

142 FERC ¶ 61,086
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

February 1, 2013

In Reply Refer To:
Trans Bay Cable, LLC
Docket No. ER13-523-000

Trans Bay Cable, LLC
One Letterman Dr.
Bldg. C, 5th Floor
San Francisco, CA 94129

Attn: Lenneal K. Gardner
Regulatory Attorney

Dear Lenneal K. Gardner:

1. On December 6, 2012, Trans Bay Cable, LLC (Trans Bay) filed revisions to its Transmission Owner Tariff (TO Tariff) to reflect the annual update of its Transmission Revenue Balancing Account Adjustment (TRBAA). Trans Bay's tariff revisions are accepted, effective January 1, 2013, as requested, subject to Trans Bay submitting a compliance filing within thirty (30) days that corrects its TRBAA calculation, as discussed below.

2. The TRBAA is a mechanism set forth in section 5.5 of Trans Bay's TO Tariff that ensures that transmission revenue credits associated with transmission service from the California Independent System Operator Corporation (CAISO) flow through to transmission customers. Trans Bay states that the TRBAA is recalculated annually consistent with the CAISO Tariff, and made effective January 1 of each year.¹ The TRBAA is the sum of: (a) the balance in the TRBA account on September 30 of each year; (b) the forecast of transmission revenue credits for the following year; and (c) interest based on the average balance each month compounded quarterly.

¹ Trans Bay Cable, LLC December 6, 2012 Filing at 2.

3. Trans Bay's revised TRBAA of negative \$4,759,096 is derived from the sum of the TRBAA for High Voltage Transmission Access Charges of negative \$4,146,369 and the TRBAA for Low Voltage Transmission Access Charges of negative \$612,727.² Trans Bay also proposes ministerial revisions to its TO Tariff to correct formatting errors in the Table of Contents and to update its Representatives for Notice. Trans Bay requests waiver of the Commission's 60-day notice requirement to allow the revised TO Tariff to become effective on January 1, 2013.

4. Notice of Trans Bay's filing was published in the *Federal Register*, 77 Fed. Reg. 74,656 (2012), with protests and interventions due on or before December 27, 2012. Timely motions to intervene were submitted by Six Cities, California; California Department of Water Resources State Water Project; and the City of Santa Clara, California and the M-S-R Public Power Agency. Timely motions to intervene and comments were filed by Pacific Gas and Electric Company (PG&E) and Southern California Edison Company (SoCal Edison). Trans Bay filed an answer to PG&E and SoCal Edison's comments.

5. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2012), the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(a)(2) (2012) prohibits an answer to a protest unless otherwise ordered by the decisional authority. We will accept Trans Bay's answer because it has provided information that assisted us in our decision-making process.

6. PG&E and SoCal Edison state that Trans Bay's TRBAA calculation contains the following errors: (1) an incorrect beginning high voltage TRBA balance for the October 2012 trade month; (2) an incorrect Transmission Revenue Requirement (TRR) for the 2012 trade months; (3) the use of 366 days for calculating the proration of TRR revenue for 2011 trade months instead of 365 days; and (4) the incorrect quarterly compounding of interest. In its answer, Trans Bay states that it concurs with all of the aforementioned corrections except for the one concerning the TRR used for the 2012 trade months. Trans Bay states that after discussion with the Intervenors, all parties agree that Trans Bay utilized the correct TRR for the 2012 trade months.³

7. Trans Bay's answer also included revised exhibits showing the corrected calculations of its high and low voltage TRBAA. According to Trans Bay, all parties agree with the revised calculations. Specifically, Trans Bay states that the recalculations

² Donna K. Burke Test. at 9.

³ Trans Bay Cable, LLC January 17, 2012 Answer at 2-3.

result in a high voltage TRBAA of negative \$4,059,223 and a low voltage TRBAA of negative \$606,076, for a total TRBAA of negative \$4,665,299. Trans Bay commits to submit a compliance filing with a revised TO Tariff that reflects the corrected TRBAA.

8. The Commission finds that Trans Bay's revision to its TO Tariff to reflect the annual update to its TRBAA is in accordance with the relevant portions of both the CAISO and Trans Bay tariffs. We grant waiver of notice and accept Trans Bay's revised TO Tariff, effective January 1, 2013,⁴ subject to Trans Bay submitting a compliance filing within thirty (30) days to revise its TO Tariff to reflect the correct TRBAA calculations.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

⁴ *Central Hudson Gas & Electric Corp.*, 60 FERC ¶ 61,106, *reh'g denied*, 61 FERC ¶ 61,089 (1992) (waiver of notice generally will be appropriate when the rate change and effective date are prescribed by a contract on file with the Commission).