

143 FERC ¶ 61,267
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

June 24, 2013

In Reply Refer To:
City Utilities of Springfield, Missouri
Docket No. OA98-13-001

Spiegel & McDiarmid LLP
Attention: Jeffrey A. Schwarz, Esq.
1333 New Hampshire Avenue, NW
Washington, DC 20036

Dear Mr. Schwarz:

1. On April 10, 2012, you filed, on behalf of City Utilities of Springfield, Missouri (Springfield), notice of a material change in circumstances and of Springfield's plan to relinquish its waiver of the Commission's Standards of Conduct requirements within 60 days. Springfield states that it will ultimately exceed the small-utility threshold and, thus, has begun the process of bringing itself into compliance with the standards of conduct requirements.
2. On April 23, 2013, you filed, on behalf of Springfield, confirmation that it has relinquished its Standards of Conduct waiver and has become compliant with the Commission's Standards of Conduct requirements, effective June 10, 2012.
3. Notice of Springfield's April 10, 2012 filing was published in the *Federal Register*, 78 Fed. Reg. 23,243 (2013), with interventions and protests due on or before May 2, 2013. No protests or comments were filed.
4. On June 29, 1998, the Commission granted a request by Springfield for waiver of the Commission's Standards of Conduct and separation of functions requirements based on its findings that Springfield meets the definition of a small public utility that is not a member of a tight power pool.¹

¹ *Easton Utilities Comm'n, et al.*, 83 FERC ¶ 61,334 (1998).

5. The Commission has stated that entities that have received waiver of Order No. 889² or the Standards of Conduct requirements must notify the Commission if there is a material change in facts that affects their waiver.³

6. We will accept for filing Springfield's notification of a material change informing the Commission that, based on changed circumstances, it is relinquishing its waiver of the Commission's Standards of Conduct requirements. Accordingly, we will rescind Springfield's waiver, effective June 10, 2012.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

² *Open Access Same-Time Information System and Standards of Conduct*, Order No. 889, FERC Stats. & Regs. ¶ 31,035 (1996), *order on reh'g*, Order No. 889-A, FERC Stats. & Regs. ¶ 31,049, *reh'g denied*, Order No. 889-B, 81 FERC ¶ 61,253 (1997).

³ *Material Changes in Facts Underlying Waiver of Order No. 889 and Part 358 of the Commission's Regulations*, 127 FERC ¶ 61,141, at P 5 (2009).