

143 FERC ¶ 61,193
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

May 31, 2013

In Reply Refer To:
Midwest Independent Transmission
System Operator, Inc.
Docket No. ER13-1227-000

Midwest Independent Transmission
System Operator, Inc.
Attention: Matthew R. Dorsett, Esq.
PO Box 4202
Carmel, IN 46082-4202

Dear Mr. Dorsett:

1. On April 2, 2013, Midwest Independent Transmission System, Operator, Inc. (MISO)¹ filed three revisions to its Open Access Transmission, Energy, and Operating Reserve Markets Tariff (Tariff) relating to the integration of the Entergy Operating Companies² and Cleco Power LLC (Cleco) into MISO's transmission planning process, the Midwest Transmission Expansion Plan (MTEP), by June 1, 2013. Entergy and Cleco have chosen to integrate into MISO and participate in the MTEP as a means of complying with Order No. 1000's transmission planning requirements.³

¹ Effective April 26, 2013, MISO changed its name from "Midwest Independent Transmission System Operator, Inc." to "Midcontinent Independent System Operator, Inc."

² The Entergy Operating Companies are Entergy Arkansas, Inc., Entergy Gulf States Louisiana, L.L.C., Entergy Louisiana, LLC, Entergy Mississippi, Inc., Entergy New Orleans, Inc., and Entergy Texas, Inc. (together, Entergy).

³ *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000, FERC Stats. & Regs. ¶ 31,323 (2011), *order on reh'g*, Order No. 1000-A, 139 FERC ¶ 61,132, *order on reh'g*, Order No. 1000-B, 141 FERC ¶ 61,044 (2012).

2. In its Order No. 1000 regional transmission planning compliance filing in Docket No. ER13-187-000, MISO identified nine Tariff revisions as necessary to effectuate the transition to planning by MISO of the Entergy and Cleco transmission facilities and stated it would make the filings to incorporate the revisions into its Tariff no later than 60 days prior to the effective date of its Order No. 1000 compliance filing (June 1, 2013). Specifically, MISO listed changes to: (1) Attachment FF, section IA.2.c (to add a new sub-region to the list of sub-regional planning meetings); (2) Attachment FF-1 (planned projects excluded from regional cost allocation); (3) Attachment FF-3 (Planning Sub-Regions Map); (4) Attachment FF-4 (listing of Transmission Owners integrating local planning process); (5) Module A (Common Tariff Provisions; possible addition of Cleco to definition of Second Planning Area); (6) Attachments VV and WW (Local Resource Zone maps); (7) Attachment O (formula rates in transmission pricing zones); (8) Schedules 7, 8, 9, and 26 (covering point-to-point and network transmission service and network upgrade charges); and (9) Attachment P (list of grandfathered agreements).⁴

3. In this proceeding, MISO has filed three of the nine identified Tariff revisions: (1) adding a new planning sub-region in section I.C.2.c in Attachment FF;⁵ (2) revising Attachment FF-3 by replacing a map of MISO planning sub-regions with a list of Transmission Owners in each sub-region, including the new South sub-region; and (3) revising Attachment FF-4 to add Entergy and Cleco to the list of Transmission Owners that integrate their local planning processes into MISO's planning process. MISO also notes that it has already filed three of the other identified changes.⁶

⁴ See *Midwest Indep. Transmission Sys. Operator, Inc.*, 142 FERC ¶ 61,215, at PP 17-18, 28 n.26 (2013) (MISO Compliance Order).

⁵ In the transmittal letter to its Order No. 1000 compliance filing in Docket No. ER13-187-000 (at 21), MISO listed Attachment FF, section IA.2.c as one of the tariff provisions to be revised. The Commission quoted the list provided by MISO in its order on MISO's Order No. 1000 compliance filing. See MISO Compliance Order, 142 FERC ¶ 61,215 at P 28 n.26. In the instant filing, MISO has corrected the Tariff provision to read Attachment FF, section I.C.2.c, which is the correct citation.

⁶ Specifically, MISO notes that the following Tariff revisions that MISO stated are required for Entergy and Cleco's integration have already been submitted by MISO and/or Entergy: (1) Attachment O (formula rates), submitted on February 15, 2013 in Docket No. ER13-948-000; (2) Schedules 7, 8, 9, and 26 (transmission pricing zones for point-to-point and network transmission service and network upgrade charges), submitted on February 15, 2013 in Docket No. ER13-948-000; and (3) Attachment P (list of grandfathered agreements), submitted on February 15, 2013 in Docket No. ER13-945-000 for Entergy and on March 27, 2013 in Docket No. ER13-1170-000 for Cleco. See MISO Transmittal, Docket No. ER13-1227-000, at 4-5.

4. MISO also states that it has determined one of the nine identified Tariff changes is not required, as MISO has determined that the addition of Cleco to the definition of “Second Planning Area” in Module A is not necessary because the current definition already encompasses Cleco.⁷ In addition, MISO indicates that it will submit two of the nine identified Tariff changes at a later date.⁸ MISO states that it has determined that the changes to Attachments FF-1 (planned projects excluded from regional cost allocation) and to Attachments VV and WW (Local Resource Zone maps) do not need to take effect by June 1, 2013 for Entergy and Cleco to begin participation in the MTEP process by that date. Therefore, MISO states that it will file these Tariff revisions “sufficiently prior” to Entergy and Cleco’s planned December 2013 integration into MISO to ensure that the changes become effective by the time that Entergy and Cleco must seek cost recovery.

5. MISO’s filing was noticed in the *Federal Register*, 78 Fed. Reg. 21,927 (2013), with comments, protests, and interventions due on or before April 23, 2013. No protests or comments were filed. Wisconsin Electric Power Company, MISO Transmission Owners,⁹ ITC Companies,¹⁰ Consumers Energy Company, and Arkansas Public Service Commission filed timely motions to intervene.

⁷ *Id.*

⁸ *Id.*

⁹ In this proceeding, the MISO Transmission Owners consist of: Ameren Services Company, as agent for Union Electric Company, Ameren Illinois Company and Ameren Transmission Company of Illinois; American Transmission Company LLC; Big Rivers Electric Corporation; Central Minnesota Municipal Power Agency; City Water, Light & Power (Springfield, IL); Dairyland Power Cooperative; Duke Energy Corporation for Duke Energy Indiana, Inc.; Great River Energy; Hoosier Energy Rural Electric Cooperative, Inc.; Indiana Municipal Power Agency; Indianapolis Power & Light Company; Michigan Public Power Agency; MidAmerican Energy Company; Minnesota Power (and its subsidiary Superior Water, L&P); Missouri River Energy Services; Montana-Dakota Utilities Co.; Northern Indiana Public Service Company; Northern States Power Company, a Minnesota corporation, and Northern States Power Company, a Wisconsin corporation; Northwestern Wisconsin Electric Company; Otter Tail Power Company; Southern Illinois Power Cooperative; Southern Indiana Gas & Electric Company; Southern Minnesota Municipal Power Agency; Wabash Valley Power Association, Inc.; and Wolverine Power Supply Cooperative, Inc.

¹⁰ International Transmission Company (ITC) Transmission, Michigan Electric Transmission Company, LLC, and ITC Midwest LLC.

6. The Commission conditionally accepts MISO's Tariff revisions submitted in this proceeding: (1) adding a new planning sub-region in section I.C.2.c in Attachment FF; (2) revising Attachment FF-3 by replacing a map of MISO planning sub-regions with a list of Transmission Owners in each sub-region, including the new South sub-region; and (3) revising Attachment FF-4 to add Entergy and Cleco to the list of Transmission Owners that integrate their local planning processes into MISO's planning process. This acceptance is conditioned upon our examination and acceptance of the larger list of MISO's proposed modifications to its Tariff that reflect the integration of Cleco and Entergy into the MISO system.

7. The Commission also accepts MISO's determination that the addition of Cleco to the definition of "Second Planning Area" in Module A is not required. The definition of "Second Planning Area" currently states that:

The Second Planning Area shall be formed when the first Entergy Operating Company, or its successor in interest, conveys functional control of its transmission facilities to the Transmission Provider, and may be expanded if other Entergy Operating Companies, or their successor(s) in interest, or other utilities in Arkansas, Louisiana, Mississippi or Texas, join MISO later in the Second Planning Area's Transition Period.¹¹

The Commission finds that this definition is expansive enough to include Cleco and no revision is needed at this time.

8. Finally, the Commission accepts MISO's decision to postpone the filing of the revisions to Attachments FF-1 (planned projects excluded from regional cost allocation) and to Attachments VV and WW (Local Resource Zone maps). The Commission accepts MISO's commitment that it will file these Tariff revisions "sufficiently prior" to Entergy and Cleco's planned December 2013 integration into MISO to ensure that the changes become effective by the time that Entergy and Cleco must seek cost recovery. We also remind MISO that the Commission's conditional acceptance of Entergy's and Cleco's

¹¹ Tariff, Module A, § 1.597a.

Order No. 1000 compliance filings relies on MISO's commitment to make, in a timely manner, the Tariff filings that MISO itself identified as needed to integrate Entergy and Cleco into the MTEP process.¹²

By direction of the Commission.

Kimberly D. Bose,
Secretary.

¹² MISO Compliance Order, 142 FERC ¶ 61,215 at PP 459-460.