

156 FERC ¶ 61,041
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

July 21, 2016

In Reply Refer To:
Southwest Power Pool, Inc.
Docket No. ER16-13-002

Southwest Power Pool, Inc.
201 Worthern Drive
Little Rock, AR 72223

Attention: Joseph W. Ghormley

Reference: Compliance Filing

Dear Mr. Ghormley:

1. On March 21, 2016, Southwest Power Pool, Inc. (SPP) submitted revisions to its Open Access Transmission Tariff (Tariff) to comply with the requirements of a Commission order issued on February 19, 2016.¹
2. On October 2, 2015, in Docket No. ER16-13-000, SPP filed proposed revisions to its Tariff that would reduce the number of Auction Revenue Rights (ARR) made available in its annual ARR allocation process by reducing the percentage of available transmission capability used to determine simultaneous feasibility. On December 23, 2015, in Docket No. ER16-13-001, SPP submitted a response to a request by Commission staff for additional information regarding the proposed Tariff revisions (Deficiency Response). In the February Order, the Commission accepted SPP's proposed Tariff revisions, subject to condition, effective January 28, 2016.
3. In the February Order, the Commission required SPP to modify section 7.3 of Attachment AE in its Tariff to specify that the transmission provider will make available 60 percent of the transmission system capability for the fall, winter, and spring seasons

¹ *Sw. Power Pool, Inc.*, 154 FERC ¶ 61,121 (2016) (February Order).

(i.e., the months of October through May) during the annual ARR allocation process.² Additionally, in its Deficiency Response, SPP proposed that it could revise section 7.5.2 of Attachment AE to remove the months of June through September from a calculation that applied to the October through May period, in order to improve the calculation. SPP also proposed that it could revise section 7.7 of Attachment AE to reduce potential ambiguity in the calculation to determine the ARR settlement for the annual Transmission Congestion Rights auction. The Commission found that SPP's proposed revisions improved the calculation in section 7.5.2 and reduced the potential ambiguity in the calculation in section 7.7. Accordingly, the Commission required SPP to revise sections 7.5.2 and 7.7 of Attachment AE, consistent with the Deficiency Response, and noted that SPP would also need to revise the allocation percentage for the available transmission system capability for the fall, winter, and spring seasons in these sections in its compliance filing.³

4. In its compliance filing, SPP proposes revisions to section 7.3 of Attachment AE to make available 60 percent of the transmission system capability for the fall, winter, and spring seasons during the annual ARR allocation process. SPP proposes corresponding revisions to sections 7.5.2(1)(a)(i)(b) and 7.7(1) of Attachment AE. SPP also proposes revisions to section 7.5.2(1)(a)(i)(b) of Attachment AE to remove references to assumed system capability for the months of June through September. Additionally, SPP proposes revisions to section 7.7(1) of Attachment AE to clarify that the annual ARR award should be multiplied by the quotient of the auction available transmission system capability percentage divided by the allocation available transmission system capability percentage. SPP requests that its proposed Tariff revisions become effective January 28, 2016, consistent with the effective date granted in the February Order.⁴

5. Notice of SPP's March 21, 2016 compliance filing was published in the *Federal Register*, 81 Fed. Reg. 16,172 (2016), with interventions and protests due on or before April 11, 2016. Boston Energy Trading and Marketing, LLC submitted a timely motion to intervene. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2015), Boston Energy Trading and Marketing, LLC's timely, unopposed motion to intervene serves to make it a party to this proceeding. No protests or adverse comments were received.

² *Id.* P 29.

³ *Id.* P 30.

⁴ SPP Compliance Filing at 2.

6. We accept the proposed revisions to sections 7.3, 7.5.2, and 7.7 of Attachment AE, subject to condition,⁵ effective January 28, 2016, because they comply with the requirements in the February Order. However, we note a discrepancy within section 7.7 of Attachment AE. Specifically, sections 7.7 (2)(b) and 7.7(2)(c) reference section 7.7(1)(c) of Attachment AE, which no longer exists. Accordingly, we direct SPP to revise these sections to remove references to section 7.7(1)(c) in a compliance filing due 30 days after the issuance of this order.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

⁵ The Commission can revise a proposal under section 205 of the Federal Power Act as long as the filing utility accepts the change. *See City of Winnfield v. FERC*, 744 F.2d 871, 875-77 (D.C. Cir. 1984). The filing utility is free to indicate that it is unwilling to accede to the Commission's conditions by withdrawing its filing.