

# December 2019

## Commission Meeting Summaries

These are summaries of orders voted by the Federal Energy Regulatory Commission at its December 19, 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](http://www.ferc.gov).

### E- 1 - Press Release

#### **FERC partially accepts a compliance filing, directs a further compliance filing**

**E-5, *Avista Corporation***, Docket No. ER19-1959-000. The order finds that Avista's compliance filing partially complies with the requirements of Order Nos. 845 and 845-A. The order accepts Avista's compliance filing and directs Avista to submit a further compliance filing. Order Nos. 845 and 845-A amended the Commission's *pro forma* Large Generator Interconnection Agreement and *pro forma* Large Generator Interconnection Procedures.

#### **FERC partially accepts a compliance filing, directs a further compliance filing**

**E-6, *Duke Energy Carolinas, LLC, Duke Energy Progress, LLC and Duke Energy Florida, LLC***, Docket No. ER19-1507-004. The order finds that Duke Energy's compliance filing partially complies with the requirements of Order Nos. 845 and 845-A. The order accepts Duke Energy's compliance filing and directs Duke Energy to submit a further compliance filing.

#### **FERC partially accepts a compliance filing, directs a further compliance filing**

**E-7, *Midcontinent Independent System Operator, Inc.***, Docket Nos. ER19-1823-001 and ER19-1960-000. The order finds that MISO's compliance filings partially comply with the requirements of Order Nos. 845 and 845-A. The order accepts MISO's compliance filings and directs MISO to submit a further compliance filing.

#### **FERC partially accepts a compliance filing, directs a further compliance filing**

**E-8, *PacifiCorp***, Docket Nos. ER19-1948-000 and ER19-1948-001. The order finds that PacifiCorp's compliance filing partially complies with the requirements of Order Nos.

845 and 845-A. The order accepts PacifiCorp's compliance filing and directs PacifiCorp to submit a further compliance filing.

**FERC partially accepts a compliance filing, directs a further compliance filing**

**E-9**, *PJM Interconnection, L.L.C.*, Docket No. ER19-1958-000. The order finds that PJM's compliance filing partially complies with the requirements of Order Nos. 845 and 845-A. The order accepts PJM's filing, and directs PJM to submit a further compliance filing.

**FERC partially accepts a compliance filing, directs a further compliance filing**

**E-10**, *Public Service Company of New Mexico*, Docket Nos. ER19-1955-000 and ER19-1955-001. The order finds that PNM's compliance filing partially complies with the requirements of Order Nos. 845 and 845-A. The order accepts PNM's compliance filing and directs PNM to submit a further compliance filing.

**FERC partially accepts a compliance filing, directs a further compliance filing**

**E-11**, *Public Service Company of Colorado*, Docket No. ER19-1864-001. The order finds that PSCo's compliance filing partially complies with the requirements of Order Nos. 845 and 845-A. The order accepts PSCo's compliance filing and directs PSCo to submit a further compliance filing.

**FERC partially accepts a compliance filing, directs a further compliance filing**

**E-12**, *Alabama Power Company*, Docket Nos. ER19-1957-000, *et al.* The order finds that Alabama Power's compliance filing partially complies with the requirements of Order Nos. 845 and 845-A. The order accepts Alabama Power's compliance filing and directs Alabama Power to submit a further compliance filing.

**FERC accepts in part, rejects in part, compliance filing**

**E-13**, *New York Independent System Operator, Inc.*, Docket Nos. ER19-467-000, *et al.* New York Independent System Operator, Inc. (NYISO) submitted proposed revisions to its Market Administration and Control Area Services Tariff and Open Access Transmission Tariff to comply with the requirements of Order No. 841, which removes barriers to the participation of electric storage resources in the capacity, energy, and ancillary service markets operated by Regional Transmission Organizations and Independent System Operators. The order accepts in part, and rejects in part, NYISO's compliance filing, subject to a further compliance filing to be submitted within 60 days of the date of issuance of this order.

**FERC withdraws a proposed rulemaking**

**E-14**, *Revised Public Utility Filing Requirements for Electric Quarterly Reports*, Docket No. RM01-8-012. The order withdraws a Notice of Proposed Rulemaking (NOPR) in

which the Commission proposed to revise the Electric Quarterly Report (EQR) Data Dictionary to add “Simultaneous Exchange” to the list of available Product Names in the EQR and to require all EQR filers to use this term, when appropriate, in the Contract Data section and the Transaction Data section of the EQR. The order finds that it is no longer necessary to adopt the regulation proposed in the NOPR and terminates the proceeding.

### **FERC grants accounting request**

**E-15**, *Duke Energy Corporation*, Docket No. AC19-75-000. The order grants Duke’s accounting request, submitted on behalf of its six utility operating companies, to treat its Cybersecurity Informational Technology-Operational Technology Program as a single project for purposes of calculating Allowance for Funds Used During Construction.

### **FERC conditionally authorizes a transaction**

**E-16**, *Tucson Electric Power Company*, Docket No. EC19-100-000. The order conditionally authorizes, under section 203 of the Federal Power Act, a transaction in which Tucson Electric Power Company (Tucson Electric) will exercise a purchase option for one of the four 550-megawatt power blocks of the Gila River Power Station from the Salt River Project Agricultural Improvement and Power District. The order finds that, with the implementation of Tucson Electric’s proposed mitigation and subject to the submission of a compliance filing, the transaction is consistent with the public interest.

### **FERC accepts proposed tariff revisions, establishes hearing and settlement judge procedures**

**E-17**, *PJM Interconnection, L.L.C. and Jersey Central Power & Light Company*, Docket No. ER20-227-000. Jersey Central Power & Light Company (JCP&L) proposes to replace its current, stated transmission revenue requirement with a new transmission formula rate and associated protocols. The order accepts JCP&L’s proposed revisions, suspends them for a nominal period, to become effective January 1, 2020, subject to refund, and establishes hearing and settlement judge procedures.

### **FERC accepts a filing, denies request for rehearing**

**E-18**, *Midcontinent Independent System Operator, Inc. et al.*, Docket No. EL15-68-003, *et al.* The order addresses briefs filed with the Commission, as directed by an order on remand from the decision of the United States Court of Appeals for the District of Columbia Circuit in *Ameren Services Co. v. FERC* (Ameren Remand Order). The order finds that MISO’s *pro forma* Generator Interconnection Agreements, the *pro forma* Facilities Construction Agreements, and the *pro forma* Multi-Party Facilities Construction Agreements entered into between June 24, 2015 and August 31, 2018 should be revised to allow transmission owners and affected system operators to unilaterally elect to provide initial funding for network upgrades, if they so choose. The order also accepts MISO’s filing submitted to comply with the Ameren Remand Order. In addition, the order denies a request for rehearing of the Ameren Remand Order.

## **FERC approves an uncontested settlement**

**E-19**, *GridLiance Heartland LLC, GridLiance High Plains LLC and GridLiance West LLC*, Docket No. ER19-2488-000. The order approves an uncontested settlement filed on behalf of GridLiance Heartland LLC, GridLiance High Plains LLC, and GridLiance West LLC (collectively, GridLiance) that resolves issues related to the Income Tax Allowance to be included in GridLiance's formula rates that were set for hearing.

## **FERC approves a limited waiver**

**E-20**, *Exelon Corporation*, Docket No. ER20-153-000. The order grants Exelon's uncontested request for a limited waiver of section 6.6(g) of Attachment DD of the PJM Interconnection, L.L.C. Open Access Transmission Tariff, which required a preliminary request for exception to the must-offer requirement, with respect to three generators for the third incremental auction for delivery year 2020/2021.

## **FERC denies rehearing request**

**E-21**, *PJM Interconnection, L.L.C.*, Docket No. ER13-535-005. The order denies rehearing of the Commission's December 8, 2017 order on remand from the decision of the United States Court of Appeals for the District of Columbia Circuit in *NRG Power Marketing, LLC v. FERC*.

## **FERC denies rehearing request, conditionally accepts compliance filing**

**E-22**, *American Wind Energy Association and The Wind Coalition v. Southwest Power Pool*, Docket Nos. EL19-11-001, *et al.* The order denies rehearing of the Commission's April 18, 2019 order (Complaint Order) that partially granted a complaint and required SPP to remove its exit fee for non-transmission owners. The order also grants in part and denies in part SPP's requested clarifications. The order conditionally accepts the compliance filing SPP submitted in accordance with the Complaint Order, subject to submission of an additional compliance filing that, among other things, implements the clarification granted in the order. Additionally, the order rejects without prejudice SPP's alternative exit fee proposal submitted under Federal Power Act section 205.

## **FERC denies requests for rehearing**

**E-23**, *New York Independent System Operator, Inc., PJM Interconnection, L.L.C.*, Docket No. ER17-905-002. The order denies requests for rehearing of the Commission's October 6, 2017 order that, among other things, accepted revisions to the NYISO's Open Access Transmission Tariff and Services Agreement, effective May 1, 2017.

## **FERC denies request for rehearing**

**E-24**, *Light & Power Gas of NY v. New York Independent System Operator, Inc.*, Docket No. EL19-39-001. The order denies a request for rehearing of the Commission's June

20, 2019 order that denied a complaint by Light Power & Gas of NY LLC (LPGNY) against New York Independent System Operator, Inc. (NYISO), alleging that NYISO violated its Open Access Transmission Tariff by attributing to LPGNY the outstanding debts of North Energy Power LLC.

### **FERC denies a complaint**

**E-25**, *Independent Power Producers of New York, Inc. v. New York Independent System Operator, Inc.*, Docket No. EL18-189-000. The order denies a complaint filed by the Independent Power Producers of New York, Inc. against NYISO, which had alleged that NYISO is failing to comply with its Market Administration and Control Area Services Tariff by allowing resources in the PJM Interconnection, L.L.C. region to schedule installed capacity withdrawals into NYISO across certain Merchant Transmission Facilities that have elected to replace their Firm Transmission Withdrawal Rights with Non-Firm Transmission Withdrawal Rights.

### **FERC denies a complaint**

**E-26**, *Independent Market Monitor for PJM v. PJM Interconnection, L.L.C.*, Docket No. EL19-27-000. The order finds that the PJM Independent Market Monitor has the authority to file complaints against PJM with regard to Fuel Cost Policies, but also finds that PJM correctly ruled that the market seller complied with its Fuel Cost Policy and denies the complaint.

### **FERC denies requests for clarification and rehearing**

**E-27**, *PJM Interconnection, L.L.C.*, This order denies requests for clarification and rehearing and accepts PJM's compliance filing in response to a Commission order that approved a contested settlement of the assignment of cost responsibility for transmission facilities that operate at or above 500 kilovolts and that were allocated in accordance with the cost allocation method accepted in Opinion No. 494. The order also accepts compliance filings to revise the PJM tariff to implement the provisions of the settlement.

### **FERC grants a request for rehearing**

**E-28**, *Delaware Public Service Commission and Maryland Public Service Commission v. PJM Interconnection, L.L.C. and Certain Transmission Owners Designated under CTOA* RS FERC No. 42. The order grants rehearing of the Commission's February 28, 2019 order establishing a just and reasonable rate to apply to specific provisions of Schedule 12 of the PJM Tariff to assign cost responsibility for transmission enhancements and expansions that address stability-related reliability issues that are selected for purposes of cost allocation in the PJM Regional Transmission Expansion Plan.

### **FERC denies a complaint**

**G-1**, *Castex Offshore, Inc., et al. v. Stingray Pipeline Company, L.L.C.*, Docket No. RP19-1598-000. The order denies a complaint filed by a group of producers and

dismisses a request for injunctive relief to prevent Stingray's scheduled pigging operation. The order finds that Stingray did not violate its tariff with respect to either the notice of the pipeline shut-in for purposes of ensuring system integrity or in its dealings with shippers concerning the shut-in. The order further finds that Stingray properly exercised its discretion under the tariff to determine the appropriate method and timing of the operations to ensure its pipeline's integrity.

### **FERC rejects tariff records**

**G-2**, *Trailblazer Pipeline Company LLC*, Docket Nos. RP20-216-000 and RP20-216-001. The order rejects tariff records as to negotiated rate transmission service agreements. The tariff records were made to implement the terms of a settlement yet to be filed in Trailblazer Pipeline's 2018 rate proceeding in Docket No. RP18-922 (Settlement). The order finds that because the Settlement has not been filed with the Commission, the tariff records are premature. The order rejects the tariff records without prejudice to Trailblazer Pipeline refiling after filing of the Settlement.

### **FERC dismisses compliance filing as moot**

**G-3**, *Algonquin Gas Transmission, LLC*, Docket Nos. RP16-618-000 and RP16-618-001. The order dismisses Algonquin's September 23, 2016 compliance filing as moot and terminates the proceeding in this docket because the Commission's August 31, 2016 order contemplated that a state-regulated reliability program would exist. However, no state-regulated electric reliability program has been approved by any state utility regulatory authority in Algonquin's service area, and no such program is actively under consideration in any state under which an Electric Distribution Company could potentially become a shipper on Algonquin's system. Because no such state program exists or is likely to materialize, the compliance filing is moot, and the order terminates the proceeding.

### **FERC amends a hydroelectric license**

**H-1**, *City of Loveland, Colorado*, Project No. 2829-005 and -010. The order approves the City of Loveland's application to amend the Loveland Hydroelectric Project to authorize the City to fill and abandon 1,600 feet of underground penstock located on private land in the Idlewild Subdivision.

### **FERC denies motions to intervene, rejects request for rehearing, and dismisses stay request**

**H-2**, *Public Utility District No. 1 of Okanogan County, Washington*, Project No. 12569-018. The order denies the individual motions to intervene filed by American Whitewater, Center for Environmental Law and Policy, Columbiana, and Sierra Club and rejects their joint request for rehearing of Commission staff's August 13, 2019 order terminating the license for the Enloe Hydroelectric Project for failure to commence construction within the required timeframe. The order also dismisses their request for a stay as moot.

## **FERC authorizes interstate gas replacement project, approves abandonment of certain facilities**

**C-1, *Texas Eastern Transmission, LP***, Docket No. CP19-191-000. The order authorizes the construction, operation and abandonment of certain facilities for the proposed Bernville Compressor Units Replacement Project. Texas Eastern will replace two aging existing compressor units at its Bernville Compressor Station in Berks County, Pennsylvania, with two new, more efficient compressor units. The order also grants a pre-determination favoring rolled-in rate treatment for project costs.

## **FERC authorizes replacement projects, approves the abandonment of certain facilities**

**C-2, *Southern Star Central Gas Pipeline, Inc.***, Docket No. CP19-31-000. This order approves Southern Star's Line DT and DS Replacement Project, comprising the abandonment by removal of two looping pipelines, approximately 31 and 32 miles long respectively, and construction of a 32-mile replacement pipeline and related facilities. Southern Star will locate the replacement pipeline in the existing right-of-way of one of the abandoned pipelines. The order also grants Southern Star's request for a pre-determination of rolled-in rate treatment for the project's costs.

## **FERC grants authorization for new interstate natural gas facilities**

**C-3, *Eastern Shore Natural Gas Company***, Docket No. CP18-548-000. The order grants authorization to Eastern Shore to construct and operate its proposed Del-Mar Energy Pathway Project in Kent and Sussex counties, Delaware, and Wicomico and Somerset counties, Maryland. The order grants Eastern Shore authority to construct approximately 4.9 miles of 16-inch-diameter steel pipeline looping and appurtenant facilities in Kent County, Delaware (Woodside Loop). The order also authorizes the construction and operation of approximately 7.39 miles of 8-inch-diameter mainline extension pipeline and appurtenant facilities in Sussex County, Delaware (East Sussex Extension), upgrades to an existing pressure control facility, including 0.35 miles of 10-inch-diameter steel mainline extension in Sussex County, Delaware (Millsboro Extension and Millsboro Pressure Control Station Upgrade), and the construction and operation of approximately 6.83 miles of 10-inch-diameter mainline extension pipeline and appurtenant facilities in Wicomico and Somerset Counties, Maryland (Somerset Extension).

## **FERC grants authorization for new interstate natural gas facilities**

**C-4, *Dominion Energy Transmission, Inc.***, Docket No. CP19-26-000. The order authorizes Dominion Energy to construct and operate the proposed West Loop Project that would consist of approximately 5.1 miles of 36-inch-diameter pipeline loop and various ancillary facilities. The project is designed to provide up to 150,000 dekatherms per day of firm transportation service from a primary receipt point at an interconnection with Texas Eastern Transmission, LP in Greene County, Pennsylvania, to a primary delivery point at a virtual point on Dominion Energy's system in Ohio, known as

Dominion South Point, to fuel a new approximately 1,100 megawatt natural gas-fired electric combined cycle power generation facility to be located in Wellsville, Columbiana County, Ohio.

**FERC authorizes a new interstate gas project**

**C-5, *Adelphia Gateway, LLC***, Docket Nos. CP18-46-000 and CP18-46-001. The order grants Adelphia Gateway's request to acquire, construct, and operate a new interstate pipeline system, the proposed Adelphia Gateway Project. The project would include the purchase and repurposing of Interstate Energy Company, LLC's existing non-FERC jurisdictional system in Pennsylvania and the construction of two new 16-inch-diameter pipeline laterals, 11,250 horsepower of compression and related facilities in Delaware and Pennsylvania.

**FERC authorizes construction and operation of new interstate natural gas facilities**

**C-6, *Tennessee Gas Pipeline Company, L.L.C.***, Docket No. CP19-7-000. The order approves a proposal by Tennessee Gas to construct and operate a new 2.1-mile-long pipeline loop and replace two compressor units at Compressor Station 261 in Hampden County, Massachusetts. The proposed 261 Upgrade Project would be capable of providing an additional 72,400 dekatherms per day of firm interstate natural gas transportation service on Tennessee's pipeline system.