

144 FERC ¶ 61,096
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

August 2, 2013

In Reply Refer To:
Midcontinent Independent
System Operator, Inc.
Docket No. ER13-186-002

Midcontinent Independent System Operator, Inc.
720 City Center Drive
Carmel, Indiana 46032

Attention: Matthew R. Dorsett

Reference: Baseline Reliability Project Compliance Filing

Dear Mr. Dorsett:

1. On May 20, 2013, Midcontinent Independent System Operator, Inc. (MISO)¹ submitted proposed revisions to section III.A.2.d.4 of Attachment FF (Transmission Expansion Planning Protocol) of MISO's Open Access Transmission, Energy and Operating Reserve Markets Tariff (Tariff),² in compliance with the Commission's March 22 Order.³ As discussed below, we accept the proposed revisions effective June 1, 2013, and require an additional compliance filing.

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

² MISO, FERC Electric Tariff, ATTACHMENT FF, Transmission Expansion Planning Protocol, 10.0.0.

³ *Midwest Indep. Transmission Sys. Operator, Inc.*, 142 FERC ¶ 61,215 (2013) (March 22 Order).

2. In the March 22 Order, the Commission conditionally accepted, among other things,⁴ proposed revisions to Attachment FF removing regional cost sharing for Baseline Reliability Projects, subject to a compliance filing. In response to concerns that MISO was proposing to delete language in one part of its Tariff that was cross referenced in another part of its Tariff, the Commission directed MISO to file, within 120 days of the March 22 Order, revisions “to correct the cross references included in proposed section III.A.2.d.4 of Attachment FF, in order to preserve the Tariff provisions not intended to be changed in this proceeding.”⁵ To comply with this directive, MISO proposes to: (1) delete from section III.A.2.d.4 the cross-references to sections III.A.2.c.i and III.A.2.c.ii; and (2) include in section III.A.2.d.4 the language previously contained in sections III.A.2.c.i and III.A.2.c.ii, with no substantive changes.⁶

3. MISO states that it filed the required revisions before the end of the 120-day compliance period to ensure there is no confusion as to what provisions are in effect when the Baseline Reliability Project changes approved by the March 22 Order go into effect on June 1, 2013. MISO also notes that the compliance requirement it proposes to address in this filing is the only Tariff change the Commission required in the March 22 Order related to Docket No. ER13-186-000. Thus, MISO requests that the Commission address the compliance requirement in the instant proceeding separately from, and ahead of, the March 22 Order’s other requirements unrelated to Baseline Reliability Projects.

4. Notice of the filing was published in the *Federal Register*, 78 Fed. Reg. 32,382 (2013), with interventions and protests due on or before June 19, 2013. International Transmission Company, Michigan Electric Transmission Company, LLC, and ITC Midwest LLC (collectively, ITC Companies) filed a timely motion to intervene and comments. ITC Companies request a modification of the language MISO proposes to include in section III.A.2.d.4(d)(ii) of Attachment FF to replace the previous cross references. Specifically, ITC Companies note that proposed section III.A.2.d.4(d)(ii) states that 10 percent of costs of a Generation Interconnection Project of voltage 345-kV and higher shall be allocated regionally; “the remaining” 40 percent shall be allocated

⁴ The March 22 Order also addressed several other filings in Docket Nos. ER13-187-000, ER13-187-001, ER13-89-000, ER13-101-000, ER13-101-001, ER13-84-000, and ER13-95-000, pertaining to compliance requirements of Order No. 1000. This order addresses only the compliance requirement pertaining to Docket No. ER13-186-000.

⁵ March 22 Order, 142 FERC ¶ 61,215 at P 529.

⁶ MISO also proposes to make related, non-substantive corrections to its Tariff by replacing existing references to “Generator Interconnection Project(s)” in section III.A.2.d.4 with the correct term “Generation Interconnection Project(s).”

sub-regionally; and “the remaining” 50 percent shall not be subject to regional or sub-regional cost allocation. ITC Companies state that the phrase “the remaining” before 40 percent is confusing and should be deleted.

5. On June 21, 2013, MISO filed a motion for leave to answer and answer to ITC Companies’ comment. MISO states that it agrees with the comment and, if the Commission so orders, proposes to delete the phrase “the remaining” before 40 percent in section III.A.2.d.4(d)(ii) of Attachment FF, as requested by ITC Companies.

6. Pursuant to Rule 214 of the Commission’s Rules of Practice and Procedure, 18 C.F.R § 385.214 (2012), the timely, unopposed motion to intervene serves to make the entities that filed it 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 MISO’s answer because it has provided information that assisted us in our decision-making process.

7. We find the proposed Tariff revisions, as amended, comply with the March 22 Order.⁷ We agree with ITC Companies and MISO that the phrase “the remaining” before 40 percent in section III.A.2.d.4(d)(ii) is potentially confusing. Therefore, we require MISO to revise its Tariff to delete the phrase “the remaining” before 40 percent in section III.A.2.d.4(d)(ii) and to submit its revisions in a compliance filing within 30 days of the date of this order.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

⁷ We note that after MISO submitted the instant compliance filing, the Commission granted a complaint by Interstate Power and Light Company and directed MISO to submit a compliance filing in that proceeding to revise section III.A.2.d of Attachment FF as it relates to generator interconnection customers in the ITC Midwest LLC pricing zone. *See Interstate Power and Light Company v. ITC Midwest, LLC*, 144 FERC ¶ 61,052 (2013).