

140 FERC ¶ 61,096
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;
Philip D. Moeller, John R. Norris,
Cheryl A. LaFleur, and Tony T. Clark.

Alta Wind VII, LLC
Alta Wind IX, LLC
Alta Wind X, LLC
Alta Wind XI, LLC
Alta Wind XII, LLC
Alta Wind XIII, LLC
Alta Wind XIV, LLC
Alta Wind XV, LLC
Alta Windpower Development, LLC
TGP Development Company, LLC

Docket No. EL12-68-000

ORDER GRANTING PETITION FOR DECLARATORY ORDER

(Issued August 1, 2012)

1. In this order, the Commission grants a petition for declaratory order filed by a group of affiliated renewable power generation developers¹ and confirms Petitioners' priority firm transmission rights to the capacity of three transmission lines (Lines IV, V, and VI) that will be constructed to interconnect Petitioners' planned wind and solar generation projects to the integrated transmission grid. We also grant waiver of certain Open Access Transmission Tariff (OATT), Open Access Same-Time Information System (OASIS), and Standards of Conduct

¹ Alta Wind VII, LLC (Alta VII), Alta Wind IX, LLC (Alta IX), Alta Wind X, LLC (Alta X), Alta Wind XI, LLC (Alta XI), Alta Wind XII, LLC (Alta XII), Alta Wind XIII, LLC (Alta XIII), Alta Wind XIV, LLC (Alta XIV), Alta Wind XV, LLC (Alta XV), Alta Windpower Development, LLC (AWD), and TGP Development Company, LLC (TGP) (collectively, Petitioners).

requirements applicable to transmission providers under Order Nos. 888,² 889,³ and 890⁴ and of section 35.28 and Parts 37 and 358 of the Commission's regulations.

I. Background

2. Petitioners state that they are direct and indirect subsidiaries of Terra-Gen Power, LLC (Terra-Gen Power). According to Petitioners, Terra-Gen Power specializes in the development, acquisition, operation, maintenance, and management of renewable independent power generation and indirectly owns, through its subsidiaries, non-passive interests in approximately 26 operating wind, solar, and geothermal generating facilities in Nevada, California, Colorado, Minnesota, Wyoming, and Texas.

3. Petitioners state that, in a February 2011 order, the Commission granted a similar request for declaratory order filed by another group of Terra-Gen's direct and indirect subsidiaries.⁵ According to Petitioners, in that order, the Commission confirmed the developers' priority rights to three transmission lines (Lines I, II, and III) that they planned to construct to interconnect wind and solar generating facilities that they were developing near Mojave, California as part of the Alta Wind Energy Center and Alta Solar Energy Center. Petitioners state that the three transmission lines were completed and placed in service in the fourth quarter

² *Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities; Recovery of Stranded Costs by Public Utilities and Transmitting Utilities*, Order No. 888, FERC Stats. & Regs. ¶ 31,036 (1996).

³ *Open Access Same-Time Information System and Standards of Conduct*, Order No. 889, FERC Stats. & Regs. ¶ 31,035 (1996).

⁴ *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, FERC Stats. & Regs. ¶ 31,241 (2007).

⁵ *Alta Wind I, LLC*, 134 FERC ¶ 61,109 (2011) (February 2011 Order).

of 2010 and that substantial progress has been made toward full utilization of the transmission lines.⁶

II. Instant Filing

4. Petitioners state that Terra-Gen Power continues to pursue development of wind, solar, and other generation in the vicinity of the projects addressed in the February 2011 Order and now has advanced plans to develop a substantial amount of additional generation to be owned through eight project companies that are among the Petitioners. Petitioners state that they expect these new generating projects to begin achieving commercial operation in the second half of 2012, continuing through 2016.⁷ Petitioners further explain that, as each project approaches commercial operation, it will be assigned to individual project companies.⁸

5. Petitioners state that planned generation projects will require the maximum aggregate capacity of proposed Lines IV, V, and VI, which is expected to total approximately 1,427 MW. Petitioners contend that the capacity of proposed Lines IV, V, and VI will be significantly exceeded by projects in development at this time.

6. Specifically, Petitioners state that Line IV will be an approximately 2.8 mile long, 230 kV radial generator tie-line, with a maximum design capacity of approximately 476 MW.⁹ Alta IX will develop and construct Line IV, which will

⁶ Petitioners state that, with the addition of Alta IX in 2012, these projects will utilize 1,307 of the approximately 2,007 MW maximum aggregate capacity available in Lines I-III. *See* Petition at 2-3.

⁷ *Id.* at 3.

⁸ In addition, Petitioners state AWD has contractual rights *via* a shared facilities agreement to all excess capacity in the Lines and will assign rights to individual project companies, including project companies developed by TGP, in the future as their generating facilities move into financing and commercial operation stages. *Id.* at 8.

⁹ In addition, Petitioners state the line originates at Substation 6D South and connects to Line III *via* existing Alta Substation 3a. *Id.* at 9.

be jointly owned by Alta IX and AWD, as tenants in common, once it reaches commercial operation. Alta IX and AWD seek to confirm their priority firm transmission rights of Line IV's full 476 MW capacity to interconnect their planned solar and wind projects. According to Petitioners, in addition to serving the needs of Alta IX's 132 MW wind generating facility, the line will serve additional projects planned by AWD and TGP with a total nameplate capacity that, when constructed, will exceed the remaining 344 MW on the line.¹⁰

7. Petitioners further state that Line V will be an approximately 6.8 mile long, 230 kV radial generator tie-line, with a maximum design capacity of approximately 476 MW.¹¹ Alta VII, Alta X, Alta XI, and AWD seek to confirm their priority firm transmission rights to the full 476 MW capacity to interconnect their planned solar and wind generation projects.¹² The proposed line will be developed and constructed by Alta VII, and will be utilized to transmit power from Alta VII and other projects that TGP and AWD are developing. This line will carry the 168 MW generated by Alta VII, and the remaining 308 MW of capacity will be fully utilized by one or several projects currently being developed by AWD.¹³

¹⁰ The projected net nameplate capacities for the planned generating projects are as follows: (1) Alta X, an approximately 138 MW facility; (2) Alta XI, an approximately 90 MW facility; (3) Alta East, an approximately 300 MW facility; (4) Infill Solar, an approximately 40 MW facility; (5) AE Solar I, an approximately 75 MW facility; (6) AE Solar II, an approximately 50 MW facility; and (6) T East Solar, an approximately 75 MW facility. *Id.* at 10.

¹¹ Further, Petitioners state that Transmission Lines V and VI form an independent electrical circuit interconnecting at Southern California Edison Company's (SoCal Edison) Windhub Substation at the same interconnection location as for Transmission Lines II and III addressed in the February 2011 Order. *Id.* at 10.

¹² *Id.*

¹³ The projected net nameplate capacities for the planned generating projects are as follows: (1) Alta X, an approximately 138 MW facility; (2) Alta XI, an approximately 90 MW facility; (3) Alta East, an approximately 300 MW facility; (4) Infill Solar, an approximately 40 MW facility; (5) AE Solar I, an approximately 75 MW facility; and (6) AE Solar II, an approximately 50 MW

(continued...)

8. Further, Petitioners state that Line VI will be an approximately 2 mile long, 230 kV radial generator tie-line, with a maximum design capacity of approximately 951 MW.¹⁴ Alta VII, Alta X, Alta XI, and AWD seek to confirm their priority firm transmission rights of the full 951 MW of capacity to interconnect their planned solar and wind projects. According to Petitioners, Alta VII will develop and construct the line, which will carry power from all projects utilizing Line V, including 168 MW from Alta VII. The remaining 783 MW of capacity will be utilized by a combination of other projects being developed by AWD and TGP.¹⁵

9. In addition, Petitioners state that, under Shared Facilities Agreement No. 2, the percentage interest of each entity in each of the proposed lines is based on the planned nameplate capacity of each respective project that will interconnect to the line.¹⁶ Petitioners state that, under Shared Facilities Agreement No. 2, none of the co-tenants have rights to use more than their ownership share in Lines IV, V, and VI, and none of the co-tenants will charge any other co-tenant any fee, premium, or other profit relating to these transmission lines. Further, petitioners state that each co-tenant's use of Lines IV, V, or VI will be an amount in proportion to its relative segment interest in relation to the interests of the co-tenants with a segment interest in the respective transmission lines.

solar generating facility. Petitioners state that the 308 MW remaining capacity is planned to be fully utilized by one or a combination of the above projects, depending on timing of their respective development and other considerations. *Id.* at 11.

¹⁴ *Id.* at 12.

¹⁵ The projected net nameplate capacities for the planned generating projects are as follows: (1) Alta VII, an approximately 168 MW facility; (2) Morgan Hills, an approximately 228 MW facility; (3) SW II, an approximately 175 MW facility; (4) SW III, an approximately 184 MW facility; (5) GE, an approximately 85 MW facility; and (6) SW I Solar, an approximately 75 MW facility. *Id.*

¹⁶ According to Petitioners, the structure of Shared Facilities Agreement No. 2 parallels the Original Shared Facilities Agreement that was presented in conjunction with the petition to confirm priority firm transmission rights to Lines I, II, and III granted in the February 2011 Order. *Id.* at 16.

10. Further, Petitioners state that AWD will hold transitory rights to excess transmission capacity in Lines IV, V, and VI and will assign such rights to individual project companies, as facilities become ready for commercial operation.

11. Petitioners assert that, based on the Commission's precedent established in *Aero* and *Milford*¹⁷ and the specific development plans they are pursuing, Petitioners are entitled to priority firm transmission rights to the capacity of Lines IV, V, and VI to interconnect the full planned capacity of their planned wind and solar generation projects to, and obtain transmission service on, California Independent System Operator's (CAISO) integrated transmission grid.¹⁸

12. Petitioners claim that they have made material progress toward meeting the milestones for developing and constructing their planned wind and solar generation projects. Petitioners state that they have entered into a Large Generator Interconnection Agreement (LGIA) with SoCal Edison and CAISO to secure interconnection rights for 720 MW at Windhub to be utilized by additional phases of the Alta Wind Energy Center, including Alta VII.¹⁹ Further, Petitioners represent that, in addition to executing power purchase agreements for the 1,020 MW of Alta Wind Energy Center projects placed in operation thus far in 2011 and 2012, and executing PPAs for 300 MW of capacity projects (Alta VII and Alta IX) to be constructed in 2012, Terra-Gen has executed on behalf of the Petitioners an additional 408 MW of PPAs for project interconnecting into Windhub, and is actively engaged in acquiring additional PPAs for further project phases.

¹⁷ Petitioners cite to *Aero Energy, LLC*, 115 FERC ¶ 61,128, *order granting modification*, 116 FERC ¶ 61,149 (2006), *final order directing interconnection and transmission service*, 118 FERC ¶ 61,204, *order denying reh'g*, 120 FERC ¶ 61,188 (2007) (*Aero*); and *Milford Wind Corridor, LLC*, 129 FERC ¶ 61,149 (2009) (*Milford*). See Petition at 18-20.

¹⁸ *Id.*

¹⁹ *Id.* at 22.

13. Petitioners state that, as part of the development process, Terra-Gen has obtained control of over 22,000 acres of land for development of future phases, and is actively conducting wind measurement campaigns for its land assets.²⁰ Petitioners state that Alta VII and Alta IX have the land required to install their wind projects, and that the land has been appropriately rezoned (permitted) and that Terra-Gen has rezoned or applied for rezoning for approximately 9,200 acres for future phases of generation projects. Further, according to Petitioners, Terra-Gen has entered into several master turbine supply agreements with Vestas American Wind Technology (Vestas) covering 1,528 MW of nameplate capacity. Petitioners further state that Terra-Gen is in active negotiations with Vestas as well as other turbine suppliers to contract for additional turbine supply.

14. Further, Petitioners state that they are developing additional wind and solar projects that will utilize the remaining capacity. These projects are planned to be phased in over the next several years and will require the full capacity of the lines.²¹ According to Petitioners, confidential Exhibit A of the Petition shows that development of these projects is underway and is at varying stages of completion, with anticipated dates of completion in 2012 through 2016.²²

15. In addition, Petitioners request waiver of Order Nos. 888 and 890 and section 35.28 of the Commission's regulations. Petitioners argue that Lines IV, V, and VI are limited and discrete transmission facilities because they are radial generator-tie lines designed and constructed solely for the purpose of interconnecting Petitioners' generating projects with the transmission system; are not designed to serve other customers; and do not constitute an integrated transmission system. Petitioners state that, should they receive a valid, bona fide request for transmission service, they will file with the Commission a *pro forma* OATT within 60 days after the date of the request, and will comply with any additional requirements that are effective on the date of the request in compliance with Order Nos. 888 and 890.

²⁰ *Id.*

²¹ *Id.* at 23.

²² Petitioners note that, because of the nature of the development process, these dates will likely vary as development activities continue. *Id.* at 15.

16. Additionally, because Petitioners assert that Lines IV, V, and VI are limited and discrete transmission facilities, they also request waiver of the OASIS requirements of Order No. 889 and Part 37 of the Commission's regulations and the Standards of Conduct requirements of Part 358 of the Commission's regulations. Petitioners also state that each project company will have an undivided ownership interest in the proposed lines to deliver the electrical output from its facility to the transmission grid and, as such, each project company will dispose of less than four million megawatt hours of energy annually and will meet the Commission's definition of a small public utility.²³

III. Notice of Filing and Responsive Pleading

17. Notice of the petition for declaratory order was published in the *Federal Register*, 77 Fed. Reg. 29,633 (2012), with interventions and comments due on or before June 11, 2012. None was filed.

IV. Discussion

A. Petition for Declaratory Order

18. Under the standard determined by the Commission in *Aero* and applied in *Milford*, where transmission owners have specific, pre-existing generation expansion plans with milestones for construction of generation and have made material progress toward meeting those milestones, they may have priority rights on their transmission lines.²⁴ Further, affiliates of current transmission owners, which are developing their own generation projects, may also obtain firm priority rights on a transmission line to the extent that they use the line to serve their own load or demonstrate specific generation expansion plans with milestones to use the line in the future, provided that the plans include a future transfer of ownership to such affiliates.²⁵

²³ *Id.* at 24-25.

²⁴ *Aero*, 116 FERC ¶ 61,149 at P 28; *Milford*, 129 FERC ¶ 61,149 at P 22.

²⁵ See *Milford*, 129 FERC ¶ 61,149 at P 5; *Sunzia Transmission, LLC*, 131 FERC ¶ 61,162, at P 37 & n.38 (2010).

19. We find that the Petitioners have shown the existence of specific, pre-existing plans, with definite dates and milestones, for phased development of generation that will ultimately employ the full capacity of Lines IV, V, and VI. According to Petitioners' submitted evidence, significant progress has already been made in completing the generation projects of Alta IX, Alta X, Alta XI, Alta VII, GE Project and Morgan Hills, which will use an aggregated total line capacity of 841 MW. Specifically, according to Petitioners, they have already signed power purchase agreements to sell output from these projects and also entered into LGIAs to interconnect these projects to the CAISO integrated transmission grid.

20. In addition, Petitioners have provided information about specific plans to construct generation plants that will interconnect to and use the remaining capacity on proposed Lines IV, V, and VI, including specific milestones for construction. Specifically, Petitioners state that they have obtained site control of over 22,000 acres of land for the generation development that will use the proposed lines to interconnect to the grid. Petitioners also represent they are actively conducting wind measurement tests for their land assets to determine the exact location of generating sites. In addition, Petitioners state that Terra-Gen has entered into several master turbine supply agreements covering 1,528 MW of nameplate capacity and is actively negotiating to contract for additional turbine supply. These factors constitute sufficient evidence of material progress made by Petitioners in developing future phases that will use the remaining transmission capacity.

21. In addition, Petitioners explain that certain of the Petitioners will initially own Lines IV, V, and VI and that, pursuant to the Shared Facilities Agreement, AWD will hold transitory rights to excess transmission capacity and will assign additional ownership interests to affiliates with generation projects that will use the lines in the future, as their generation projects become ready for commercial operation.²⁶ Thus, we find that Petitioners have sufficiently demonstrated that there will be a future transfer of ownership interests in Lines IV,

²⁶ Petitioners also explain that the percentage ownership interest for each entity in Transmission Lines IV, V, and VI is determined based on the planned nameplate capacity of its respective generation project out of the total planned nameplate capacity of all projects that will interconnect using the lines. *See* Petition at 16-17.

V, and VI to affiliates that are not currently owners of the lines but that are developing their own generation projects and will use the lines in the future.

22. Accordingly, based on the submitted specific plans and milestones for construction, demonstration of material progress towards meeting those milestones, and demonstration of future transfer of ownership in Lines IV, V, and VI, we grant Petitioners' request for firm priority rights for the full 476 MW, 476 MW, and 951 MW capacity in Lines IV, V, and VI, respectively. We note that, while we are granting Petitioners' request for priority firm transmission rights for the full capacity, we will require Petitioners to offer service on these transmission lines to the extent Petitioners are not using such capacity, as well as to expand these transmission lines if a third party requests capacity and there is no capacity available to meet that request.²⁷

B. Waiver Request

23. In addition, as noted above, Petitioners seek waiver of the requirements to file an OATT, establish and maintain an OASIS, and abide by the Standards of Conduct with respect to Lines IV, V, and VI.

24. Order Nos. 888 and 890 and section 35.28 of the Commission's regulations require public utilities that own, operate, or control facilities used for the transmission of electric energy in interstate commerce to file an OATT. Order No. 889 and Part 37 of the Commission's regulations require public utilities to establish and maintain an OASIS. Order Nos. 889, 2004, and 717 and Part 358 of the Commission's regulations require public utilities to abide by certain standards of conduct.²⁸ In prior orders, the Commission has enunciated the standards for

²⁷ See *Milford*, 129 FERC ¶ 61,149 at P 23 (rejecting requests to establish a "safe harbor" period of firm transmission rights as inconsistent with the Commission's precedent granting waiver of open access requirements unless and until the owner receives a request for transmission service).

²⁸ Order No. 889, FERC Stats. & Regs. ¶ 31,035 at 31,590; *Standards of Conduct for Transmission Providers*, Order No. 2004, FERC Stats. & Regs. ¶ 31,155, at P 16 (2008); *Standards of Conduct for Transmission Providers*, Order No. 717, FERC Stats. & Regs. ¶ 31,280, at P 313 (2003).

exemption from some or all of the requirements of Order Nos. 888 and 889.²⁹ The criteria for waiver of these requirements are unchanged by Order Nos. 890, 2004, and 717.³⁰

25. The Commission may grant requests for waiver of the obligation to file an OATT to public utilities that can show they own, operate, or control only limited and discrete transmission facilities (i.e., facilities that do not form an integrated transmission grid), unless and until such time as the public utility receives a request for transmission service. Should the public utility receive such a request, the Commission has determined that the public utility must file with the Commission a *pro forma* tariff within 60 days of the date of the request, and must comply with any additional requirements that are effective on the date of the request.³¹

26. The Commission has also determined that waiver of the requirement to establish an OASIS and abide by the Standards of Conduct would be appropriate for a public utility if the applicant: (1) owns, operates, or controls only limited and discrete transmission facilities (rather than an integrated transmission grid); or (2) is a small public utility that owns, operates, or controls an integrated transmission grid, unless it is a member of a tight power pool, or other circumstances are present that indicate that waiver would not be justified.³²

²⁹ See, e.g., *Black Creek Hydro, Inc.*, 77 FERC ¶ 61,232, at 61,941 (1996) (*Black Creek*); *Entergy Mississippi, Inc.*, 112 FERC ¶ 61,228, at P 22 (2005) (*Entergy*).

³⁰ See *Alcoa Power Generating Inc.*, 120 FERC ¶ 61,035, at P 3 (2007); Order No. 717, FERC Stats. & Regs. ¶ 31,280 at PP 31-33.

³¹ *Black Creek*, 77 FERC at 61,941.

³² See *Black Creek*, 77 FERC at 61,941. Although the Commission originally precluded waiver of the requirements for OASIS and the Standards of Conduct for a small public utility that is a member of a tight power pool, in *Black Hills Power, Inc.*, 135 FERC ¶ 61,058, at PP 2-3 (2011), the Commission explained that membership in a tight power pool is no longer a factor in the determination for waiver of Standards of Conduct. Additionally, size is not relevant to whether waivers are granted to public utilities that participate in a

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Moreover, the Commission has held that a waiver of Order No. 889 will remain in effect until the Commission takes action in response to a complaint to the Commission that an entity evaluating its transmission needs could not get the information necessary to complete its evaluation (for OASIS waivers) or an entity complains that the public utility has unfairly used its access to information about transmission to benefit the utility or its affiliate (for Standards of Conduct waivers).³³

27. Based on the statements in the instant petition for declaratory order, we find that Lines IV, V, and VI are limited and discrete transmission facilities. Proposed Lines IV, V, and VI are radial in nature and will be used to move renewable energy from the Alta Wind Energy Center and Alta Solar Energy Center to the integrated transmission system. The only transmission service Lines IV, V, and VI will provide is to Petitioners. In addition, the size of Lines IV, V, and VI are consistent with that of projects for which we have granted waivers in the past.³⁴ Accordingly, we will grant Petitioners waiver of the OATT requirements in Order Nos. 888 and 890 and section 35.28 for Lines IV, V, and VI. However, should Petitioners receive a request for transmission service, they must file with the Commission a *pro forma* OATT within 60 days of the date of the request, and must comply with any additional requirements that are effective on the date of the request.³⁵

Commission-approved Independent System Operator or Regional Transmission Organization. See 18 C.F.R. § 358.1(c) (2011).

³³ See *Entergy Mississippi, Inc.*, 112 FERC ¶ 61,228, at P 23 (2005) (*Entergy*) (citing *Cent'l Minnesota Muni. Power Agency*, 79 FERC ¶ 61,260, at 62,127 (1997)); and *Easton Util. Com'n*, 83 FERC ¶ 61,334, at 62,343 (1998).

³⁴ See *Peetz Logan Interconnect, LLC*, 122 FERC ¶ 61,086 (2008); *PSEG/Cross Hudson LLC*, 123 FERC ¶ 61,001; *Entergy*, 112 FERC ¶ 61,228 (2005); *NewCorp Resources Electric Coop., Inc.*, 123 FERC ¶ 61,120 (2008); *Golden Spread Electric Coop., Inc.*, 127 FERC ¶ 61,248 (2009); *Golden Spread Electric Coop., Inc.*, 106 FERC ¶ 61,151 (2004).

³⁵ See *Terra-Gen Dixie Valley, LLC.*, 132 FERC ¶ 61,215, at P 47 (2010), *order on reh'g*, 134 FERC ¶ 61,021 (2011) (citing *Milford*, 129 FERC ¶ 61,149 at P 24); *Black Creek*, 77 FERC at 61,941. Upon filing such an OATT, Petitioners will also be subject to the OATT obligation to expand Lines IV, V, and VI if there

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28. In addition, because Lines IV, V, and VI are limited and discrete facilities, we will also grant Petitioners waiver of the OASIS requirements of Order No. 889, and Part 37 of the Commission's regulations, as well as the Standards of Conduct requirements of Order Nos. 889, 2004, and 717 and Part 358 of the Commission's regulations for Lines IV, V, and VI. We note that Petitioners' waiver of the requirement to establish an OASIS will remain in effect until the Commission takes action in response to a complaint to the Commission that an entity evaluating its transmission needs could not get the information necessary to complete its evaluation.³⁶ Likewise, Petitioners' waiver of the Standards of Conduct will remain in effect unless and until the Commission takes action on a complaint by an entity that Petitioners have unfairly used its access to information to unfairly benefit themselves or their affiliates.³⁷

The Commission orders:

(A) Petitioners' petition for declaratory order is hereby granted, as discussed in the body of this order.

is insufficient capacity available. Order No. 890-A, FERC Stats. & Regs. ¶ 31,261 at App. C, *Pro Forma* Tariff, section 19 (*Pro Forma* Tariff). The party seeking capacity beyond Transmission Lines IV, V, and VI's available capacity will be responsible for costs (such as the system impact study and upgrades to the line) associated with any capacity increase on Lines IV, V, and VI. *Pro Forma* Tariff, sections 19 and 27.

³⁶ Petitioners must notify the Commission if there is a material change in facts that affect its waiver, within 30 days of such change. *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); see also *Wolverine Power Supply Cooperative, Inc.*, 127 FERC ¶ 61,159 at n.21.

³⁷ *Id.*

(B) Petitioners are hereby granted waiver of the requirements of Order Nos. 888, 889, and 890 and of section 35.28 and Parts 37 and 358 of the Commission's regulations for Lines IV, V, and VI, as discussed in the body of this order.

By the Commission.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.