

142 FERC ¶ 61,249
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Southwest Power Pool, Inc.

Docket No. ER13-834-000

ORDER CONDITIONALLY ACCEPTING
TARIFF REVISIONS

(Issued March 29, 2013)

1. On January 30, 2013, Southwest Power Pool, Inc. (SPP) filed proposed revisions to its Open Access Transmission Tariff (Tariff)¹ to implement a moratorium on the registration of new Market Participants in the existing Energy Imbalance Service (EIS) market and the new Integrated Marketplace.² The proposal also establishes a moratorium on amendments that can be made by existing Market Participants to their registered assets in both markets. SPP requests an effective date of February 1, 2013.
2. As set forth below, we deny SPP's request for waiver of the Commission's prior notice requirement;³ and will conditionally accept the proposed revisions to

¹ Southwest Power Pool, Inc., FERC FPA Electric Tariff, Open Access Transmission Tariff, Sixth Revised Volume No. 1, Att AE TOC, Attachment AE Table of Contents, 1.0.0; Att AE Section 1.2.2, Attachment AE Section 1.2.2, 3.0.0; Att AE Section 1.2.2A, Attachment AE Section 1.2.2A, 0.0.0.

² See *Southwest Power Pool, Inc.*, 141 FERC ¶ 61,048 (2012) (October Order), *order on reh'g*, 142 FERC ¶ 61,205 (2013). Significant components of the Integrated Marketplace include: a market-based congestion management program; energy markets, including day-ahead and real-time energy and operating reserve markets with locational marginal pricing; allocation of auction revenue rights; a market for the auction of transmission congestion rights; virtual transactions; and a revised market mitigation plan.

³ 18 C.F.R. § 35.3 (2012).

become effective after 60 days' notice, that is, April 1, 2013. We condition our acceptance upon: (1) SPP revising the deadline so that new Market Participants will have until April 15, 2013 to register; (2) performance of the April 2014 model update; (3) removal of the revisions to sections 1.2.2.(g) and 1.2.2A.(7); and (4) a March 1, 2014 market start.

I. Background and Filing

3. In the October Order addressing SPP's Integrated Marketplace proposal, the Commission rejected a request by SPP to impose a moratorium on the registration of new Market Participants. As noted in the October Order, SPP failed to provide sufficient support for its request and did not file specific Tariff sheets to implement that proposal.⁴ However, the Commission stated that while the Commission was rejecting SPP's proposed one-year moratorium as unsupported and overly burdensome, SPP could re-file its request with the necessary support and justification.⁵

4. In the January 30, 2013 filing, SPP filed proposed Tariff revisions to establish a temporary moratorium on registrations for new Market Participants in the new Integrated Marketplace, as well as a permanent moratorium on new registrations for its existing EIS market. SPP requests a deadline of February 1, 2013 for submitting applications for such registrations. SPP also proposes a moratorium on modifications that can be made by an existing Market Participant to its registered assets in both markets. SPP requests a deadline of June 15, 2013 for submitting applications for such registrations.

5. SPP notes that the moratorium for the Integrated Marketplace is a temporary freeze on the ability of new Market Participants to register or, in the case of existing Market Participants, to make changes to their registered assets in that market. However, because the EIS market is scheduled to terminate upon the launch of the Integrated Marketplace on March 1, 2014, the proposed registration deadline will essentially be a permanent moratorium for the EIS market.

6. Under Section 6.4 of SPP's Integrated Marketplace protocols, SPP is required to perform model updates every four months to add new Market Participants.⁶ New Market Participants are required to submit their registration

⁴ October Order, 141 FERC ¶ 61,048 at P 493.

⁵ *Id.* P 494.

⁶ Section 6.4 of SPP Integrated Marketplace protocols, revision 13.0a. SPP performs model updates to reflect changes to the registration of existing Market Participants every other month.

applications by one of three annual deadlines, February 1, June 1, or October 1 for the August, December or April model updates, respectively. SPP states that it takes approximately six months to add a new Market Participant to its model before the Market Participant can participate in the market; therefore, the Tariff revisions establish a deadline of February 1, 2013 for new registrants to enable SPP to incorporate the changes into the August 2013 model update. SPP explains that it only needs 45 days to incorporate changes to an existing Market Participant's registration; therefore, the Tariff revisions establish a deadline of June 15, 2013 for registration changes to enable SPP to incorporate the changes into the August 2013 model update. As a result of the moratorium, after the August 2013 model update, SPP will stop doing model updates until August 2014 (i.e., SPP will not do a model update in December 2013 and April 2014), as the SPP Tariff currently provides. SPP states that it will accept registrations and changes in registrations after the February 1, 2013 and June 15, 2013 deadlines, respectively, but it will hold the registrations and incorporate the changes into the August 2014 model update.⁷

7. SPP states that it is necessary to impose these limits on registration of new and existing Market Participants to ensure that SPP is able to process the registrations or changes, incorporate them into the market models, test the models, train the Market Participants on the models, and ensure that all necessary communications are in place while at the same time performing Integrated Marketplace testing, market trials and parallel operations.⁸

8. In this regard, SPP explains that the process for registering a Market Participant involves several steps that must be completed before the Market Participant may commence participation in either the EIS market or the Integrated

⁷ SPP proposes two exceptions to these deadlines: (1) registration for parties that engage only in virtual transactions; and (2) registration for Market Participants that engage only in trading of transmission congestion rights. These parties must register by June 1, 2013 in order to participate in the Integrated Marketplace at market start-up.

⁸ SPP explains that during parallel operations, which are scheduled to occur from mid-November 2013 through the end of January 2014, SPP will continue to operate the EIS market while also running the Integrated Marketplace systems in final testing mode prior to commencement of the Integrated Marketplace. SPP explains that the objective of parallel operations is to test all of the SPP systems along with the full use of all policies and procedures that have been developed and tested during earlier phases of market trials, and to compare Integrated Marketplace mock results with the actual results of the EIS market.

Marketplace. SPP states that the “onboarding” process can take as much as six months and require significant employee hours to register any new Market Participant. After SPP receives an application, SPP must verify the information and data provided by the Market Participant to ensure that SPP has all necessary data to configure SPP’s systems to incorporate the Market Participant. SPP executes all necessary agreements with the Market Participant which can take several weeks and several iterations of information and data exchange. During this time SPP and the Market Participant must determine what communications equipment is necessary, and execute any necessary related agreements.⁹

9. After the Market Participant’s registration data are confirmed and entered into SPP’s systems, SPP begins internal testing to ensure that the Market Participant’s configuration is accurately deployed within the SPP systems. This process typically takes between three and four weeks. The Market Participant’s staff must also work with SPP to ensure that all of the Market Participant’s staff is adequately trained and prepared for operating in the market which can take three to four weeks depending on the complexity of the Market Participant’s registration. After SPP has completed internal testing and after all communication equipment has been installed, the Market Participant is required to test to ensure correct configuration a process that takes between five and six weeks.¹⁰

10. SPP states that some Market Participants that currently rely on their Balancing Authority for Inter-Control Center Communication Protocols (ICCP) may need to establish a direct ICCP connection. According to SPP, there is a six-month lead-time for ICCP installation and connectivity testing, and this must be completed prior to testing. Therefore, ICCP installation can result in significant delay in the registration process for Market Participants without existing ICCP capability.¹¹ Given this extensive process to add new Market Participants, SPP states that adding new Market Participants during the December 2013 model update would divert resources away from overall Integrated Marketplace implementation at a critical time. Similarly, SPP argues that adding new Market Participants during the April 2014 model update would detract from SPP’s ability to ensure that the Integrated Marketplace is functioning as intended during the critical early months. SPP further contends that continuing to add new Market Participants and accept changes to existing registrations during this time would threaten the integrity and stability of the market model; therefore, SPP seeks the proposed moratorium to lock down the models to the extent possible during the

⁹ SPP Transmittal at 6.

¹⁰ *Id.*

¹¹ *Id.* at 7.

transition period. Without the proposed registration limitations, SPP contends that a timely start-up of the Integrated Marketplace on March 1, 2014, could be in jeopardy.¹²

11. SPP argues that the moratorium for the EIS market is reasonable because there is little likelihood that an entity would want to participate in the EIS market for only three months (i.e., between December 2013 and March 1, 2014). SPP states that adding new Market Participants and changes to registrations to the December model update during this time would divert resources away from market trials, parallel operations and other activities geared toward the March 1, 2014 launch of the Integrated Marketplace.

12. SPP also claims that it has minimized the impact to potential and existing Market Participants by conducting an extensive outreach program. SPP states that, as a result of its outreach, 84 entities have already registered as Market Participants in the Integrated Marketplace, which significantly exceeds the 45 registered Market Participants in the existing EIS market. Because of this high level of registration, SPP asserts that the temporary moratorium on new registrations and on modifications to existing registrations should have a minimal impact.¹³

13. SPP requests waiver of the Commission's prior notice requirement to permit a February 1, 2013 effective date for the proposal. SPP states that it has provided significant notice to new and existing Market Participants about the deadlines for registration in the Integrated Marketplace and has engaged in extensive outreach to other entities that may seek to participate. Additionally, SPP states that the proposal is critical to undertaking all the steps necessary to ensure a smooth transition to the Integrated Marketplace.

II. Notice, Protest and Responsive Pleadings

14. Notice of the filing was published in the *Federal Register*, 78 Fed. Reg. 9,902 (2013), with interventions and comments due on or before March 20, 2013. Exelon Corporation and Acciona Wind Energy USA, LLC filed motions to intervene. Missouri Joint Municipal Electric Utility Commission (MJMEUC) filed a motion to intervene and comments, and American Wind Energy Association and the Wind Coalition (collectively, AWEA) filed a motion to intervene and protest. SPP filed an answer responding to the comments and

¹² SPP states that a delay in the market would result in the loss of significant net benefits that the Integrated Marketplace is expected to provide.

¹³ *Id.* at 5.

protest on March 13, 2013. AWEA filed an answer responding to SPP's answer on March 27, 2013.

III. Commission Determination

A. Procedural Matters

15. 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.

16. 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 or answers unless otherwise ordered by the decisional authority. We will accept the answers because they provided information that assisted us in our decision-making process.

B. Substantive Matters

1. Comments and Protest

17. MJMEUC explains that it operates the Missouri Public Energy Pool #1 and is negotiating with SPP to pseudo-tie its resources and loads from multiple control areas into the SPP Balancing Area when the Integrated Marketplace commences. MJMEUC states that it has already submitted its application to register some of its loads and resources and will, at SPP's request, phase-in the remaining registration changes no later than June 15, 2013. MJMEUC states that it has received SPP's informal assurance that as long as it meets the June 15, 2013 deadline for submitting registration changes, the phasing process will not hinder MJMEUC's participation in the Integrated Marketplace on the commencement date. However, MJMEUC requests that SPP formally confirm that the proposed registration freeze, combined with MJMEUC's acquiescence to the phased registration process SPP has requested, will not prevent MJMEUC from full integration into SPP and that the Commission should expressly rely on that assurance in accepting SPP's proposed Tariff changes in this docket.¹⁴

18. AWEA requests that the Commission reject SPP's proposal as unjust, unreasonable, and unduly discriminatory. AWEA claims that good cause does not exist to grant waiver of the Commission's prior notice requirement. Moreover, AWEA notes that SPP filed its proposed moratorium on January 30, 2013, only two days prior to the requested effective date of February 1, 2013. AWEA states

¹⁴ MJMEUC Comments at 5-6.

that SPP's outreach effort to other entities that may seek to participate does not constitute notice to new Market Participants or notice to the Commission.¹⁵

19. AWEA also expresses the concern that, despite SPP's effort to notify parties of its intent to file a moratorium, some parties were forced to make a quick decision as to whether they move a project forward over the next 18 months. AWEA argues that such short notice is clearly unduly burdensome and gives preferential treatment to existing Market Participants. AWEA contends that such short notice may create a perverse incentive for a project sponsor to register its project, even if development is uncertain, which will cause additional issues for SPP if the project is not complete by market start. AWEA also claims that the proposed moratorium is 18 months (i.e., beginning on February 1, 2013 and ending on August 1, 2014), which is longer than the one-year moratorium the Commission rejected in the October Order.¹⁶ Moreover, AWEA states that the October Order only allowed SPP to modify the timeframes for its registration periods, including due dates for registration, provided the timeframes were also not unduly burdensome, but SPP appears to interpret the October Order as only requiring more support for the moratorium.¹⁷

20. AWEA also highlights an issue regarding embedded load that arises from a filing SPP submitted to comply with the October Order.¹⁸ According to AWEA, as part of that compliance filing, SPP will require embedded load either to register its load and generation with SPP or transfer the load and generation to another balancing authority area. AWEA argues that because SPP's compliance filing was made after the February 1, 2013 effective date of the moratorium, such embedded load would be unable to register and would be forced to transfer to another balancing authority area.¹⁹

21. AWEA also argues that SPP's creditworthiness requirements are unjust and unreasonable. According to AWEA, while not detailed in its filing or in the proposed Tariff language, SPP is requiring new Market Participants to meet SPP's credit requirements by March 1, 2013, one month following the registration

¹⁵ AWEA Protest at 3-4.

¹⁶ *Id.* at 10-11.

¹⁷ *Id.* at 6-8.

¹⁸ SPP's compliance filing is pending before the Commission in Docket No. ER12-1179-003.

¹⁹ *Id.* at 13-14.

deadline. AWEA notes that some of these new Market Participants may not actually intend to bring their projects on-line until after March 1, 2014. AWEA argues that such entities are being placed in an untenable position of registering and meeting significant financial guarantees, even when it is not yet apparent whether they will have a project that will actually move forward. According to AWEA, the added requirements, which in many cases will require the posting of a letter of credit, seem unnecessary when this uncertainty exists. AWEA argues that SPP has not shown why it is necessary to require that credit be posted one year prior to the beginning of the new market.²⁰

22. In addition, AWEA points to proposed Tariff language that appears to indicate that some parties may be able to register new loads or resources after the proposed February 1, 2013 deadline.²¹ AWEA asserts that this language is contradictory to the description in SPP's filing, which does not indicate any exceptions to the registration freeze. Moreover, AWEA states that the provisions may be unduly discriminatory to merchant or independent generators who may not receive this exception.

23. AWEA requests the Commission reject the proposed moratorium and encourage SPP to find other ways to address SPP's need to prepare adequately for market start up. AWEA argues that the proposal creates an unreasonable barrier to entry for new Market Participants, particularly given that the registration deadline for the EIS market is permanent and may have a larger impact if there is a delay in the start date of the Integrated Marketplace.²²

2. Answers

24. SPP challenges many of AWEA's claims. In particular, SPP contends that AWEA mischaracterizes the impact of the moratorium on new registrations in the Integrated Marketplace. SPP explains that, contrary to AWEA's assertion, the moratorium is not an 18-month bar on new registrations. Rather, SPP asserts that any Market Participant that meets the February deadline will be able to participate in the March 1, 2014 launch of the Integrated Market. Any new Market Participant that registers after that deadline will be able to participate on August 1,

²⁰ *Id.* at 8-9.

²¹ AWEA Protest at 16 (citing revisions to proposed sections 1.2.2A(2) and 1.2.2A(7) of Attachment AE).

²² *Id.* at 12-13.

2014. SPP concludes that the difference between March and August is a five-month delay.²³

25. Likewise, SPP disagrees with AWEA's claims related to the impact of the moratorium on the EIS market. SPP notes that new Market Participants are not included in SPP's model for six months after a new registration. Because those model updates occur in April, August, and December, any new Market Participant that meets the February 1, 2013 registration deadline will be included in the August 2013 model update. Thus, according to SPP, the only model affected by the EIS market moratorium is the December 2013 model update. Thereafter, no further EIS market model updates will be needed because the EIS market is scheduled to terminate on March 1, 2014.²⁴

26. SPP also argues that AWEA misunderstands the provision governing SPP's ability unilaterally to register resources and loads. SPP states that SPP is "the Transmission Provider" under its Tariff and that, because SPP does not own any resources, it would have no incentive to discriminate against merchant or independent generators. SPP concludes that AWEA's apparent concern that a transmission owner could use this provision to register its generation asset while a non-transmission owner could not is misplaced.

27. With regard to AWEA's claim that the October Order creates certain limits applicable to this proceeding, SPP notes that the Commission rejected its original request because it was unsupported in the record. SPP asserts that the Commission explicitly invited SPP to file a new proposal with the proper support, which it has done in this proceeding. Regardless, SPP argues that its filing is a new filing under section 205 of the Federal Power Act (FPA) and, thus, is not limited by its original proposal.²⁵

28. As for the claims about SPP's credit policy, SPP asserts that these claims are factually inaccurate and beyond the scope of this proceeding. SPP notes that these credit requirements have been previously accepted by the Commission and have not been changed in this proceeding.²⁶ SPP adds that AWEA's claim that SPP is requiring financial guarantees upon registration is incorrect. SPP state that while its Credit Policy requires Market Participants to provide sufficient secured

²³ SPP Answer at 4-7.

²⁴ *Id.* at 6.

²⁵ *Id.* at 8.

²⁶ *Id.* at 15.

credit to satisfy their “Total Potential Exposure” above and beyond whatever unsecured credit they may be eligible to obtain from SPP, SPP has not yet begun requiring the submission of collateral. SPP states that it will not do so until closer to the launch of the Integrated Marketplace.

29. SPP also challenges AWEA’s assertions related to the need for a February 1, 2013 effective date and the waiver of the Commission’s 60-day notice requirement. SPP notes that it engaged in extensive outreach with potential and actual Market Participants and engaged in extensive stakeholder discussion. SPP believes that such outreach and discussions provided sufficient notice for the Commission to waive its 60-day notice requirement.²⁷

30. Finally, as requested by MJMEUC, SPP confirms that the moratorium should not preclude MJMEUC resources and load from integrating into SPP. However, SPP explains that pseudo-tie arrangements involved in the integration are complex and, thus, MJMEUC must provide SPP with all of the information needed to register its external resources by the June 15, 2013 deadline.²⁸

31. In its answer, AWEA contends the proposal would deny market access for up to 18 months (i.e., February 1, 2013 to August of 2014). AWEA also argues that SPP should be required to explain how and which loads and resources may be exempt from the February 1, 2013 registration deadline. Finally, AWEA states that SPP did not provide good cause to grant waiver of the Commission’s prior notice requirement.

3. Commission Determination

32. As discussed in more detail below, we deny SPP’s requested waiver of our 60-day notice requirement and conditionally accept SPP’s filing to become effective April 1, 2013— after 60 days’ notice. We conditionally accept SPP’s filing, subject to SPP filing a compliance filing to revise the registration deadline for new Market Participants in both the EIS market and Integrated Marketplace from February 1, 2013 to April 15, 2013. Our acceptance of its proposal is further conditioned upon on a March 1, 2014 market start because a delay in the start of the market may require a review of the proposal to ensure it remains just and

²⁷ *Id.* at 12-15.

²⁸ *Id.* at 17-18.

reasonable.²⁹ We also condition our acceptance upon SPP revising its proposal so that SPP will be required to perform the April 2014 model update.

33. We find that SPP has explained and supported its moratorium proposal, and the proposal, as modified as discussed below, is reasonable. As emphasized in SPP's filing, as well as its answer, the process for registering new Market Participants is time consuming and requires a significant amount of resources. SPP has established the importance of the moratorium as SPP prepares for the timely and successful launch of the Integrated Marketplace.

34. We deny SPP's request for a February 1, 2013 effective date, as well as SPP's request to impose a February 1, 2013 deadline for new registrations in the EIS market and Integrated Marketplace. While we recognize that SPP provided some notice to new and existing Market Participants and conducted outreach to potential market participants, such efforts do not overcome the fact that SPP's proposed deadline arises only two days after SPP filed its request in this proceeding. In other words, SPP proposes to shut the door on new registrations with almost no notice to entities that are contemplating a new registration in the markets. Given the financial impact associated with such decisions, as well as other factors that can make such a decision difficult, we find that the February 1, 2013 deadline does not provide entities with sufficient time or notice to determine whether they should register. Accordingly, we direct SPP to submit a compliance filing that sets a deadline of April 15, 2013 for new registrations in the EIS market and Integrated Marketplace.³⁰ We also direct SPP to revise its Tariff to reflect an April 1, 2013 effective date, which is consistent with our 60-day notice requirement.

35. We reject AWEA's general claims that the October Order placed limitations on SPP's request in this proceeding. As noted in SPP's answer, the Commission did not limit SPP's ability to make this FPA section 205 filing in the October Order. On the contrary, the Commission made clear that SPP could file a request so long as it provided sufficient support for the proposal.

²⁹ If SPP delays the market, SPP must file revised registration dates if it wishes to impose a further registration moratorium.

³⁰ We recognize that the April 15, 2013 registration deadline reduces SPP's request for six months to incorporate new market registrants. If SPP believes that it cannot accommodate any new registrants in the August 2013 model update, SPP should make a filing under section 205 of the FPA to propose an additional model update after August 2013, with appropriate Tariff revisions, to ensure the new registrants that registered by April 15, 2013 are incorporated into the SPP model prior to market start-up.

36. Regarding AWEA's objections regarding SPP's creditworthiness requirements, to the extent that AWEA is challenging SPP's existing Credit Policy set forth in Attachment X of the SPP Tariff, we agree with SPP that AWEA's arguments are outside the scope of this filing because SPP did not propose to revise those Tariff provisions. In addition, we find unfounded AWEA's claim that the Credit Policy is discriminatory because, due to the length of the proposed moratorium, wind developers may be required to post security far in advance of actual market participation. The existing credit requirement is applicable to all Market Participants and does not single out any class of Market Participant. Furthermore, with the extension of the February 1, 2013 deadline to April 15, 2013, and the reinstatement of the April 2014 update, as discussed below, AWEA's concerns regarding the length of time between posting collateral and a Market Participant's entry into the markets should be mitigated.

37. In addition, however, we find SPP's response in its answer that it has not yet asked for collateral and would not do so until closer to market launch contradicts language in its Credit Policy requiring Market Participants to satisfy certain "Minimum Criteria for Market Participation" at the time of registration, including financial demonstrations or submitting a cash deposit or letter of credit in the amount of \$200,000, in lieu of such demonstration. Therefore, the Commission requires SPP to modify the Tariff to state the date by which a Market Participant will be required to submit collateral, if it must submit such collateral, consistent with SPP's answer.

38. However, we share AWEA's concern that the moratorium may be unduly burdensome and may create an unreasonable barrier to market entry. The deadlines, as revised above, provide potential Market Participants with additional time to register for the EIS market or the Integrated Marketplace in order to be included in the August 2013 updates. While SPP explains the need to limit registrations in order to "lock down" the models to the extent possible to avoid jeopardizing the March 1, 2014 planned launch of the Integrated Marketplace, it has not provided sufficient support to prevent new Market Participants from transacting in the Integrated Marketplace soon after its launch by eliminating the April 2014 update. If the Commission were to accept SPP's proposal to avoid including registrations for new Market Participants in the April 2014 update for the Integrated Marketplace as well as in the December 2013 updates for the EIS and the Integrated Marketplace, new Market Participants would be foreclosed from participating in any SPP market (i.e., current EIS or proposed Integrated Marketplace day-ahead and real-time energy and operating reserve markets) for up to an eight-month period. As the Commission found in the October Order, the proposed Integrated Marketplace features result in significant enhancements to how energy and operating reserves are provided throughout the SPP region and will result in substantial benefits to stakeholders and customers throughout the

region.³¹ SPP has not justified denying these benefits to new Market Participants until five months after market launch.

39. Because SPP has not supported eliminating the April 2014 model update and due to our concerns over denial of market access for five months, we condition our acceptance upon SPP revising its proposal so that it will be required to perform the April 2014 model update. Thus, those Market Participants that register after the April 15, 2013 deadline will still be eligible to participate in the Integrated Marketplace on April 1, 2014 if they register by the corresponding deadlines for the April 2014 model update.³² We find that by requiring SPP to perform the April 2014 model update, we are balancing a one month delay in market access with SPP's need to focus on commencing the Integrated Marketplace on a timely basis.³³

40. Additionally, we find that SPP has addressed MJMEUC's concerns about the moratorium's impact on its integration into SPP. SPP confirmed in its answer that MJMEUC will be able to fully integrate into SPP so long as MJMEUC provides SPP with the necessary information to register MJMEUC's by June 15, 2013.

41. Finally, we note that to implement the moratorium proposal, SPP filed Tariff sheets that revise the application and asset registration provisions of Attachment AE. For those provisions pertaining to the Integrated Marketplace, SPP included language that the Commission conditionally accepted in the October Order. Therefore, we conditionally accept these changes subject to the outcome of the compliance proceeding for the Integrated Marketplace in Docket No. ER12-1179-003. Additionally, in section 1.2.2.A(1) of Attachment AE, SPP lists several definitions, some of which are identical to definitions already contained in

³¹ October Order, 141 FERC ¶ 61,048 at P 30.

³² Thus, a new party would need to register October 1, 2013, six months prior to April 1, 2014 model update, to be included in the April 2014 model update.

³³ In addition, SPP has not explained what loads and resources would need to be registered by SPP in accordance with the revisions made to section 1.2.2.(g) for the EIS market and the identical language included in section 1.2.2.A(7) for the Integrated Marketplace, why they should not be subject to the application deadlines, and why adding them to the model without regard for the deadlines would not jeopardize market start-up. Thus, our acceptance is conditioned on SPP removing the proposed revisions to section 1.2.2.(g) and the identical language included as part of section 1.2.2.A(7).

section 1.1 of Attachment AE. Therefore, we direct SPP to remove the definitions from section 1.2.2. of Attachment AE and put them into section 1.1 of Attachment AE to the extent the definitions are not already in section 1.1, as section 1.1 is the appropriate section for definitions.

The Commission orders:

(A) SPP's proposed Tariff sheets are hereby conditionally accepted, to become effective April 1, 2013, as discussed in the body of this order.

(B) SPP is hereby directed to submit a compliance filing within 30 days of the date of this order, as discussed in the body of this order.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.