

150 FERC ¶ 61,199
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Cheryl A. LaFleur, Chairman;
Philip D. Moeller, Tony Clark,
Norman C. Bay, and Colette D. Honorable.

UNS Electric, Inc.

Docket Nos. ER14-2875-000
EL14-72-000

ORDER ON COMPLIANCE FILING

(Issued March 19, 2015)

1. On September 15, 2014, UNS Electric, Inc. (UNS Electric) submitted proposed formula rate protocols to be included in Attachment F of its Open Access Transmission Tariff (Tariff) in compliance with the Commission's July 17, 2014 order.¹ In this order, we accept UNS Electric's formula rate protocols, effective November 14, 2014, as requested, subject to further compliance.

I. Background

A. MISO Protocols Proceedings

2. On May 17, 2012, the Commission instituted a proceeding under section 206 of the Federal Power Act (FPA)² as to the formula rate protocols of the Midwest Independent Transmission System Operator, Inc. (MISO),³ finding that they may lead to unjust and unreasonable rates. The Commission specifically identified three areas of concern: (1) scope of participation (i.e., who can participate in the information exchange); (2) the transparency of the information exchange (i.e., what information is

¹ *UNS Electric, Inc.*, 148 FERC ¶ 61,032 (2014) (July 17 Order).

² 16 U.S.C. § 824e (2012).

³ Effective April 26, 2013, MISO changed its name from "Midwest Independent Transmission System Operator, Inc." to "Midcontinent Independent System Operator, Inc."

exchanged); and (3) the ability of customers to challenge transmission owners' implementation of the formula rate as a result of the information exchange (i.e., how the parties may resolve their potential disputes).⁴

3. After receiving comments from parties to the proceeding, on May 16, 2013, the Commission found that the formula rate protocols under the MISO tariff were insufficient to ensure just and reasonable rates, and therefore, directed MISO and its transmission owners to file revised formula rate protocols to address the Commission's concerns about the scope of participation, the transparency of the information exchange, and the ability of customers to challenge transmission owners' implementation of the formula rate as a result of the information exchange.⁵ On March 20, 2014, the Commission conditionally accepted, subject to further compliance, MISO's proposed tariff revisions made in compliance with the MISO Investigation Order.⁶ Among the requirements addressing the transparency of the information exchange, in the MISO Investigation Order, the Commission required MISO to include a provision in the formula rate protocols that transmission owners make annual informational filings of their formula rate updates with the Commission.⁷ Further, on May 19, 2014, MISO submitted a compliance filing in response to the MISO Compliance Order. The Commission conditionally accepted that compliance filing on January 22, 2015.⁸

⁴ *Midwest Indep. Transmission Sys. Operator, Inc.*, 139 FERC ¶ 61,127, at P 8 (2012).

⁵ *Midwest Indep. Transmission Sys. Operator, Inc.*, 143 FERC ¶ 61,149 (2013) (MISO Investigation Order), *reh'g denied*, 146 FERC ¶ 61,209 (2014).

⁶ *Midcontinent Indep. Sys. Operator, Inc.*, 146 FERC ¶ 61,212 (2014) (MISO Compliance Order). The Commission also separately evaluated the compliance filings of two MISO transmission owners. *See Midcontinent Indep. Sys. Operator, Inc.*, 146 FERC ¶ 61,210 (2014) (evaluating the compliance filing of Southern Indiana Electric & Gas Company (Southern Indiana)); *Midcontinent Indep. Sys. Operator, Inc.*, 146 FERC ¶ 61,211 (2014) (evaluating the compliance filing of Northern Indiana Public Service Company (NIPSCO)).

⁷ MISO Investigation Order, 143 FERC ¶ 61,149 at P 92.

⁸ *Midcontinent Indep. Sys. Operator, Inc.*, 150 FERC ¶ 61,025 (2015). The Commission also separately evaluated the second compliance filings of two MISO transmission owners. *See Midcontinent Indep. Sys. Operator, Inc. and Northern Indiana Public Service Company*, 150 FERC ¶ 61,022 (2015) (evaluating the second compliance filing of Northern Indiana Public Service Company) (NIPSCO Second Compliance

(continued...)

B. UNS Electric Protocol Proceeding (July 17 Order)

4. In the July 17 Order, the Commission explained that it had undertaken a review of the transmission formula rates and formula rate protocols of jurisdictional public utilities to identify utilities that currently are not required to make annual informational filings of their formula rate updates with the Commission, and identified UNS Electric as one such utility.⁹ The Commission found that the UNS Electric Tariff lacked formula rate protocols, which made the formula rate deficient in all three areas of concern identified in the MISO Investigation Order and the MISO Compliance Order, and thus appeared to be unjust and unreasonable.¹⁰

5. The Commission directed UNS Electric to file proposed formula rate protocols to conform to the requirements of the MISO Investigation Order and the MISO Compliance Order.¹¹

II. Notice of Filing and Responsive Pleadings

6. Pursuant to the July 17 Order, interventions in Docket No. EL14-72-000 were due within 30 days of publication in the *Federal Register* of the Commission's initiation of a section 206 proceeding, i.e., due by August 22, 2014.¹² On September 11, 2014, the Arizona Corporation Commission (Arizona Commission) filed a motion to intervene out-of-time and comments. The Arizona Commission states that UNS Electric should file revisions to its Tariff which address the concerns raised by the Commission in the July 17 Order, and should include the formal opportunity for the Arizona Commission to review, and challenge as necessary, UNS Electric's annual implementation of its transmission formula rate.

Order); *Midcontinent Indep. Sys. Operator, Inc. and Southern Indiana Gas & Electric Company*, 150 FERC ¶ 61,023 (2015) (evaluating the second compliance filing of Southern Indiana Electric & Gas Company) (Southern Indiana Second Compliance Order).

⁹ July 17 Order, 148 FERC ¶ 61,032 at P 8.

¹⁰ *Id.* PP 5-6.

¹¹ *Id.* P 8.

¹² *Id.* P 26; 79 Fed. Reg. 42,785 (2014).

7. Notice of UNS Electric's compliance filing in Docket No. ER14-2875-000 was published in the *Federal Register*, 79 Fed. Reg. 56,576 (2014), with interventions and protests due on or before October 6, 2014. None was filed.

III. Discussion

A. Procedural Matters

8. Pursuant to Rule 214(d) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(d) (2014), the Commission will grant the Arizona Commission's late-filed motion to intervene given its interest in the proceeding, the early stage of the proceeding, and the absence of undue prejudice or delay.

B. Scope of Participation

1. July 17 Order

9. In the July 17 Order, the Commission found that UNS Electric's lack of procedures for interested parties to participate in the review of the implementation of the formula rate and of the costs that would flow through the formula rates appeared to be unjust and unreasonable.¹³ The Commission also found that, to assist the Commission in performing its duty to ensure just and reasonable rates, it may be necessary for UNS Electric to provide the Commission with all such information reasonably necessary to review and evaluate the implementation of the formula rate and the costs that would flow through the formula rate. Therefore, to afford adequate opportunity for participation and access to information, the Commission directed UNS Electric to propose formula rate protocols that provide all interested parties and the Commission with access to information about the annual updates as directed by the Commission in the MISO Investigation Order and the MISO Compliance Order, or show cause why it should not be required to do so.

2. UNS Electric Filing

10. UNS Electric's proposed protocols define Interested Parties as the Arizona Commission, the Arizona Residential Utility Consumer Office, existing customers under

¹³ July 17 Order, 148 FERC ¶ 61,032 at P 12.

the Tariff, and any other person/entity that requests a copy of its annual formula rate update.¹⁴

3. Commission Determination

11. We find that UNS Electric's proposed definition of Interested Parties provides sufficient scope of participation for its protocols and will, therefore accept this proposed revision, with no further modifications.

C. Transparency

1. July 17 Order

12. In the July 17 Order, the Commission found that, due to the lack of formula rate protocols in UNS Electric's Tariff, Interested Parties are not provided with the information necessary to understand and evaluate the implementation of the formula rate for either the correctness of inputs and calculations or the reasonableness and prudence of the costs to be recovered in the formula rate, which would form the basis of any potential challenge.¹⁵ Therefore, the Commission directed UNS Electric to propose formula rate protocols to provide Interested Parties the information necessary to understand and evaluate the implementation of the formula rate for both the correctness of inputs and calculations, and the reasonableness and prudence of the costs to be recovered in the formula rate, as directed by the Commission in the MISO Investigation Order and the MISO Compliance Order,¹⁶ or show cause why it should not be required to do so.

2. UNS Electric Filing

13. Section 1 of UNS Electric's proposed protocols sets forth the procedures for annual updates to the formula rate. The protocols provide that, on or before May 15 of each year, UNS Electric will calculate its revenue requirement applicable to the upcoming rate year, which is the period beginning on June 1 of that year and continuing through May 31 of the subsequent year, and will post the annual update on its Open

¹⁴ UNS Electric Tariff, Attachment F – Formula Rate Implementation Protocols, section 1(d).

¹⁵ July 17 Order, 148 FERC ¶ 61,032 at P 17.

¹⁶ *Id.* P 18 (citing MISO Investigation Order, 143 FERC ¶ 61,149 at PP 81-92; MISO Compliance Order, 146 FERC ¶ 61,212 at PP 58-73).

Access Same Time Information System (OASIS).¹⁷ The actual date of posting is defined as the Publication Date. The protocols require UNS Electric to provide notice of the annual update to Interested Parties through an email exploder list. The annual update will be in both a Portable Document Format and Microsoft Excel file format, with formulae intact, and will contain that year's annual update data, including UNS Electric's transmission revenue requirement.¹⁸ In addition, the protocols provide that the annual update will be filed with the Commission as an informational filing, contemporaneously with providing the annual update to Interested Parties.¹⁹ The protocols provide that any delay in providing the annual update to Interested Parties will toll the application of the response period.

14. The protocols provide that the annual update and UNS Electric's informational filing will: (1) be based upon UNS Electric's FERC Form No. 1 data; (2) provide supporting documentation for data not otherwise available in the FERC Form No. 1; (3) provide notice of material changes in accounting policies and practices from those in effect for the calendar year upon which the immediately preceding annual update was based (Material Accounting Changes); (4) identify items included in the formula rate at an amount other than on a historical cost basis; (5) identify any reorganization or merger transaction and explain the effect of the accounting for such transactions on inputs to the formula rate; (6) make note of any aspects of the formula rate or its inputs that are the subject of an ongoing dispute under the challenge procedures; (7) to the extent accounting change and other matters affect UNS Electric's inputs to its formula rate, provide a narrative explanation of the individual impact of those items on charges billed under the formula rate; (8) be subject to review and challenge; and (9) not seek to modify the formula rate and not be subject to challenges by seeking to modify the formula rate.²⁰

15. The protocols also provide that each year UNS Electric will organize a customer meeting or conference call among Interested Parties during which UNS Electric will present details about its annual update and allow for Interested Parties to seek information and clarifications about the annual update.²¹ The protocols state that the

¹⁷ UNS Electric Tariff, Attachment F – Formula Rate Implementation Protocols, section 1(a) and 1(b).

¹⁸ *Id.* at section 1(d).

¹⁹ *Id.*

²⁰ *Id.* at section 1(f).

²¹ *Id.* at section 2(a).

customer meeting will take place no later than 30 days after the Publication Date, and that notice of the date and time will be posted on UNS Electric's OASIS on or before the Publication Date, but in no event less than 15 days before the customer meeting.

16. Section 2 of UNS Electric's proposed protocols sets forth the procedures for review and information exchange. Specifically, Interested Parties have 180 days (six months) after each annual Publication Date (unless such period is extended with the written agreement of UNS Electric) to make reasonable information requests.²² The protocols state that information requests shall be limited to: (1) the proper application of the formula rate and protocols; (2) verification that the input data are properly recorded, the prudence of the costs and expenditures included for recovery, and the accuracy of the data; (3) the effect of any change to the underlying Uniform System of Accounts or the UNS Electric's FERC Form No. 1; and (4) any other information that may reasonably have substantive effect on the calculation of the charge pursuant to the formula rate. The protocols also state that information requests shall not solicit information concerning costs or allocations where the cost or allocation method has been determined by the Commission, except that information requests shall be permitted if they seek to determine if there has been a material change in circumstances, material accounting change, or a calculation error. UNS Electric must make a good faith effort to respond to these requests within 15 business days. UNS Electric defines the Review Period as the later of 210 days after the Publication Date (unless such period is extended with the written agreement of UNS Electric), or 15 days after UNS Electric's last response to reasonable information requests.²³

17. The protocols provide that, to the extent UNS and Interested Parties are unable to resolve disputes related to information requests, such disputes will be discussed by senior representatives of UNS Electric and the Interested Parties.²⁴ Section 2(e) of UNS Electric's proposed protocols provides that if the senior representatives are unsuccessful in resolving the dispute, UNS Electric or an Interested Party may petition the Commission to appoint an Administrative Law Judge as a discovery master, who will have the authority to issue binding orders to resolve discovery disputes and compel the production of discovery, as appropriate, in accordance with the annual review procedures and consistent with the Commission's discovery rules.

²² *Id.* at section 2(c).

²³ *Id.* at section 2(b).

²⁴ *Id.* at section 2(e).

3. Commission Determination

18. We find that the provisions in UNS Electric's proposed protocols relating to transparency generally comply with the requirements of the July 17 Order. We therefore will conditionally accept them, subject to further compliance, as discussed below.

19. Section 1(d) of UNS Electric's protocols states that the annual update will be provided to Interested Parties contemporaneously with making the informational filing with the Commission. However, in the MISO Investigation Order, the Commission found that the "informational filing must be made following the time period allowed for parties to review the updates and for transmission owners to respond to information and document requests, and include any corrections or adjustments made during that period."²⁵ Therefore, we will direct UNS Electric to revise its protocols to specify a date and clarify that the informational filing will be filed after Interested Parties have reviewed the annual update and UNS Electric has responded to information and document requests, and to clarify that the annual update will include any corrections or adjustments made during that period.

20. We also will require that UNS Electric's formula rate protocols include language to provide remote access to their annual update meetings. We find it reasonable to allow for remote access to ease burdens (e.g., travel costs) to ensure all interested parties have the opportunity to participate in the meetings. We will therefore direct UNS Electric to modify their formula rate protocols to explicitly require remote access for participation at annual update meetings

21. In the MISO Compliance Order, the Commission directed that MISO's formula rate protocols disclose *any* change in accounting during the rate period that affects inputs to the formula rate or the resulting charges billed under the formula rate. The Commission noted that adding the concept of materiality to the accounting changes reduces the transparency of financial information used in formula rate billings without specific support.²⁶ Therefore, we will direct UNS Electric to disclose as part of its annual update filing any accounting changes or adjustments as part of its annual update that affect inputs to the formula rate. Consistent with the Commission's directive in the

²⁵ MISO Investigation Order, 143 FERC ¶ 61,149 at P 92.

²⁶ MISO Compliance Order, 146 FERC ¶ 61,212 at P 65 (citing MISO Investigation Order, 143 FERC ¶ 61,149 at P 87).

MISO Compliance Order, we also will direct UNS Electric to remove from its protocols the word “material” from all instances of the phrase “material accounting changes.”²⁷

22. We find that UNS Electric should include language in its protocols regarding joint meetings with other transmission owners using formula rates to establish the revenue requirements for recovery of the costs of projects subject to the same regional cost allocation. Despite not being a member of a Regional Transmission Organization, UNS Electric is a member of the WestConnect regional planning group, and may at some point develop regional transmission projects whose costs may be recovered through its formula rate. A joint meeting with other transmission owners using formula rates to establish the revenue requirements for recovery of the costs of projects that they develop that are subject to the same regional cost allocation would be an efficient way for such transmission owners to conduct annual meetings to discuss their annual updates, so that parties interested in the annual updates of multiple transmission owners with projects subject to the same regional cost allocation do not have to separately participate in each transmission owner's annual meeting.²⁸ This could ease the burden of both transmission customers and owners by limiting the number of annual meetings necessary.²⁹ Accordingly, we will direct UNS Electric to include a requirement, in the compliance filing ordered below, that it endeavors to coordinate with other transmission owners using formula rates to establish revenue requirements for recovery of the costs of transmission projects that utilize the same regional cost sharing mechanism and hold joint meetings to enable all Interested Parties to understand how those transmission owners are implementing their formula rates for recovering the costs of such projects.³⁰

23. We find that UNS Electric complies with the Commission’s directives in the July 17 Order to file an annual informational filing. We remind UNS Electric, consistent

²⁷ *Id.*

²⁸ *Id.* P 59.

²⁹ *Id.* While we recognize that the formula rate protocols under UNS Electric’s Tariff only govern UNS Electric’s annual updates, we expect other public utility transmission owners using formula rates to establish revenue requirements for recovery of the costs of transmission projects that utilize the same regional cost sharing mechanism to cooperate in coordinating to hold joint meetings.

³⁰ UNS Electric would not need to coordinate with transmission owners that do not use formula rates and thus do not update their rates each year.

with the directives in the Southern Indiana and NIPSCO Second Compliance Orders,³¹ that UNS Electric is required to file its annual informational filing in a new docket each year.

24. Finally, we note that there is no provision requiring UNS Electric to post information requests and UNS Electric's responses to such requests on the OASIS.³² We will direct UNS Electric to revise its protocols to provide that all information requests from Interested Parties and UNS Electric's responses will be posted on the OASIS.

D. Challenge Procedures

1. July 17 Order

25. In the July 17 Order, the Commission found that, because the formula rate contained in UNS Electric's Tariff lacked protocols, there are no challenge provisions to allow Interested Parties to informally resolve disputes related to implementation of the formula rates or, in the event disputes are not resolved informally, to bring formal challenges to the Commission without needing to file a formal complaint with the Commission. The Commission has stated that interested parties must be afforded the ability to challenge a transmission owner's annual update and resolve related disputes through straightforward and defined procedures. Accordingly, the Commission found that UNS Electric's formula rate appeared to be unjust and unreasonable. Therefore, the Commission directed UNS Electric to propose formula rate protocols that provide specific procedures for informal and formal challenges, as provided by the MISO Investigation Order and the MISO Compliance Order, or show cause why it should not be required to do so.³³

2. UNS Electric Filing

26. UNS Electric's proposed protocols provide that Interested Parties have until the end of the Review Period (the later of 210 days after the Publication Date (unless such

³¹ See NIPSCO Second Compliance Order, 150 FERC ¶ 61,022 at P 17; Southern Indiana Second Compliance Order, 150 FERC ¶ 61,023 at P 18.

³² In the MISO Compliance Order, MISO proposed such a provision that was accepted by the Commission. See MISO Compliance Order, 146 FERC ¶ 61,212 at P 27.

³³ July 17 Order, 148 FERC ¶ 61,032 at PP 21-22 (citing MISO Investigation Order, 143 FERC ¶ 61,149 at PP 118, 103-123; MISO Compliance Order, 146 FERC ¶ 61,212 at PP 103-117).

period is extended with the written agreement of UNS Electric), or 15 days after UNS Electric's last response to reasonable information requests) to make a preliminary challenge.³⁴

27. UNS Electric's proposed protocols provide that if UNS Electric and any Interested Party/Parties have not resolved the Preliminary Challenge within 60 days after the Review Period (unless such period is extended with the written agreement of UNS), an Interested Party will have the right to make a Formal Challenge with the Commission.³⁵ Any response by UNS Electric must be submitted to the Commission within 30 days of the date of the filing of the Formal Challenge, and served on the filing party/parties. The protocols provide that, in any proceeding initiated by the Commission or in response to a Formal Challenge, UNS Electric bears the burden of proving that it has reasonably applied the terms of the formula rate and the protocols.³⁶ The protocols further provide that the annual update becomes final and no longer subject to challenge pursuant to the protocols' Annual Review Procedures by any entity 60 months after the passage of the 60-day period after the Review Period for making a Formal Challenge if no such challenge has been made and the Commission has not initiated a proceeding.³⁷ The protocols state that this provision shall in no way limit the right of an Interested Party, including the Commission, to initiate a proceeding at the Commission challenging the charges calculated pursuant to the formula rate.³⁸

28. The protocols also state that, except as specifically provided otherwise, nothing in the protocols is deemed to limit in any way UNS Electric's right to file unilaterally under section 205 of the FPA to seek to change the formula rate or any of its inputs, or the right of any other party to oppose such changes or to seek changes to the formula rate or any of its inputs pursuant to section 206 of the FPA.³⁹

³⁴ UNS Electric Tariff, Attachment F – Formula Rate Implementation Protocols, at section 2(b).

³⁵ *Id.* at section 3(a).

³⁶ *Id.* at section 3(c).

³⁷ *Id.* at section 3(d).

³⁸ *Id.*

³⁹ *Id.* at section 3(e).

29. Section 4 of UNS Electric's proposed formula rate protocols provides that UNS Electric may make a filing under section 205 of the FPA that updates the FERC Form No. 1 and Uniform System of Accounts references in its formula rate to reflect any Commission-mandated changes in the format for the FERC Form No. 1 or Uniform System of Accounts that do not affect the rates for transmission service derived from the annual update (Ministerial Filing). This provision also states that such a proceeding may not be used to raise issues unrelated to the proposed changes.

30. Section 5 of UNS Electric's proposed formula rate protocols provides that any changes to the data inputs, including but not limited to revisions to UNS Electric's FERC Form No. 1, or as the result of any Commission proceeding or challenge, will be incorporated into the formula rate with interest calculated in accordance with the Commission's interest rate in the next annual update.

31. Finally, section 6 of UNS Electric's proposed formula rate protocols provides that, if any deadline or expiration date of any time period set forth under the protocols falls on a weekend or a holiday recognized by the Commission, such deadline or expiration date shall be extended to the next business day.

3. Commission Determination

32. We find that UNS Electric's proposed protocols generally comply with the Commission's directives to provide specific procedures for informal and formal challenges. We also find that the timelines in UNS Electric's proposed protocols generally allow sufficient time for challenges of the annual updates, but will direct some modifications as discussed below. We therefore will conditionally accept the proposed protocols, subject to further compliance.

33. We note that there is no provision requiring UNS Electric to post preliminary challenges and UNS Electric's responses on the OASIS. In the MISO Compliance Order, in denying a protester's request to direct MISO to provide written responses to informal challenges, the Commission stated: "...we note that the MISO Transmission Owners' proposed protocols provide that the transmission owner will cause to be posted [on the OASIS] all informal challenges and the transmission owner's responses to such informal challenges."⁴⁰ It is important for all interested parties to be able to see preliminary challenges and responses. Therefore, we will direct UNS Electric to revise its protocols to provide for the posting of preliminary challenges and UNS Electric's responses on its OASIS.

⁴⁰ MISO Compliance Order, 146 FERC ¶ 61,212 at P 116.

34. UNS Electric's proposed protocols are unclear with respect to certain timelines for challenge procedures. First, UNS Electric's proposed protocols do not provide for a due date for UNS Electric to respond to a preliminary challenge, and only provide that, if UNS Electric and the party have not resolved the preliminary challenge within 60 days, the party may make a formal challenge with the Commission. We find that the protocols should specify a date by which UNS Electric must respond to a preliminary challenge, in order for the timelines to be clear to all parties.⁴¹

35. In addition, the protocols are unclear as to when a formal challenge must be filed. Section 3(a) states that if UNS Electric and any Interested Party/Parties have not resolved the Preliminary Challenge within 60 days after the Review Period (unless such period is extended with the written agreement of UNS), an Interested Party will have the right to make a Formal Challenge with the Commission. However, section 3(d) states:

Each Annual Update shall become final and no longer subject to challenge pursuant to these Annual Review Procedures by any entity sixty (60) months after the passage of the sixty (60) day period (or extended period, if applicable) after the Review Period for making a Formal Challenge if no such challenge has been made and the FERC has not initiated a proceeding to consider the Annual Update. This provision shall in no way limit the right of an interested party, including FERC, to initiate a proceeding at FERC challenging the charges calculated pursuant to the Formula Rate.

We interpret section 3(d) to provide that any Interested Party/Parties may file a Formal Challenge to an Annual Update under the Annual Review Procedures of the proposed protocols up to 60 months after the passage of the 60-day period after the Review Period, but thereafter may challenge the Annual Update only by initiating a proceeding outside of the Annual Review Procedures of the proposed protocols (e.g., under section 206 of the FPA). We direct UNS Electric to confirm that Interested Party/Parties have until 60 months after the passage of the 60-day period after the Review Period to file a Formal Challenge, or to clarify the proposed deadline for filing a Formal Challenge. Such a deadline must be after an adequate amount of time after any preliminary challenges and UNS Electric's responses, and after the informational filing has been filed with the Commission.

⁴¹ For example, MISO's formula rate protocols require an informal challenge to be submitted by January 31, and require MISO to respond by February 28. *See* Midcontinent Independent System Operator, Inc., FERC Electric Tariff, [2, MISO Formulaic Rates, 31.0.0](#), Section IV.B.

The Commission orders:

(A) UNS Electric's compliance filing is hereby conditionally accepted, to become effective November 14, 2014, as requested, as discussed in the body of this order.

(B) UNS Electric is hereby directed to submit a further compliance filing within 60 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.