

106 FERC ¶ 61,261  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;  
Nora Mead Brownell, Joseph T. Kelliher,  
and Suedeen G. Kelly.

Ameren Services Company

Docket No. ER04-456-000

ORDER ACCEPTING AND SUSPENDING  
ORDER NO. 2003 COMPLIANCE FILING

(Issued March 19, 2004)

1. On January 20, 2004, Ameren Services Company (Ameren), on behalf of Union Electric Company, d/b/a Ameren UE, and Central Illinois Public Service Company, d/b/a Ameren CIPS, submitted, in compliance with Order No. 2003,<sup>1</sup> its pro forma Large Generator Interconnection Procedures (LGIP) and Large Generator Interconnection Agreement (LGIA), along with certain proposed variations, pursuant to Section 205 of the Federal Power Act (FPA)<sup>2</sup>. Ameren states that the proposed variations are consistent with or superior to the language contained in the pro forma LGIP and LGIA. In this order, the Commission accepts Ameren's filing and suspends it for five months, to be effective subject to refund and further Commission order. This order benefits customers because it ensures that the terms, conditions, and rates for interconnection service are just and reasonable and thus encourages more competitive markets.

---

<sup>1</sup> Standardization of Generator Interconnection Agreements and Procedures, Order No. 2003, 68 Fed. Reg. 49,845 (Aug. 19, 2003), FERC Stats. & Regs., Regulations Preambles ¶ 31,146 (2003) (Order No. 2003), order on reh'g, Order No. 2003-A, 106 FERC ¶ 61,220 (2004) (Order No. 2003-A); see also Notice Clarifying Compliance Procedures, 106 FERC ¶ 61,009 (2004).

<sup>2</sup> 16 U.S.C. § 824d (2000).

## I. Background

2. In Order No. 2003, pursuant to its responsibility under Sections 205 and 206 of the FPA to remedy undue discrimination, the Commission required all public utilities that own, control, or operate facilities for transmitting electric energy in interstate commerce to append to their open access transmission tariffs (OATT) a Final Rule LGIP and Final Rule LGIA. In order to achieve greater standardization of interconnection terms and conditions, Order No. 2003 required such public utilities to file revised OATTs containing the pro forma LGIP and LGIA by January 20, 2004.<sup>3</sup>

3. Transmission Providers<sup>4</sup> were also permitted to seek variations from the pro forma LGIP and LGIA not made in response to established regional reliability requirements. These requests for variation are considered FPA Section 205 filings and are evaluated by the Commission under the "consistent with or superior to" standard.<sup>5</sup> A Transmission Provider seeking a "consistent with or superior to" variation must justify why its proposal is consistent with or superior to the pro forma LGIP and LGIA.

## II. Compliance Filing

4. On January 20, 2004, Ameren submitted its compliance filing in response to Order No. 2003. Ameren's filing contained many changes to the pro forma LGIP and LGIA. Ameren's modifications largely track the modifications requested by the Midwest ISO in its Order No. 2003 compliance filing in Docket No. ER04-458-000. Ameren justified all of its modifications as being "consistent with or superior to" the pro forma language and did not indicate that any of its proposed modifications were related to existing regional reliability standards.

5. Additionally, Ameren explains that it will continue to apply its existing interconnection procedures (as contained in Attachment J of its OATT) to generating

---

<sup>3</sup> See Notice Clarifying Compliance Procedures, supra note 1 (clarifying that Commission will deem OATTs of non-independent public utilities to be revised as of January 20, 2004).

<sup>4</sup> The "Transmission Provider" is the entity with which the Generating Facility is interconnecting. The term "Generating Facility" means the specific device (having a capacity of more than 20 megawatts) for which the Interconnection Customer has requested interconnection. The owner of the Generating Facility is referred to as the "Interconnection Customer."

<sup>5</sup> Order No. 2003 at P 825.

facilities which are less than or equal to 20 MW. Therefore, Ameren proposes that the only revision to Attachment J would involve the addition of the phrase “Applicable to Generating Facilities that are 20 MWs or less” immediately after the title. Ameren states that no other change is proposed to the currently filed version of Attachment J.<sup>6</sup>

### III. Notice of Filing and Responsive Pleadings

6. Notice of the January 20, 2004 filing was published in the Federal Register, 69 Fed. Reg. 5,851 (2004), with interventions and protests due on or before February 10, 2004. Reliant Resources, Inc. and Constellation Generation Group, LLC (CGG) filed timely motions to intervene. CGG also filed a comment.

7. CGG objects to Ameren’s proposal to modify section 4.2 “Group Studies” of the LGIP to essentially create a hybrid study process that mixes the traditional queue with a self-selected option to conduct group studies. CGG argues that Ameren’s proposal does not set forth the maximum time limits for completing interconnection studies. It states that Ameren should provide maximum interconnection timeframes that the customer will experience, and requests that the Commission direct Ameren to provide additional details regarding this aspect of its procedures.

### IV. Discussion

8. Pursuant to Rule 214 of the Commission’s Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2003), the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding.

9. Our preliminary analysis of Ameren’s compliance filing indicates that the modifications that are proposed in its filing have not been shown to be “consistent with or superior to” the language contained in the pro forma. Additionally, the Commission is currently reviewing, in Docket No. ER04-571-000, an Agreement for the Provision of Transmission Service to Bundled Retail Load between the Midwest ISO and Ameren (as agent for Union Electric Company, d/b/a Ameren UE), which has a requested effective

---

<sup>6</sup> The Commission finds that Ameren’s proposal to continue applying its existing “Attachment J” interconnection procedures to small generating facilities is acceptable. Notwithstanding, our acceptance is without prejudice to the Commission’s requiring changes in future proceedings. See Standardization of Small Generator Interconnection Agreements and Procedures, 68 Fed. Reg. 49,974 (Aug. 19, 2003), FERC Stats. & Regs., Regulations Preambles ¶ 32,572 (2003).

Docket No. ER04-456-000

- 4 -

date of May 1, 2004, (the date on which Ameren anticipates that the transmission facilities of Ameren CIPS and Ameren UE will be integrated with Midwest ISO.) The Commission's finding in that Docket could render Ameren's Order No. 2003 compliance filing moot. If the Agreement is ultimately accepted, Ameren would no longer maintain its own interconnection provisions once it joins the Midwest ISO. Therefore, rather than requiring an evidentiary hearing on the filing now, we will accept Ameren's compliance filing and suspend it for five months, to become effective August 20, 2004, subject to refund, subject to the outcome of Docket No. ER04-571-000, and subject to further order by the Commission. As stated in the Notice Clarifying Compliance Procedures, the standard pro forma LGIP and LGIA contained in Order No. 2003 are deemed to have become effective on January 20, 2004.<sup>7</sup>

The Commission orders:

The proposed tariff sheets are hereby accepted for filing and suspended for five months, to become effective August 20, 2004, subject to refund, subject to the outcome of Docket No. ER04-571-000 and subject to further order by the Commission, as discussed in the body of this order.

By the Commission.

( S E A L )

Linda Mitry,  
Acting Secretary.

---

<sup>7</sup> See supra note 3.