

June 2019

Commission Meeting Summaries

These are summaries of orders voted by the Federal Energy Regulatory Commission at its June 20, 2019 public meeting. The summaries are produced by FERC's Office of External Affairs and are intended to provide only a general synopsis of the orders. These summaries are not intended as a substitute for the Commission's official orders. To determine the specific actions and the Commission's reasoning, please consult the individual orders when they are posted to FERC's eLibrary found at www.ferc.gov.

E-2 – Press Release

M-1 – Press Release

FERC orders refunds in a remanded proceeding

E-1, *Black Oak Energy, L.L.C., EPIC Merchant Energy, L.P., and SESCO Enterprises, L.L.C. v. PJM Interconnection, L.L.C.*, Docket No. EL08-14-012. This proceeding is before the Commission on voluntary remand from the United States Court of Appeals for the District of Columbia Circuit. The Commission directs PJM to pay refunds of mis-allocated line loss over-collections to certain financial marketers, and also finds that PJM may collect through surcharges such refunds from parties that previously had received overpayments.

FERC proposes a rule

E-3, *Transmission Planning Reliability Standard TPL-001-5*, Docket No. RM19-10-000. This notice of proposed rulemaking (NOPR) proposes to approve Reliability Standard TPL-001-5 (Transmission System Planning Performance Requirements) submitted by the North American Electric Reliability Corporation (NERC) that revises the current standard to address (1) reliability issues concerning the study of single points of failure of protection systems; and (2) directives from a previous Commission order (Order No. 786) regarding planned maintenance outages and stability analysis for spare equipment strategy. In addition, the NOPR proposes to direct NERC to develop and submit modifications to the NERC Reliability Standard to require corrective action plans for protection system single points of failure in combination with a 3-phase fault if planning studies indicate potential cascading.

FERC grants motions

E-4, *San Diego Gas & Electric Co.*, Docket No. EL00-95-000. The order grants motions filed by Portland General Electric Company and Midway Sunset Cogeneration Company for permission to close the Settling Supplier Refund Escrow Accounts created to hold funds for further distribution to market participants in accordance with the allocation matrix included in their respective settlements with the California Parties. The order concludes that the accounts have served their purpose since all the parties entitled to distributions from those accounts have already received their entitlements.

FERC denies a complaint

E-5, *Light Power & Gas of NY LLC v. New York Independent System Operator, Inc.*, Docket No. EL19-39-000. The order denies a complaint filed by Light Power & Gas of NY LLC (LPGNY) against NYISO, which alleged that NYISO violated its Open Access Transmission Tariff by attributing to LPGNY the outstanding debts of North Energy Power LLC (a bankrupt former NYISO market participant) for purposes of considering LPGNY's application for registration in NYISO's markets.

FERC accepts tariff revisions

E-6, *Midcontinent Independent System Operator, Inc.*, Docket Nos. ER19-875-000 and ER19-875-001. The order accepts MISO's proposed modifications to its Open Access Transmission, Energy, and Operating Reserve Markets Tariff to enhance the ability of MISO to coordinate cybersecurity-related information sharing with federal agencies.

FERC denies rehearing

E-7, *PJM Interconnection, L.L.C.*, Docket No. ER18-614-003, *et al.* The order denies requests for rehearing of the Commission's July 2, 2018 order that accepted, in part, amendments filed by PJM to Schedule 12-Appendix A of the PJM Tariff to incorporate cost responsibility assignments for 45 new transmission projects, and that rejected the cost responsibility assignments for Targeted Market Efficiency Projects (TMEPs) between PJM and Midcontinent Independent System Operator, Inc. (MISO) under the PJM-MISO Joint Operating Agreement. In addition, the order denies rehearing of the Commission's July 2018 Order in Docket No. EL18-173-00 in which the Commission instituted a proceeding in accordance with section 206 of the Federal Power Act to require the PJM Transmission Owners to refile Schedule 12 of the PJM Tariff to clarify the Tariff provision relating to TMEPs.

FERC rejects a contested settlement

E-8, *Southwest Power Pool, Inc.*, Docket Nos. ER15-2028-000 & -001. The order rejects a contested settlement filed by SPP on behalf of Settling Parties (including SPP, Corn Belt Power Cooperative, MidAmerican Energy Company, Basin Electric Power Cooperative, Alliant Energy Corporate Services, Inc. and the Missouri Public Service Commission). The order remands the proceeding to the Chief Administrative Law Judge to resume hearing procedures.

FERC rejects a contested settlement

E-9, *Southwest Power Pool, Inc.*, Docket Nos. ER15-2115-000 & -001. This order rejects a contested settlement filed by SPP on behalf of Settling Parties (including SPP, Northwest Iowa Power Cooperative, the Missouri Public Service Commission, Basin Electric Power Cooperative, and MidAmerican Energy Company). The order remands the proceeding to the Chief Administrative Law Judge to resume hearing procedures.

FERC approves an uncontested partial settlement

E-10, *Pacific Gas and Electric Company*, Docket No. ER17-910-001. This order approves an uncontested partial settlement between PG&E and the city and county of San Francisco, related to PG&E's provision of wholesale distribution service to San Francisco.

FERC denies rehearing

E-11, *Ambit Northeast LLC*, Docket No. ER19-158-002. This order denies Ambit Northeast LLC's request for rehearing and stay of a January 29, 2019 order granting Ambit authority to make wholesale sales of electric energy, capacity, and ancillary services at market-based rates, requiring refunds, and denying Ambit's claim of privileged treatment with respect to certain ownership and affiliate information. The order affirms the Commission's decision to deny Ambit's claim of privileged treatment, finding that the Commission has broad authority to release information, and that the Freedom of Information Act exemptions 4 and 6 do not bar the Commission from releasing this information.

FERC denies rehearing request

E-12, *Midcontinent Independent System Operator, Inc.*, Docket No. ER17-2323-002. The order denies a request for rehearing filed by Southwestern Electric Cooperative, Inc. of a May 31, 2018 order accepting tariff revisions filed by Ameren Services Company, as agent for Ameren Illinois Company, Ameren Transmission Company of Illinois, and Union Electric Company, and MISO to add two income tax-

related items to the formula rate templates of Ameren Illinois, Ameren Transmission, and Ameren Missouri, included in Attachment O of the MISO Open Access Transmission, Energy and Operating Reserve Markets Tariff.

FERC denies request for clarification

E-13, *ALLETE, Inc.*, Docket No. ER19-283-001. The order denies ALLETE's request for clarification of the Commission's December 31, 2018 order accepting for filing ALLETE's rate schedule containing a revenue requirement for the provision of Reactive Supply and Voltage Control from Generation or Other Sources Service, and finds that the Commission's regulations required ALLETE to provide a marked version of its proposed revised revenue requirement.

FERC denies rehearing request

E-14, *Entergy Services, Inc.*, Docket No. ER10-1350-007. The order denies the Louisiana Public Service Commission's request for rehearing of the Commission's Order on Rehearing and Clarification of Opinion No. 545, concerning Entergy Service's fourth annual filing implementing the bandwidth remedy.

FERC denies rehearing requests

E-15, *Louisiana Public Service Commission v. System Energy Resources, Inc. and Entergy Services, Inc.*, Docket No. EL18-142-001. The order dismisses the requests for rehearing filed by System Energy Resources, Inc. and Entergy Services, Inc. (collectively, SERI) and the Louisiana Public Service Commission of an August 24, 2018 order in this proceeding granting in part, denying in part, and dismissing in part the Louisiana Commission's April 27, 2018 complaint against SERI concerning SERI's capital structure and depreciation rates, and the formula rate in SERI's Unit Power Sales Agreement.

FERC grants, in part, and denies, in part a formal challenge

E-16, *Ameren Illinois Company*, Docket No. ER17-1198-000. The order grants in part, and denies in part, Southwestern Electric Cooperative, Inc.'s formal challenge, submitted in accordance with the Midcontinent Independent System Operator, Inc.'s Open Access Transmission, Energy and Operating Reserve Markets Tariff, to Ameren Illinois Company's annual informational formula rate update.

FERC denies reconsideration and dismisses license transfer application

H-2, *Boyce Hydro Power, LLC*, Project No. 10808-066. The order denies Boyce Hydro Power's motion requesting that the Commission reconsider the revocation of the license for the Edenville Project, located in Gladwin and Midland counties, Michigan. The order also dismisses as moot Boyce Hydro's application to transfer the project license to Wolverine Hydro, LLC.

FERC denies rehearing request

H-3, *Public Utility District No. 2 of Grant County, Washington*, Project No. 2114-300. This order denies Mr. Pat Kelleher's request for rehearing of staff's February 19, 2019 Order approving a Recreation Resource Management Plan update filed by the licensee for the Priest Rapids Project located on the mid-Columbia River in portions of Grant, Yakima, Kittitas, Douglas, Benton, and Chelan counties, Washington, finding that Commission staff did not act arbitrarily and capriciously in approving the update.

FERC denies rehearing request

H-4, *Southern California Edison*, Project No. 2290-117. This order denies Mr. Brett Harding Duxbury's request for rehearing of the January 30, 2019 order amending the license for the Kern River No. 3 Hydroelectric Project No. 2290, located on the North Fork of the Kern River, and Salmon and Corral Creeks, in Tulare and Kern counties, California. The order affirms staff's conclusion that, because the requirements regarding whitewater flows that Mr. Duxbury alleges were violated were not clearly set forth as conditions in the project license at the time the alleged violations occurred, the licensee did not violate its license. The order notes that the amendment order's revision to the license condition makes the licensee's obligation clear.

FERC denies rehearing request

H-5, *Algignis, Inc.*, Project Nos. 14896-001, *et al.* The order denies rehearing of Commission staff's February 22, 2019 dismissal of Algignis' preliminary permit applications for 60 projects that would be located at nuclear power plants throughout the United States. The proposed projects would generally be composed of numerous algae cultivation and retention ponds using the waste heat from the output water of adjacent nuclear power facilities to grow algae and generate a variety of non-bioplastic products and services. The order affirms staff's finding that the Commission lacks jurisdiction under Part I of the Federal Power Act to issue permits or licenses for Algignis' proposals.

FERC denies rehearing request

H-6, *ECOspensible, LLC*, Project No. 9709-069. This order denies ECOspensible's request for rehearing of staff's February 21, 2010049 Order denying ECOspensible's request to extend its 40-year license by 10 years for the Herkimer Project, located on West Canada Creek in Herkimer County, New York, upholding staff's finding that an extension is not warranted.