

133 FERC ¶ 61,139
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Southwest Power Pool, Inc.

Docket No. ER09-1254-002

ORDER ON COMPLIANCE FILING

(Issued November 18, 2010)

1. On January 19, 2010, Southwest Power Pool, Inc. (SPP) submitted a second compliance filing in the SPP interconnection reform proceeding.¹ In this order, the Commission conditionally accepts SPP's second compliance filing effective June 2, 2009, as requested, subject to SPP submitting an additional compliance filing within 30 days of the date of issuance of this order, as discussed below.

I. Background

2. On June 1, 2009, SPP submitted a filing to reform its Large Generator Interconnection Procedures (LGIP).² Among other things, SPP proposed to create three interconnection study queues with different deposit and milestone requirements: (1) the feasibility study queue (feasibility queue), which would result in a feasibility study; (2) the preliminary interconnection system impact study queue (preliminary queue), which would result in a system impact study; and (3) the definitive interconnection system impact study queue (definitive queue), which would be the first required stage within the interconnection process and would result in a system impact study and a facilities study. SPP also proposed more stringent suspension requirements and a transition process to its new interconnection procedures.

3. In the Queue Reform Order, which was issued on July 31, 2009, the Commission conditionally accepted SPP's reformed LGIP subject to SPP submitting a compliance filing as well as annual reports for three years for monitoring purposes. The Commission directed SPP to submit changes to its reformed LGIP addressing the following: (1) cure

¹ *Southwest Power Pool, Inc.*, 128 FERC ¶ 61,114 (Queue Reform Order), *order on compliance*, 129 FERC ¶ 61,226 (2009) (Compliance Order).

² SPP Open Access Transmission Tariff (Tariff), Attachment V.

periods for interconnection requests; (2) site control and site adequacy requirements; (3) refunds of study deposits due to suspension and withdrawal of interconnection requests; and (4) the transitional process.

4. On August 31, 2009, SPP submitted a filing to comply with the Queue Reform Order. In the Compliance Order, issued on December 17, 2009, the Commission conditionally accepted SPP's compliance filing, subject to SPP submitting an additional compliance filing revising SPP's reformed LGIP to: (1) specify criteria for alternative demonstrations of site control, (2) include the URL for SPP's interconnection business practices within the LGIP, and (3) clarify the term "site adequacy."

5. On January 19, 2010, SPP submitted its filing to comply with the Compliance Order. SPP requests an effective date of June 2, 2009 for its proposed tariff changes.³

II. Notice of Filings and Responsive Pleadings

6. Notice of SPP's filing was published in the *Federal Register*, 75 Fed. Reg. 5310 (2010), with interventions or protests due on or before February 9, 2010. E.ON Climate and Renewables North America Inc. (E.ON) filed a protest.⁴ SPP filed an answer, and E.ON filed an answer to SPP's answer.

III. Discussion

A. Procedural Matters

7. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(a)(2) (2010), prohibits an answer to a protest or to an answer unless otherwise ordered by the decisional authority. We will accept SPP's and E.ON's answers because they have provided information that assisted us in our decision-making process.

B. Substantive Matters

1. Criteria for Alternative Demonstrations of Site Control

a. Compliance Requirement

8. In the Compliance Order, the Commission directed SPP to revise section 3.3.1 of its LGIP to: (1) provide criteria SPP will consider in evaluating alternative demonstrations of site control on a non-discriminatory basis, and (2) state that, if an

³ June 2, 2009 is the effective date of the tariff changes accepted by the Commission in the Queue Reform Order.

⁴ E.ON previously filed a motion to intervene in this docket on June 22, 2009.

alternative demonstration of site control meets SPP's objective criteria, SPP will accept the alternative demonstration of site control.⁵

b. SPP's Filing

9. SPP proposes to add the following to section 3.3.1 to include the conditions under which it will accept an alternative demonstration of site control:

Transmission Provider shall approve a demonstration of Site Control with an alternative site size when the Interconnection Customer submits to Transmission Provider a final layout drawing of the Generating Facility that includes at a minimum: (i) the spacing and number of turbines; (ii) the cable requirements to interconnect the individual turbines to the collector substation and the cable requirements from the collector substation to the interconnection substation; (iii) the resistance and impedance measurements of the interconnecting cable; and (iv) acknowledgment by Interconnection Customer that the layout drawing is intended to be final and not subsequently substantially changed. After Transmission Provider approval of the final layout drawing and demonstration of Site Control, any subsequent change to the design, including configuration, of the Generating Facility as depicted in the layout drawing will be subject to Section 4.4.3.⁶

10. SPP states that it will accept final layout drawings with the information specified in section 3.3.1 as an alternative demonstration of site control when the proposed site size does not meet the site control standards set forth in SPP's interconnection business practices.⁷ SPP notes that if the size of the proposed site for the generating facility meets or exceeds the standards set forth in SPP's interconnection business practices, such detailed final layout drawings will not be required to demonstrate site control.⁸

11. SPP states that demonstration of adequate site control offers protection to lower-queued interconnection customers because it ensures that projects in the queue are feasible and not merely speculative placeholders. SPP asserts that having a customer provide a final layout drawing of its generating facility site and acknowledge that the drawing is intended to be final without subsequent substantial change demonstrates, with

⁵ Compliance Order, 129 FERC ¶ 61,226 at P 14.

⁶ SPP Tariff, Attachment V, proposed section 3.3.1.

⁷ SPP Filing at 4.

⁸ *Id.* at 4 n.14.

a significant degree of certainty, that the project is serious, viable, and can proceed at the proposed site.⁹

c. Protests and Answers

i. E.ON's Protest

12. E.ON asserts that SPP's proposed alternative criteria to demonstrate site control are unjust and unreasonable and therefore cannot be accepted by the Commission. E.ON argues that SPP's proposal is impractical, inefficient, and inflexible. According to E.ON, at the preliminary queue stage, and even later, an interconnection customer does not know and cannot know with the degree of finality SPP would require, the answers to the proposed alternative site control criteria.¹⁰ E.ON asserts that for wind generators, wind analyses are constantly conducted to optimize use of the site, which could result in changes to the number and spacing of turbines as well as the needed cable requirements. E.ON argues that it is precisely because these details have not yet been determined at this early stage in the interconnection process that the customer has not yet hired an engineering firm to design and evaluate these components. E.ON asserts that a customer should not be required to bear the cost of hiring an engineering firm to address these criteria during the early stages of the interconnection process when a preliminary system impact study may determine that it is cost prohibitive to continue. E.ON adds that because design layouts can change, it is impractical and unreasonable to require the interconnection customer to acknowledge that the layout drawing is intended to be final and not subsequently substantially changed.¹¹

13. Additionally, E.ON asserts that SPP's proposal is not needed to ensure that a project is serious and viable. E.ON states that demonstration of site control is only one requirement that an interconnection customer must meet in order to have its project remain in the queue. E.ON contends that these additional measures—such as signing an agreement, making a deposit, and providing various technical data—are significant and expensive requirements that the interconnection customer would not undertake if its project is not serious and viable. E.ON also notes that, earlier in this proceeding, SPP stated that an interconnection customer could submit a wind turbine layout, not a final plan, to support an alternative demonstration of site control.¹²

14. E.ON asserts that SPP's proposal is also vague and inconsistent. E.ON points out that proposed section 3.3.1 in the LGIP provides that "Transmission Provider shall

⁹ *Id.* at 4.

¹⁰ *See* E.ON Protest at 7.

¹¹ *Id.* at 9.

¹² *Id.* (citing SPP's July 7, 2009 Answer in Docket No. ER09-1254-000 at 10).

approve a demonstration of Site Control with an alternative site size when the Interconnection Customer submits to Transmission Provider a final layout drawing of the Generating Facility that includes *at a minimum* [the new criteria].”¹³ E.ON argues that the phrase “at a minimum” leaves room for SPP to require some other unknown information. E.ON requests that if the Commission accepts SPP’s proposed criteria, it should direct SPP to strike the words “at a minimum” to avoid vesting discretion with SPP.¹⁴

15. E.ON also argues that, while proposed section 3.3.1 requires the interconnection customer to acknowledge that its layout drawing is intended to be final and not subsequently substantially changed, SPP has not defined what it would consider a substantial change. Additionally, E.ON asserts that SPP has not explained why the proposed criteria under section 3.3.1 require finality when the items listed in section 4.4.1 of the LGIP do not require such finality.¹⁵ E.ON requests that if the Commission accepts SPP’s proposed criteria, the Commission direct SPP to provide that any change in the design and configuration will be afforded the same treatment provided under section 4.4.1 of SPP’s LGIP.¹⁶

16. Lastly, E.ON takes issue with the portion of proposed section 3.3.1 that provides that “After Transmission Provider approval of the final layout drawing and demonstration of Site Control, any subsequent change to the design, including configuration, of the Generating Facility as depicted in the layout drawing will be subject to Section 4.4.3.”¹⁷ E.ON asserts that, based on the definition of “Generating Facility” in SPP’s tariff, it is

¹³ *Id.* at 10 (citing SPP Tariff, Attachment V, proposed section 3.3.1) (emphasis added).

¹⁴ *Id.* at 10-11.

¹⁵ Section 4.4.1 of SPP’s LGIP provides that a change in the design or configuration of generating facility technology, generator facility step-up transformer impedance characteristics, or interconnection configuration will not affect queue position.

¹⁶ E.ON Protest at 11-12.

¹⁷ *Id.* at 12 (citing SPP Tariff, Attachment V, proposed section 3.3.1). We will refer to this portion of proposed section 3.3.1 as “the modification provision.” Section 4.4.3 of SPP’s LGIP specifies that, after receipt of an interconnection customer’s request for modification, the transmission provider will conduct any necessary, additional studies within 30 calendar days, at the interconnection customer’s expense.

unclear whether SPP's proposed section 3.3.1 applies to changes in cable requirements, which relate to a customer's interconnection facilities.¹⁸

17. E.ON also alleges that the modification provision is inconsistent with sections 4.4 and 4.4.1 of SPP's LGIP.¹⁹ E.ON asserts that if SPP's proposed criteria under section 3.3.1 of the LGIP are not afforded the same status as the modifications enumerated in section 4.4.1, then the Commission should direct SPP to clarify that any proposed substantial change in the criteria listed in section 3.3.1 can be submitted to SPP for consideration under section 4.4.2²⁰ of the LGIP, so that the transmission provider can evaluate whether such modification is a material modification.²¹

18. E.ON also asserts the Commission has accepted other mechanisms to demonstrate site control that are simpler and more flexible than SPP's proposal. It cites the specific site control criteria for PJM Interconnection, L.L.C. (PJM), Midwest Independent Transmission System Operator, Inc. (Midwest ISO), and California Independent System Operator Corporation (CAISO) and argues that the criteria used by these Regional Transmission Organizations/Independent System Operators (RTOs/ISOs) contain more flexible means of demonstrating site control than SPP's proposal requiring a final layout drawing. E.ON requests that the Commission require SPP to adopt the PJM, Midwest ISO, or CAISO standards, or a combination thereof. E.ON asserts that in doing so the Commission will promote uniformity, ensure that a higher barrier to entry is not established in the SPP market than in other markets, promote flexibility for interconnection customers, and provide SPP and lower-queued customers with assurance that a project is serious and viable.²²

¹⁸ *Id.* at 12-13 (citing SPP Tariff, Attachment V, Definition of Generating Facility) (“Generating Facility shall mean Interconnection Customer’s device for the production of electricity identified in the Interconnection Request, but shall not include the Interconnection Customer’s Interconnection Facilities.”).

¹⁹ *See id.* at 14.

²⁰ Section 4.4.2 of SPP's LGIP specifies that, prior to making any modification other than those permitted under sections 4.4.1 and 4.4.4, the interconnection customer may first request that the transmission provider evaluate the modification to determine whether it constitutes a material modification.

²¹ E.ON Protest at 15 (citing SPP Tariff, Attachment V, section 4.4.2).

²² *See id.* at 17.

ii. SPP's Answer

19. In response, SPP argues that its alternative site control criteria comply with the Compliance Order and provide a specific mechanism for interconnection customers to demonstrate alternative site control, which provides customers flexibility.²³

20. SPP also argues that, contrary to E.ON's assertions, SPP's mechanism for demonstrating alternative site control is not vague or inconsistent and does not vest SPP with undue discretion. SPP contends that requiring the layout drawings to contain "at a minimum" certain information does not leave room for it to require other unknown information. SPP also claims that the "at a minimum" reference merely provides interconnection customers the flexibility to include more information in the layout drawing than the minimum required.²⁴ SPP notes that section 3.3.1, as revised, clearly states that if the generator layout drawing contains the information listed in that section, SPP will approve that alternative demonstration of site control.²⁵

21. Further, SPP argues that the requirement that the interconnection customer acknowledge that "the layout drawing is intended to be final and not subsequently substantially changed" is neither vague nor leaves too much discretion to SPP. Instead, SPP states that this requirement assures SPP that the interconnection customer has sufficiently planned its generating site such that the proposed alternative site size will be adequate for its proposed project.²⁶ SPP asserts that any changes to the project that would affect (1) the spacing and number of turbines, (2) the cable requirements, or (3) the resistance and impedance measurements of the interconnecting cable could affect the sufficiency of the site size for the proposed project. SPP contends that changes to these parameters may require the customer to acquire more land than it originally indicated was sufficient, thus demonstrating a lack of appropriate site control.²⁷

22. Next, SPP addresses E.ON's concerns that the "finality" requirement is inconsistent with section 4.4.1 of SPP's LGIP. SPP states that under section 4.4.1, an interconnection customer can modify, without losing queue position, the technical parameters associated with the generating facility's technology or step-up transformer impedance characteristics and the interconnection configuration up until the interconnection request enters the definitive queue.²⁸ SPP also states that it similarly

²³ See SPP Answer at 3.

²⁴ *Id.* at 5.

²⁵ *Id.* at 5-6 (citing SPP Tariff, Attachment V, proposed section 3.3.1).

²⁶ *Id.* at 6.

²⁷ *Id.*

²⁸ *Id.* at 7 (citing SPP Tariff, Attachment V, section 4.4.1).

intends to allow a customer that enters its request in the preliminary queue to make changes to the final layout drawing when it re-submits its demonstration of site control for entry into the definitive queue, pursuant to section 8.2 of the LGIP. SPP states, however, once the customer submits its request in the definitive queue, any changes to the spacing or number of turbines or the cable requirements (including the resistance and impedance measurements) would require an evaluation to determine whether the change constitutes a material modification under section 4.4 of the LGIP.²⁹ SPP asserts that this will permit interconnection customers to assess wind data to determine the optimal use and configuration of the site before entering the definitive queue, which SPP believes should alleviate E.ON's concerns.³⁰

23. SPP also argues that, contrary to E.ON's assertions, the information required for an alternative demonstration of site control is required for the definitive system impact study stage.³¹ SPP asserts that the modification provision, which indicates that any subsequent change to the design of the generating facility as depicted in the layout drawing will be subject to section 4.4.3, is reasonable and appropriate. SPP states that pursuant to this requirement, any change, not just a substantial change, to the three required elements of the layout drawing made after the customer enters its request in the definitive queue will be evaluated to determine whether the change constitutes a material modification. SPP claims this is appropriate because changes to any of these elements could affect the site size required for the proposed project.³² SPP states that to the extent the Commission considers revised section 3.3.1 unclear in this regard, it is willing to further clarify this section in a compliance filing.³³

24. With regard to other RTO/ISO provisions addressing site control demonstrations, SPP asserts that its proposal is consistent with the Compliance Order and is just and reasonable. SPP argues that the Commission need not consider other RTO/ISO site control provisions if it determines that SPP's proposal is just and reasonable. SPP also asserts that E.ON misses the mark when it suggests SPP should adopt the standards of other regions to promote uniformity. SPP argues that the Commission allows for differences in the LGIP of RTOs and ISOs to account for regional differences, as

²⁹ *Id.*

³⁰ *Id.* at 8.

³¹ SPP states that as an example, SPP uses the resulting cable types and lengths provided by the interconnection customer in the layout drawing to calculate the equivalent collector system impedance used in the definitive queue study. *Id.*

³² *Id.*

³³ *Id.* at 9 n.22.

illustrated by the different mechanisms used for demonstrations of site control in Midwest ISO, CAISO, and PJM.³⁴

iii. E.ON's Answer

25. E.ON states that SPP's answer provides important clarifications that should be incorporated into section 3.3.1 of SPP's LGIP. E.ON states that SPP's clarification that a "final layout drawing" will not be required until entrance into the definitive queue is not evident in the proposed version of section 3.3.1. Further, E.ON states that SPP's statement that it will allow changes to the layout prior to the definitive queue and subject changes made after an interconnection request enters the definitive queue as a potential material modification is not reflected in proposed section 3.3.1.³⁵ Stating that it appreciates the clarifications SPP provided in its answer, E.ON offers specific revisions to proposed section 3.3.1.³⁶ E.ON asserts that its proposed revisions will make it clear that a layout drawing is permissible at the preliminary stage and a "final" layout drawing is required at the definitive stage.

³⁴ *Id.* at 11-12.

³⁵ E.ON Answer at 3.

³⁶ E.ON's revisions are in redline/strikeout:

Transmission Provider shall approve a demonstration of Site Control with an alternative site size when the Interconnection Customer submits to Transmission Provider a layout drawing at the [preliminary queue] phase or final layout drawing at the [definitive queue] phase of the Generating Facility that includes at a minimum: (i) the spacing and number of turbines; (ii) the cable requirements to interconnect the individual turbines to the collector substation and the cable requirements from the collector substation to the interconnection substation; (iii) the resistance and impedance measurements of the interconnection cable; and (iv) acknowledgment by Interconnection Customer at the [definitive queue] phase that the layout drawing is intended to be final and not subsequently substantially changed. After Transmission Provider approval of the final layout drawing at the [definitive queue] phase and demonstration of Site Control, any subsequent change to the design, including configuration, of the Generating Facility as depicted in the layout drawing will be evaluated to determine whether the change constitutes a Material Modification pursuant to section 4.4~~subject to consideration as Section 4.4.3.~~

d. Commission Determination

26. In its protest, E.ON raises several concerns regarding SPP's proposed revisions to section 3.3.1 of its LGIP addressing alternative demonstrations of site control. We find that SPP's answer addresses most of E.ON's concerns. However, further clarification in the tariff is required. Accordingly, we will accept SPP's proposed revisions to section 3.3.1 as in compliance with the Compliance Order, subject to SPP submitting a further compliance filing within 30 days of the date of issuance of this order, as discussed below.

27. E.ON's primary concern appears to be that early in the interconnection request process an interconnection customer will not be able to confirm that its proposed interconnection configuration is final and will not be subsequently changed. In response SPP states that it will allow interconnection customers with interconnection requests entered in the preliminary queue to make changes to the technical parameters in the criteria in proposed section 3.3.1 before their projects enter the definitive queue. However, once a request enters the definitive queue, SPP indicates that any changes to the spacing and number of turbines or the cable requirements (including the resistance and impedance measurements) will require an evaluation to determine whether the change constitutes a material modification under section 4.4 of the LGIP. We find that this clarification addresses E.ON's primary concern—i.e., that customers should not be required to acknowledge that the layouts for their projects will not be changed during the preliminary queue phase.³⁷

28. However, we agree with E.ON that section 3.3.1, as proposed, does not convey the information contained in SPP's clarification. Specifically, section 3.3.1 as proposed does not provide that the customer may make changes in its layout drawing during the preliminary queue stage. Rather, it implies that interconnection customers may not make such changes without triggering the requirements of section 4.4.3 and further review by SPP.

29. In addition, E.ON expresses concern that the modification provision of section 3.3.1 is inconsistent with sections 4.4 and 4.4.1 of SPP's LGIP, which allow an interconnection customer to make certain changes in design or configuration of a facility without being automatically subject to section 4.4.3 and without affecting queue position. In its answer SPP states that once the customer submits its request in the definitive queue any changes to the spacing or number of turbines or the cable requirements would require an evaluation to determine whether the change constitutes a material modification under section 4.4 of the LGIP. Section 3.3.1 as proposed does not indicate that after the transmission provider approves a final layout drawing during the definitive queue phase, any subsequent change to the design as depicted in the layout drawing will be evaluated to determine whether the change constitutes a material modification under section 4.4.

³⁷ See E.ON Protest at 9.

Accordingly, we direct SPP to make appropriate changes to section 3.3.1 to make these clarifications in a compliance filing within 30 days of the date of issuance of this order.

30. Additionally, we disagree with E.ON that the phrase “at a minimum” in proposed section 3.3.1 vests undue discretion with SPP. SPP states that this phrase gives interconnection customers the flexibility to include more information in the layout drawing than the minimum required. Accordingly, we do not interpret the inclusion of the phrase “at a minimum” to modify the specific criteria for an alternative demonstration of site control as specified in section 3.3.1.³⁸ Thus, we find that under section 3.3.1, SPP is required to accept an alternative demonstration of site control if an interconnection customer meets the minimum requirements in the criteria and do not interpret the phrase “at a minimum” to enable SPP to withhold its approval by demanding more detailed information.

31. We also decline to require SPP to adopt features of the site control standards established by certain other RTOs/ISOs. SPP developed its alternative site control criteria through its stakeholder process as part of its reformed, three-phase interconnection process. In the Queue Reform Order, the Commission accepted SPP’s proposal to process interconnection requests in three queues under the independent entity variation standard,³⁹ which recognizes that an RTO or an ISO has different operating characteristics depending on its size and location and is less likely to act in an unduly discriminatory manner than a transmission provider that is a market participant.⁴⁰ The Commission has found that the independent entity variation standard provides the RTO and ISO with greater flexibility to customize its interconnection procedures and agreements to fit regional needs.⁴¹ Furthermore, we find that SPP’s and its stakeholders’ approach strikes a balance between the need for providing flexibility to interconnection customers and the need to discourage speculative projects from entering the queue.

³⁸ These specific requirements are the spacing and number of turbines, cable requirements to interconnect the individual turbines to the collector substation and the cable requirements, resistance and impedance measurements of the interconnection cable, and the customer’s acknowledgment (at the definitive queue phase, as SPP has clarified) that the layout drawing is intended to be final and not subsequently substantially changed.

³⁹ *Standardization of Generator Interconnection Agreements and Procedures*, Order No. 2003, FERC Stats. & Regs. ¶ 31,146 at P 827 (2003), *order on reh’g*, Order No. 2003-A, FERC Stats. & Regs. ¶ 31,160, *order on reh’g*, Order No. 2003-B, FERC Stats. & Regs. ¶ 31,171 (2004), *order on reh’g*, Order No. 2003-C, FERC Stats. & Regs. ¶ 31,190 (2005), *aff’d sub nom. Nat’l Ass’n of Regulatory Util. Comm’rs v. FERC*, 475 F.3d 1277 (D.C. Cir. 2007).

⁴⁰ See Queue Reform Order, 128 FERC ¶ 61,114 at P 25.

⁴¹ See Order No. 2003, FERC Stats. & Regs. ¶ 31,146 at P 827.

Accordingly, we decline to require SPP to adopt any of the features of other RTO/ISO site control demonstration provisions.

2. Interconnection Business Practices

a. Compliance Requirement

32. The Commission directed SPP to revise section 3.3.1 to include the URL for SPP's interconnection business practices.⁴²

b. SPP's Filing

33. SPP proposes to amend section 3.3.1 to include, within its LGIP, the URL for the web address containing its interconnection business practices, which includes SPP's business practice regarding site control standards.⁴³

c. Commission Determination

34. We find that there is an error in the URL address SPP added to proposed section 3.3.1. Specifically, the URL that SPP provides has three extra characters than the URL that will allow access to the web site containing SPP's interconnection business practices.⁴⁴ We direct SPP to include the correct URL for its interconnection business practices within section 3.3.1 of its LGIP within 30 days of the issuance of this order.

3. Site Adequacy

a. Compliance Requirement

35. The Commission directed SPP to either: (1) include a definition of site adequacy in its LGIP and revise its interconnection business practices to articulate the difference between site control and site adequacy standards, or (2) revise section 8.2(a) of its LGIP to remove mention of site adequacy.⁴⁵

⁴² Compliance Order, 129 FERC ¶ 61,226 at P 15.

⁴³ SPP Tariff, Attachment V, proposed section 3.3.1.

⁴⁴ Specifically, proposed section 3.3.1 lists the URL address as: <http://sppoasis.spp.org/documents/swpp/transmission/studies/Interconnection%20Request%20Guidelines%20for%20Posting%20.pdf>. However, the actual URL is: <http://sppoasis.spp.org/documents/swpp/transmission/studies/Interconnection%20Request%20Guidelines%20for%20Posting.pdf>. Thus, there are three extra characters in the URL in proposed section 3.3.1 (i.e., "%20" between "Posting" and ".pdf").

⁴⁵ Compliance Order, 129 FERC ¶ 61,226 at P 16.

b. SPP's Filing

36. SPP states that it does not intend for “site control” and “site adequacy” to be two different standards. Rather, SPP explains, the demonstration of sufficient size (i.e., site adequacy) is meant to be part of the demonstration of site control.⁴⁶ Accordingly, SPP proposes to revise section 8.2(a) of its LGIP to remove mention of “site adequacy” as a milestone for entrance into the definitive queue.⁴⁷

c. Commission Determination

37. We will accept SPP's revisions to section 8.2(a) of its LGIP because this change meets the compliance requirement specified in the Compliance Order.

The Commission orders:

(A) SPP's compliance filing is hereby conditionally accepted, effective June 2, 2009, 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.

⁴⁶ SPP Filing at 5.

⁴⁷ SPP Tariff, Attachment V, proposed section 8.2(a).