning individual resources, such as heat rates, fuel cost data, and economic dispatch order. They are concerned that attempts could be made to unreasonably extend the language to compel disclosure of such competitive confidential information even though it is not needed to comply with the requirement to disclose information for purposes of

¹⁸ June 18 Order, 127 FERC ¶ 61,282 at P 53, 59 n.63, 60.

the transmission planning process. The SERTP Sponsors argue that this concern is heightened by a similar requirement that the Commission imposed on Southwest Power Pool, Inc.¹⁹

37. The SERTP Sponsors also request rehearing with respect to whether confidential information required to be disclosed through the transmission planning process must be disclosed to marketing/competitive personnel. They express concern that recent Commission statements could be construed to require disclosure of resource-specific data to wholesale marketing type of personnel.²⁰ In support of their request, the SERTP Sponsors cite Order Nos. 890 and 890-A, where the Commission stated that confidentiality agreements may appropriately restrict the sharing of sensitive information to customer personnel that are involved only in transmission functions, as opposed to merchant functions.²¹

b. Southern's Compliance

38. Regarding coordination between SIRPP participants and the FRCC, Southern notes that the SIRPP provides for coordination between SIRPP participants and neighboring transmission providers at the regional level, which means that SIRPP participants coordinate with the FRCC through the SERTP process. Further, Southern proposes to add a phrase to section 6.5.2 (Economic Planning Studies with the FRCC) noting that the procedures governing this coordination are posted on its website, including the FRCC/SERTP process for requesting inter-regional economic studies and a description of how information, modeling data, and expansion plans are shared.

39. Regarding the SIRPP's treatment of CEII and confidential information that is not CEII, Southern proposes using language similar to that proposed under the openness

¹⁹ The SERTP Sponsors' Request for Rehearing at 8 (citing *Southwest Power Pool, Inc.*, 127 FERC ¶ 61,271, at P 15 (2009) (SPP Order) ("We find that restricting access to resource specific data denies access to data that market participants need to replicate the results of transmission planning studies in general, and balanced portfolios specifically, and, therefore, is inconsistent with the transparency requirement that stakeholders have sufficient information to replicate all transmission planning studies.")).

²⁰ The SERTP Sponsors' Request for Rehearing at 14 (citing SPP Order, 127 FERC ¶ 61,271 at P 15, 17).

²¹ The SERTP Sponsor's request for rehearing at 16-18 (citing Order No. 890, FERC Stats. & Regs. ¶ 31,241 at P 276 n.177; Order No. 890-A, FERC Stats. & Regs. ¶ 31,261 at P 92 n.48).

principle.²² This modified language will allow SIRPP Stakeholder Group members to become certified to obtain CEII data by following confidentiality procedures posted on the SIRPP website.²³ The SIRPP transmission owners will have discretion to waive the confidentiality requirements or to reject a request for CEII subject to dispute resolution procedures. Confidential information that is not CEII, and that is provided in the transmission planning process and is needed to participate in the transmission planning process and/or to replicate transmission planning studies, will be made available to SIRPP Stakeholder Group members who execute the confidentiality agreement posted on the SIRPP website. Southern further proposes to delete language from its Attachment K and Exhibit K-2 (SIRPP) barring disclosure of resource specific data that has been designated confidential by the data provider.²⁴

40. In response to the Commission's direction to delete section 4 of Exhibit K-1 (CEII Confidentiality Agreement), Southern proposes to delete the entire Exhibit K-1 and post the agreement on its website.²⁵ Further, Southern will not require stakeholders to execute the new confidentiality agreement to obtain FERC Form No.715 data as a condition of receiving CEII. In addition, Southern proposes revisions to Exhibit K-2, the SIRPP, removing the requirement that stakeholders obtain a FERC Form No.715 to obtain confidential information and CEII and provides for the disclosure of resource-specific data under applicable confidentiality provisions, if needed to participate in the transmission planning process and replicate transmission planning studies.

c. Commission Determination

41. Regarding the SERTP Sponsors' request for rehearing, we note that, in the June 18 Order, the Commission required that "resource-specific data *provided in the planning process* must be disclosed by Participating Transmission Owners, under applicable confidentiality provisions, *if the information is needed to participate in the transmission*

²² Under the openness principle, Southern proposed to revise sections 2.3.3, 2.4, and 2.5.1, and delete section 2.5.2, of its Attachment K to comply with the Commission's directives in the June 18 Order to treat confidential information, but non-CEII, for non-public utilities in the same way that it treats such information for public utilities. Southern adopts the discussion from the openness section, related to those provisions under its Attachment K, here, related to similar provisions related to the SIRPP in Exhibit K-2. Southern's Compliance Filing at 17-18.

²³ Membership in the SIRPP Stakeholder Group is open to any interested party.

²⁴ See Section 2.5.4 of Attachment K and Exhibit K-2 (SIRPP).

²⁵ Southern's Compliance Filing at 8 n.10.

planning process and to replicate transmission planning studies.”²⁶ This language is consistent with the SERTP Sponsors’ understanding of the requirement; therefore, it is unnecessary to clarify the language as requested.

42. However, we grant the SERTP Sponsors’ request for rehearing on the issue of disclosure of information to merchant function personnel. The Commission, in the June 18 Order, did not intend to require that confidential competitive information be disclosed to merchant function personnel. As stated in Order Nos. 890 and 890-A, confidentiality agreements may restrict the availability of confidential competitive information such that it is available to customer personnel that are involved only in transmission functions, as opposed to merchant functions.²⁷ We clarify that confidentiality agreements may restrict the availability of confidential competitive information in the transmission planning process such that it is available to customer personnel that are involved only in transmission functions, as opposed to merchant functions.²⁸

43. We find that Southern’s compliance filing satisfies the June 18 Order’s directives related to the economic planning studies principle. Southern’s proposed revision to section 6.5.2 clarifies how SIRPP will coordinate with FRCC. Further, consistent with the June 18 Order, Southern proposes to delete Exhibit K-1, the CEII confidentiality agreement regarding FERC Form No. 715 data and proposes revisions to Exhibit K-2, the SIRPP, removing the requirement that stakeholders obtain a FERC Form No. 715 to obtain confidential information and CEII and provides for the disclosure of resource-specific data under applicable confidentiality provisions, if needed to participate in the transmission planning process and replicate transmission planning studies. In addition, Southern’s Attachment K-2 provides that all transmission providers will be subject to the same information disclosure and confidentiality protections, consistent with the directives in the June 18 Order.

The Commission orders:

(A) The SERTP Sponsors’ request for rehearing of the June 18 Order is hereby granted in part, and denied in part, as discussed in the body of this order.

²⁶ June 18 Order, 127 FERC ¶ 61,282 at P 60 (emphasis added).

²⁷ *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, FERC Stats. & Regs. ¶ 31,241, at P 276 n.177, *order on reh’g*, Order No. 890-A, FERC Stats. & Regs. ¶ 31,261, at P 92 n.48 (2007).

²⁸ *See Duke Energy Carolinas, LLC*, 130 FERC ¶ 61,181 at P 10 (2010).

(B) Southern's compliance filing is hereby accepted, as discussed in the body of this order.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.