

170 FERC ¶ 61,208
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Neil Chatterjee, Chairman;
Richard Glick and Bernard L. McNamee.

Idaho Power Company

Docket Nos. ER19-1936-000
ER19-1936-001

ORDER ON COMPLIANCE

(Issued March 19, 2020)

1. On May 22, 2019, as amended on July 30, 2019, Idaho Power Company (Idaho Power) submitted proposed revisions to its Open Access Transmission Tariff (Tariff) in compliance with the requirements of Order Nos. 845 and 845-A,¹ which amended the Commission's *pro forma* Large Generator Interconnection Agreement (LGIA) and *pro forma* Large Generator Interconnection Procedures (LGIP).² As discussed below, we find that Idaho Power's filing partially complies with the requirements of Order Nos. 845 and 845-A. Accordingly, we accept Idaho Power's compliance filing, effective May 22, 2019 and direct Idaho Power to submit a further compliance filing within 120 days of the date of this order.

I. Background

2. On April 19, 2018, the Commission issued Order No. 845, which revised the Commission's *pro forma* LGIA and the *pro forma* LGIP to improve certainty for interconnection customers, promote more informed interconnection decisions, and

¹ *Reform of Generator Interconnection Procedures and Agreements*, Order No. 845, 163 FERC ¶ 61,043 (2018), *errata notice*, 167 FERC ¶ 61,123, *order on reh'g*, Order No. 845-A, 166 FERC ¶ 61,137 (2019), *errata notice*, 167 FERC ¶ 61,124, *order on reh'g*, Order No. 845-B, 168 FERC ¶ 61,092 (2019).

² The *pro forma* LGIP and *pro forma* LGIA establish the terms and conditions under which public utilities that own, control, or operate facilities for transmitting energy in interstate commerce must provide interconnection service to large generating facilities. Order No. 845, 163 FERC ¶ 61,043 at P 6.

enhance the interconnection process. The Commission stated that it expects that these reforms will provide interconnection customers better information and more options for obtaining interconnection service, and as a result, there will be fewer overall interconnection requests and fewer interconnection requests failing to reach commercial operation. The Commission also stated that it expects that, as a result of these reforms, transmission providers will be able to focus resources on those interconnection requests most likely to reach commercial operation.³ In Order No. 845-A, the Commission generally upheld the reforms it required in Order No. 845 but granted certain requests for rehearing and clarification.

3. In Order No. 845, the Commission adopted 10 different reforms in three categories to improve the interconnection process. First, in order to improve certainty for interconnection customers, the Commission: (1) removed the limitation that interconnection customers may exercise the option to build the transmission provider's interconnection facilities⁴ and stand alone network upgrades⁵ only in instances when the transmission provider cannot meet the dates proposed by the interconnection customer;⁶ and (2) required that transmission providers establish interconnection dispute resolution procedures that allow a disputing party unilaterally to seek non-binding dispute resolution.⁷

³ *Id.* P 2; Order No. 845-A, 166 FERC ¶ 61,137 at P 1.

⁴ Transmission provider's interconnection facilities are "all facilities and equipment owned, controlled or operated by the Transmission Provider from the Point of Change of Ownership to the Point of Interconnection as identified in Appendix A to the Standard Large Generator Interconnection Agreement, including any modifications, additions or upgrades to such facilities and equipment. Transmission Provider's Interconnection Facilities are sole use facilities and shall not include Distribution Upgrades, Stand Alone Network Upgrades or Network Upgrades." *Pro forma* LGIA art. 1 (Definitions).

⁵ Stand alone network upgrades are "Network Upgrades that an Interconnection Customer may construct without affecting day-to-day operations of the Transmission System during their construction. Both the Transmission Provider and the Interconnection Customer must agree as to what constitutes Stand Alone Network Upgrades and identify them in Appendix A to the Standard Large Generator Interconnection Agreement." *Id.*

⁶ Order No. 845, 163 FERC ¶ 61,043 at P 85.

⁷ *Id.* P 3.

4. Second, to promote more informed interconnection decisions, the Commission: (1) required transmission providers to outline and make public a method for determining contingent facilities;⁸ (2) required transmission providers to list the specific study processes and assumptions for forming the network models used for interconnection studies; (3) revised the definition of “Generating Facility” to explicitly include electric storage resources; and (4) established reporting requirements for aggregate interconnection study performance.⁹

5. Third, the Commission adopted reforms to enhance the interconnection process by (1) allowing interconnection customers to request a level of interconnection service that is lower than their generating facility capacity; (2) requiring transmission providers to allow for provisional interconnection agreements that provide for limited operation of a generating facility prior to completion of the full interconnection process; (3) requiring transmission providers to create a process for interconnection customers to use surplus interconnection service¹⁰ at existing points of interconnection; and (4) requiring transmission providers to set forth a procedure to follow when assessing and, if necessary, studying an interconnection customer’s technology changes without affecting the interconnection customer’s queue position.¹¹

II. Idaho Power’s Compliance Filing

6. Idaho Power states that it has incorporated all of the Commission’s *pro forma* LGIP and *pro forma* LGIA reforms as required by Order Nos. 845 and 845-A. Idaho Power states that it adopts without modification the following *pro forma* LGIP and *pro forma* LGIA reforms: interconnection customer’s option to build, dispute resolution, definition of contingent facilities, transparency regarding study models and assumptions,

⁸ Contingent facilities are “those unbuilt Interconnection Facilities and Network Upgrades upon which the Interconnection Request’s costs, timing, and study findings are dependent, and if delayed or not built, could cause a need for Re-Studies of the Interconnection Request or a reassessment of the Interconnection Facilities and/or Network Upgrades and/or costs and timing.” *Pro forma* LGIP § 1 (Definitions).

⁹ Order No. 845, 163 FERC ¶ 61,043 at P 4.

¹⁰ Order No. 845 added a definition for “Surplus Interconnection Service” to section 1 of the *pro forma* LGIP and article 1 of the *pro forma* LGIA, defining the term as “any unused portion of Interconnection Service established in a Large Generator Interconnection Agreement, such that if surplus interconnection service is utilized the Interconnection Service limit at the Point of Interconnection would remain the same.” *Id.* P 459.

¹¹ *Id.* P 5.

definition of a generating facility, requesting interconnection service below generating facility capacity, and provisional interconnection service.

7. Idaho Power proposes Tariff revisions in instances where the Commission requires modification to the *pro forma* LGIP and *pro forma* LGIA and afforded transmission providers the discretion to develop their own tariff language. Specifically, Idaho Power proposes Tariff revisions for the following reforms: identification of contingent facilities, interconnection study deadlines, surplus interconnection service, and material modifications and incorporation of advanced technologies.

8. Finally, Idaho Power requests that the proposed Tariff revisions become effective on May 22, 2019.¹²

III. Notice and Responsive Pleadings

9. Notice of Idaho Power's compliance filing was published in the *Federal Register*, 84 Fed. Reg. 24,770 (2019), with interventions and protests due on or before June 12, 2019. None was filed.

10. On June 13, 2019, Commission staff issued a deficiency letter that requested additional clarification regarding Idaho Power's procedure for allowing surplus interconnection service (Deficiency Letter). On July 30, 2019, Idaho Power filed its response to the Deficiency Letter (Deficiency Response). Notice of Idaho Power's Deficiency Response was published in the *Federal Register*, 84 Fed. Reg. 38,248 (2019), with interventions and protests due on or before August 20, 2019. None was filed.

IV. Discussion

11. As discussed below, we find that Idaho Power's filing partially complies with the requirements of Order Nos. 845 and 845-A. Accordingly, we accept Idaho Power's compliance filing, effective May 22, 2019, and direct Idaho Power to submit a further compliance filing within 120 days of the date of this order.

1. Interconnection Customer's Option to Build

12. In Order No. 845, the Commission revised articles 5.1, 5.1.3, and 5.1.4 of the *pro forma* LGIA to allow interconnection customers to unilaterally exercise the option to build for stand alone network upgrades and the transmission provider's interconnection facilities, regardless of whether the transmission provider can complete construction of such facilities by the interconnection customer's proposed in-service date, initial

¹² Filing at 2.

synchronization date, or commercial operation date.¹³ Prior to Order No. 845, this option to build was available to an interconnection customer only if the transmission provider did not agree to the interconnection customer's preferred construction timeline.¹⁴ The Commission stated in Order No. 845 that this reform of the option to build will "benefit the interconnection process by providing interconnection customers more control and certainty during the design and construction phases of the interconnection process."¹⁵

13. In Order No. 845-A, the Commission granted rehearing and clarification of certain aspects of the revised option to build. Specifically, the Commission revised the definition of stand alone network upgrade in the *pro forma* LGIP and *pro forma* LGIA to: (1) state that, when there is a disagreement, the transmission provider must provide the interconnection customer a written technical explanation outlining why the transmission provider does not consider a specific network upgrade to be a stand alone network upgrade;¹⁶ and (2) clarify that the option to build does not apply to stand alone network upgrades on affected systems.¹⁷ The Commission also made revisions to article 5.2 of the *pro forma* LGIA to allow transmission providers to recover oversight costs related to the interconnection customer's option to build.¹⁸ In addition, the Commission clarified that the revised option to build provisions apply to all public utility transmission providers, including those that reimburse the interconnection customer for network upgrades.¹⁹

¹³ Order No. 845, 163 FERC ¶ 61,043 at PP 85-87.

¹⁴ *Standardization of Generator Interconnection Agreements and Procedures*, Order No. 2003, 104 FERC ¶ 61,103, at P 353 (2003), *order on reh'g*, Order No. 2003-A, 106 FERC ¶ 61,220, *order on reh'g*, Order No. 2003-B, 109 FERC ¶ 61,287 (2004), *order on reh'g*, Order No. 2003-C, 111 FERC ¶ 61,401 (2005), *aff'd sub nom. Nat'l Ass'n of Regulatory Util. Comm'rs v. FERC*, 475 F.3d 1277 (D.C. Cir. 2007); *see also pro forma* LGIP § 5.1.3.

¹⁵ Order No. 845, 163 FERC ¶ 61,043 at P 85.

¹⁶ Order No. 845-A, 166 FERC ¶ 61,137 at P 68.

¹⁷ *Id.* P 61.

¹⁸ *Id.* P 75.

¹⁹ *Id.* P 33.

a. Idaho Power's Compliance Filing

14. Idaho Power proposes to revise the definition of stand alone network upgrade in its LGIP and *pro forma* LGIA to incorporate the revisions to the definition adopted by Order Nos. 845 and 845-A without modification.²⁰ Idaho Power also proposes revisions to its *pro forma* LGIA to amend articles 5.1, 5.1.3, 5.1.4, and 5.2 to incorporate the *pro forma* LGIA revisions adopted by Order Nos. 845 and 845-A without modification.²¹

b. Commission Determination

15. We find that Idaho Power's proposed revisions regarding the option to build comply with the requirements of Order Nos. 845 and 845-A because Idaho Power adopts the Commission's *pro forma* LGIA and *pro forma* LGIP revisions without modification.

2. Dispute Resolution

16. In Order No. 845, the Commission revised the *pro forma* LGIP by adding new section 13.5.5, which establishes generator interconnection dispute resolution procedures that allow a disputing party to unilaterally seek non-binding dispute resolution.²² The Commission established these new procedures because dispute resolution was previously unavailable when the parties did not mutually agree to pursue a binding arbitration under section 13.5 of the pre-Order No. 845 *pro forma* LGIP. The Commission further explained that participation in the new non-binding dispute resolution process in *pro forma* LGIP section 13.5.5 does not preclude disputing parties from pursuing binding arbitration after the conclusion of the non-binding dispute resolution process if they seek a binding result.²³

a. Idaho Power's Compliance Filing

17. Idaho Power proposes revisions to its LGIP in section 13.5.5 that adopt the language required by Order Nos. 845 and 845-A without modification.²⁴

²⁰ Idaho Power OATT, attach. M (1.0.0), app. 6 (1.0.0), LGIA art. 1 (Definitions, 3.0.0), and LGIP § 1 (Definitions, 4.0.0).

²¹ Idaho Power OATT, attach. M (1.0.0), app. 6 (1.0.0), LGIA art. 5.1 (Options, 2.0.0), art. 5.1.3 (Option to Build, 2.0.0), art. 5.1.4 (Negotiated Option, 2.0.0), and art. 5.2 (General Conditions Applicable to Option to Build, 2.0.0).

²² Order No. 845, 163 FERC ¶ 61,043 at P 133; *see also pro forma* LGIP § 13.5.5.

²³ Order No. 845, 163 FERC ¶ 61,043 at P 139.

²⁴ Idaho Power OATT, attach. M (1.0.0), LGIP § 13.5.5 (Non-binding dispute

b. Commission Determination

18. We find that Idaho Power's proposed LGIP revisions regarding dispute resolution comply with the requirements of Order Nos. 845 and 845-A because Idaho Power adopts the Commission's *pro forma* revisions without modification.

3. Identification and Definition of Contingent Facilities

19. In Order No. 845, the Commission added a new definition to section 1 of the *pro forma* LGIP, providing that contingent facilities shall mean those unbuilt interconnection facilities and network upgrades upon which the interconnection request's costs, timing, and study findings are dependent, and if delayed or not built, could cause a need for restudies of the interconnection request or a reassessment of the interconnection facilities and/or network upgrades and/or costs and timing.²⁵ The Commission also added new section 3.8 to the *pro forma* LGIP, which requires transmission providers to include, within section 3.8, a method for identifying the contingent facilities that they will provide to the interconnection customer at the conclusion of the system impact study and include in the interconnection customer's generator interconnection agreement.²⁶ The Commission specified that the method must be sufficiently transparent to determine why a specific contingent facility was identified and how it relates to the interconnection request.²⁷ The Commission stated that this transparency will ensure that the method is applied on a non-discriminatory basis.²⁸ The Commission further required that transmission providers provide, upon the interconnection customer's request, the estimated network upgrade costs and estimated in-service completion date associated with each identified contingent facility when this information is readily available and not commercially sensitive.²⁹

a. Idaho Power's Compliance Filing

20. Idaho Power adopts the Commission's *pro forma* LGIP definition of contingent facilities. Idaho Power also adopts the *pro forma* language in section 3.8 of its LGIP and

resolution procedures, 2.0.0).

²⁵ Order No. 845, 163 FERC ¶ 61,043 at P 218; *see also pro forma* LGIP § 1 (Definitions).

²⁶ Order No. 845, 163 FERC ¶ 61,043 at P 199.

²⁷ *Id.*; *see also pro forma* LGIP § 3.8.

²⁸ Order No. 845, 163 FERC ¶ 61,043 at P 200.

²⁹ *Id.* P 199; *see also pro forma* LGIP § 3.8.

proposes language to describe the process for identifying contingent facilities for a given generating facility. First, Idaho Power proposes that it will develop a list of preliminary contingent facilities in its system impact study reports that include: (1) higher-queued generating facilities that are on the same side of the transmission cut-planes between the generating facility and the transmission provider's load center (Boise); (2) higher-queued generating facilities within the same local network as the new generating facility; and (3) higher-queued generating facilities that do not meet criteria (1) and (2) above, but merit a study based on engineering judgement.³⁰ Idaho Power states that the preliminary list of contingent facilities will also include an interconnection customer's interconnection facilities and required network upgrades.

21. Idaho Power explains that to determine the final list of contingent facilities, it will utilize engineering judgement to remove projects from the preliminary list and perform a sensitivity study³¹ on the contingent facilities identified in the most recent higher-queued generating facility to determine whether the contingent facilities are needed for the new generating facility. Idaho Power explains that the sensitivity study will compare one case that includes the generating facility and the most recent higher-queued generating facility identified in the preliminary list of contingent facilities along with all of the interconnection customer's required interconnection facilities and network upgrades to another case that includes the generating facility without contingent facilities identified in the most recent list of contingent facilities. Idaho Power states that, if the sensitivity study results support the need for contingent facilities, then these facilities and all other facilities associated with the remaining higher-queued generating facilities will be included on the final list. Conversely, Idaho Power explains that if the results of the sensitivity study do not support the need for a contingent facility, then that facility will no longer be deemed contingent for the interconnection.³²

22. In addition, Idaho Power's proposed revisions state that, upon request of the interconnection customer, Idaho Power will provide the estimated interconnection facility and/or network upgrade costs and estimated in-service completion time of each identified

³⁰ Idaho Power OATT, attach. M (1.0.0), LGIP § 3.8 (Identification of Contingent Facilities, 2.0.0).

³¹ *Id.* Idaho Power states that it will utilize North American Electrical Reliability Corporation (NERC) and Western Electricity Coordinating Council (WECC) planning criteria to perform the sensitivity studies.

³² Idaho Power states that it will repeat these steps for each successive higher-queued generating facility that was identified and was not removed using engineering judgment. *See* Idaho Power OATT, attach. M (1.0.0), LGIP § 3.8 (Identification of Contingent Facilities, 2.0.0) at 2(a) and 2(e).

Contingent Facility. Finally, Idaho Power states that it will publish the list of contingent facilities and associated studies, within the system impact study.³³

b. Commission Determination

23. We find that the revised provisions that identify and describe Idaho Power's method for determining contingent facilities, as Idaho Power proposes in its LGIP, partially comply with the requirements of Order Nos. 845 and 845-A. We find that Idaho Power complies with the requirements of Order Nos. 845 and 845-A because Idaho Power adopts the definition of contingent facilities and the language regarding the need for the transmission provider to include in LGIP section 3.8 a method for identification of contingent facilities without modification. Idaho Power's proposed Tariff revisions also comply with the requirements related to providing estimated network upgrade costs and estimated in-service completion dates associated with contingent facilities to the interconnection customer.

24. However, as specified in Order No. 845, transmission providers must include, in section 3.8 of their LGIPs, a method for determining contingent facilities.³⁴ The Commission required that this method provide sufficient transparency to determine why a specific contingent facility was identified and how it relates to the interconnection request.³⁵ The Commission also required that a transmission provider's method to identify contingent facilities be transparent enough to ensure that it will be applied on a non-discriminatory basis.³⁶ Idaho Power's proposed Tariff revisions lack the requisite transparency required by Order Nos. 845 and 845-A because the proposed Tariff revisions do not detail the specific technical screens or analyses and the specific thresholds or criteria that Idaho Power will use as part of its method to identify contingent facilities. Without this information, an interconnection customer will not understand how Idaho Power will evaluate potential contingent facilities to determine their relationship to an individual interconnection request.³⁷ Further, including

³³ Idaho Power OATT, attach. M (1.0.0), LGIP § 3.8 (Identification of Contingent Facilities, 2.0.0).

³⁴ Order No. 845, 163 FERC ¶ 61,043 at P 199.

³⁵ *Id.* P 200.

³⁶ *Id.*

³⁷ *See pro forma* LGIP § 3.8 ("The method shall be sufficiently transparent to determine why a specific Contingent Facility was identified.").

provisions

regarding specific thresholds or criteria in Idaho Power's LGIP will ensure Idaho Power's technical screens or analyses will be applied to interconnection requests on a consistent, not unduly discriminatory or preferential basis.

25. We therefore direct Idaho Power to describe in section 3.8 of its LGIP the specific technical screens and/or analyses that it will employ to determine which facilities are contingent facilities. Further, we also direct Idaho Power to describe the specific triggering thresholds or criteria, including the quantitative triggers, that are applied to identify a facility as a contingent facility. In Order No. 845, the Commission declined to implement a standard threshold or criteria, such as a specific distribution factor threshold, because different thresholds may be more appropriate for different queue types and geographical footprints.³⁸ However, if, for instance, a transmission provider chooses to use a distribution factor analysis as a technical screen for determining how a new generating facility impacts the surrounding electrically-relevant facilities, its tariff must specify the triggering percentage impact that causes a facility to be considered contingent. Similarly, if a transmission provider relies on the system impact study to identify which facilities the new generating facility will impact, it must specify in its tariff which power system performance attributes (voltages, power flows, etc.) violated a specific threshold of a facility³⁹ such that the transmission provider would conclude that the facility is contingent for the new generating facility. A transmission provider may use multiple screens or analyses as part of its method, but it must include a corresponding, specific triggering threshold or criterion to indicate how it will apply each screen or analysis.

26. Because Idaho Power has not provided the specificity outlined above and thus does not fully comply with the contingent facility requirements of Order Nos. 845 and 845-A, we direct Idaho Power to submit a further compliance filing, within 120 days of the date of this order, which adds in section 3.8 of Idaho Power's LGIP (1) the method Idaho Power will use to determine contingent facilities, including technical screens or analyses it proposes to use to identify these facilities, and (2) the specific thresholds or criteria it will use in its technical screens or analysis to achieve the level of transparency required by Order No. 845, as discussed above.

4. Transparency Regarding Study Models and Assumptions

27. In Order No. 845, the Commission revised section 2.3 of the *pro forma* LGIP to

³⁸ Order No. 845, 163 FERC ¶ 61,043 at P 220.

³⁹ For example, a range for facility per unit voltage may constitute a specific triggering threshold, beyond which the TP will identify the facility as contingent.

require transmission providers to maintain network models and underlying assumptions on either an Open Access Same-Time Information System (OASIS) site or a password-protected website. If the transmission provider posts this information on a password-protected website, a link to the information must be provided on its OASIS site. Revised *pro forma* LGIP section 2.3 also requires that “network models and underlying assumptions reasonably represent those used during the most recent interconnection study and be representative of current system conditions.”⁴⁰ In addition, the Commission revised *pro forma* LGIP section 2.3 to allow transmission providers to require interconnection customers, OASIS site users, and password-protected website users to sign a confidentiality agreement before the release of commercially sensitive information or critical energy infrastructure information (CEII).⁴¹

28. In Order No. 845-A, the Commission reiterated that neither the Commission’s CEII regulations nor Order No. 845 precludes a transmission provider from taking necessary steps to protect information within its custody or control to ensure the safety and security of the electric grid.⁴² The Commission also clarified that, to the extent any party would like to use the Commission’s CEII regulations as a model for evaluating entities that request network model information and assumptions (prior to signing a non-disclosure agreement), it may do so.⁴³ The Commission further clarified that the phrase “current system conditions” does not require transmission providers to maintain network models that reflect current real-time operating conditions of the transmission provider’s system. Instead, the network model information should reflect the system conditions currently used in interconnection studies.⁴⁴

a. Idaho Power’s Compliance Filing

29. Idaho Power proposes revisions to its LGIP to add a new section 2.3 that incorporates the language adopted by Order Nos. 845 and 845-A without modification.⁴⁵

⁴⁰ Order No. 845, 163 FERC ¶ 61,043 at P 236.

⁴¹ *Id.*; *see also pro forma* LGIP § 2.3.

⁴² Order No. 845-A, 166 FERC ¶ 61,137 at P 84 (citing Order No. 845, 163 FERC ¶ 61,043 at P 241).

⁴³ *Id.* P 85 (citing 18 C.F.R. § 388.113(g)(5)(i) (2019)).

⁴⁴ *Id.* P 88.

⁴⁵ Idaho Power OATT, attach. M (1.0.0), LGIP § 2.3 (Base Case Data, 3.0.0).

b. Commission Determination

30. We find that Idaho Power’s proposed LGIP revisions regarding study models and assumptions comply with the requirements of Order Nos. 845 and 845-A because Idaho Power adopts the *pro forma* LGIP provisions without modification.

5. Definition of Generating Facility

31. In Order No. 845, the Commission revised the definition of “Generating Facility” to include electric storage resources and to allow electric storage resources to interconnect pursuant to the Commission-jurisdictional large generator interconnection processes. Specifically, the Commission revised the definition of “Generating Facility” in the *pro forma* LGIP and *pro forma* LGIA as follows:

Generating Facility shall mean Interconnection Customer’s device for the production *and/or storage for later injection* of electricity identified in the Interconnection Request, but shall not include the Interconnection Customer’s Interconnection Facilities.⁴⁶

32. The Commission found that this definitional change will reduce a potential barrier to large electric storage resources with a generating facility capacity above 20 MW that wish to interconnect pursuant to the terms in the *pro forma* LGIP and *pro forma* LGIA.⁴⁷

a. Idaho Power’s Compliance Filing

33. Idaho Power proposes revisions to section 1 of its LGIP and its *pro forma* LGIA to incorporate the definition of “Generating Facility” adopted by Orders No. 845 and 845-A without modification.⁴⁸

b. Commission Determination

34. We find that Idaho Power’s revisions regarding the definition of a “Generating Facility” comply with the requirements of Order Nos. 845 and 845-A because Idaho Power adopts the Commission’s *pro forma* LGIP and *pro forma* LGIA provisions without modification.

⁴⁶ Order No. 845, 163 FERC ¶ 61,043 at P 275 (additions italicized); *see also pro forma* LGIP § 1 (Definitions).

⁴⁷ Order No. 845, 163 FERC ¶ 61,043 at P 275.

⁴⁸ Idaho Power OATT, attach. M (1.0.0), LGIP § 1 (Definitions, 4.0.0).

6. Interconnection Study Deadlines

35. In Order No. 845, the Commission modified the *pro forma* LGIP to add sections 3.5.2 and 3.5.3, which require transmission providers to calculate and maintain on their OASIS sites or public websites summary statistics related to the timing of the transmission provider's processing of interconnection studies and to update those statistics on a quarterly basis.⁴⁹ In these sections, the Commission included bracketed Tariff language to be completed by the transmission provider in accordance with the timelines established for the various studies in their LGIPs.⁵⁰ The Commission also revised the *pro forma* LGIP to add section 3.5.4 to require transmission providers to file informational reports with the Commission if a transmission provider exceeds its interconnection study deadlines for more than 25 percent of any study type for two consecutive calendar quarters.⁵¹ In adopting these reporting requirements, the Commission found that the reporting requirements strike a reasonable balance between providing increased transparency and information to interconnection customers and not unduly burdening transmission providers.⁵² In Order No. 845-A, the Commission revised *pro forma* LGIP section 3.5.3 to clarify that the data reporting and retention requirements begin in the first calendar quarter of 2020.⁵³

a. Idaho Power's Compliance Filing

36. Idaho Power proposes revisions to its LGIP to add new sections 3.5.2, 3.5.3, and 3.5.4 that incorporate the *pro forma* language of Order Nos. 845 and 845-A without modification.⁵⁴ Additionally, Idaho Power proposes Tariff revisions to replace the bracketed placeholder in LGIP section 3.5.2.1 with a reference to the feasibility study completion deadline of 45 calendar days,⁵⁵ in LGIP section 3.5.2.2 with a reference to the

⁴⁹ Order No. 845, 163 FERC ¶ 61,043 at P 305; *see also pro forma* LGIP §§ 3.5.2, 3.5.3.

⁵⁰ *Id.*

⁵¹ Order No. 845, 163 FERC ¶ 61,043 at P 305; *see also pro forma* LGIP § 3.5.4.

⁵² Order No. 845, 163 FERC ¶ 61,043 at P 307.

⁵³ Order No. 845-A, 166 FERC ¶ 61,137 at P 107.

⁵⁴ Idaho Power OATT, attach. M (1.0.0), LGIP §§ 3.5.2 (Requirement to Post Interconnection Study Metrics, 2.0.0), 3.5.3 (2.0.0), and 3.5.4 (2.0.0).

⁵⁵ The timeline that is applicable to section 3.5.2.1 is specified under section 6.3 of Idaho Power's LGIP.

system impact study completion deadline of 90 calendar days,⁵⁶ and in LGIP section 3.5.2.3 with a reference to the facilities study completion deadline of 90 calendar days (with no more than a +/-20 percent cost estimate contained in the report) or 180 calendar days (if the interconnection customer requests a +/-10 percent cost estimate).⁵⁷

b. Commission Determination

37. We find that the revised provisions that address Idaho Power's study deadline statistics and informational reporting requirements, as proposed in Idaho Power's LGIP, comply with the requirements of Order Nos. 845 and 845-A because Idaho Power proposes to include *pro forma* LGIP sections 3.5.2, 3.5.3, and 3.5.4 without modification, except to replace the bracketed placeholders with references to the existing timelines already in its Tariff.

7. Requesting Interconnection Service below Generating Facility Capacity

38. In Order No. 845, the Commission modified sections 3.1, 6.3, 7.3, 8.2, and Appendix 1 of the *pro forma* LGIP to allow interconnection customers to request interconnection service that is lower than the proposed generating facility's capacity,⁵⁸ recognizing the need for proper control technologies and flexibility for transmission providers to propose penalties to ensure that the generating facility does not inject energy above the requested level of service.⁵⁹

39. The Commission required, in *pro forma* LGIP revised section 3.1, that transmission providers have a process in place to consider requests for interconnection service below the generating facility capacity. The Commission stipulated that such requests should be studied at the level of interconnection service requested for purposes of determining interconnection facilities, network upgrades, and associated costs, but that such requests may be subject to other studies at the full generating facility capacity to ensure safety and

⁵⁶ The timeline that is applicable to section 3.5.2.2 is specified under section 7.4 of Idaho Power's LGIP.

⁵⁷ The timeframe that is applicable to section 3.5.2.3 is specified in section 8.3 of Idaho Power's LGIP.

⁵⁸ The term generating facility capacity is defined as "the net capacity of the Generating Facility and the aggregate net capacity of the Generating Facility where it includes multiple energy production devices." *Pro forma* LGIA art. 1 (Definitions).

⁵⁹ Order No. 845, 163 FERC ¶ 61,043 at P 367; *see also pro forma* LGIP §§ 3.1, 6.3, 7.3, 8.2; *pro forma* LGIP app. 1.

reliability of the system.⁶⁰ In addition, *pro forma* LGIP revised section 3.1 states that the interconnection customer is responsible for all study costs and interconnection facility and/or network upgrade costs required for safety and reliability. The Commission also required in *pro forma* LGIP revised section 3.1 that any necessary control technologies and/or protection systems be memorialized in the LGIA.

40. The Commission required, in *pro forma* LGIP revised sections 6.3, 7.3, and 8.2, that the feasibility, system impact, and facilities studies be performed at the level of interconnection service that the interconnection customer requests, unless the transmission provider is otherwise required to study the full generating facility capacity due to safety and reliability concerns. The Commission stated that, if the transmission provider determines that additional network upgrades are necessary based on these studies, it must specify which additional network upgrade costs are based on which studies and provide a detailed explanation of why the additional network upgrades are necessary.⁶¹

41. Finally, the Commission revised sections 4.4.1 and 4.4.2 of the *pro forma* LGIP to allow an interconnection customer to reduce the size of its interconnection request either prior to returning to the transmission provider an executed system impact study agreement or an executed facilities study agreement.⁶²

a. Idaho Power's Compliance Filing

42. Idaho Power proposes revisions to its LGIP that adopt the Commission's proposed reforms to *pro forma* LGIP sections 3.1, 4.4.1, 4.4.2, 6.3, 7.3, and 8.2 and Appendix 1 to incorporate the language set forth in Order Nos. 845 and 845-A without modification.⁶³

⁶⁰ Order No. 845, 163 FERC ¶ 61,043 at PP 383-84.

⁶¹ *Id.* P 384. The Commission clarified that, if the transmission provider determines, based on good utility practice and related engineering considerations and after accounting for the proposed control technology, that studies at the full generating facility capacity are necessary to ensure safety and reliability of the transmission system when an interconnection customer requests interconnection service that is lower than full generating facility capacity, then it must provide a detailed explanation for such a determination in writing to the interconnection customer. *Id.*

⁶² *Id.* P 406; *see also pro forma* LGIP §§ 4.4.1, 4.4.2.

⁶³ Idaho Power OATT, attach. M (1.0.0), LGIP §§ 3.1 (General, 2.0.0), 4.4.1 (2.0.0), 4.4.2 (2.0.0), 6.3 (Interconnection Feasibility Study Procedures, 2.0.0), 7.3 (Scope of Interconnection System Impact Study, 2.0.0), 8.2 (Scope of Interconnection Facilities Study, 2.0.0); and app. 1, (Interconnection Request for a Large Generating Facility, 3.0.0).

However, Idaho Power's proposed Tariff revisions do not fully incorporate the *pro forma* LGIP language adopted by Order No. 845.⁶⁴ Order No. 845 adopted the following language as the second sentence of the final paragraph in *pro forma* LGIP section 3.1:

These requests for Interconnection Service shall be studied at the level of Interconnection Service requested for purposes of Interconnection Facilities, Network Upgrades, *and associated costs*, but may be subject to other studies at the full Generating Facility Capacity to ensure safety and reliability of the system, with the study costs borne by the Interconnection Customer.⁶⁵

b. Commission Determination

43. We find that Idaho Power's proposed LGIP revisions that allow an interconnection customer to request interconnection service below its full generating facility capacity partially comply with the requirements of Order Nos. 845 and 845-A because they incorporate most of the *pro forma* LGIP language without modification. However, as discussed above, Idaho Power's revisions to section 3.1 of its LGIP omit some of the *pro forma* LGIP language required by Order No. 845.⁶⁶ Accordingly, we direct Idaho Power to file, within 120 days of the date of this order, a further compliance filing that incorporates the *pro forma* revisions to section 3.1 of its LGIP, as required by Order No. 845.

8. Provisional Interconnection Service

44. In Order No. 845, the Commission required transmission providers to allow all interconnection customers to request provisional interconnection service.⁶⁷ The Commission explained that interconnection customers may seek provisional interconnection service when available studies or additional studies, as necessary, indicate that there is a level of interconnection service that can occur to accommodate an interconnection request without the construction of any additional interconnection facilities and/or network upgrades, and the interconnection customer wishes to make use of that level of

⁶⁴ See Order No. 845-A, 166 FERC ¶ 61,137 at P 117.

⁶⁵ Order No. 845, 163 FERC ¶ 61,043 at P 347; *see also id.* P 367. The italics indicate language adopted by Order No. 845 that Idaho Power's Tariff revisions failed to include. We recognize, however, that the *pro forma* LGIP that was available on the Commission's website failed to include that language.

⁶⁶ *Id.* PP 347, 367, and app. B.

⁶⁷ *Id.* P 438.

interconnection service while the facilities required for its full interconnection request are completed.⁶⁸ To implement this service, the Commission revised the *pro forma* LGIP and *pro forma* LGIA to add a definition for “Provisional Interconnection Service”⁶⁹ and for a “Provisional Large Generator Interconnection Agreement.”⁷⁰

45. In addition, the Commission added *pro forma* LGIA article 5.9.2, which details the terms for provisional interconnection service.⁷¹ The Commission also explained that transmission providers have the discretion to determine the frequency for updating provisional interconnection studies to account for changes to the transmission system to reassess system capacity available for provisional interconnection service, and included bracketed tariff language to be completed by the transmission provider, to specify the frequency at which they perform such studies in their *pro forma* LGIA.⁷² The Commission stated that interconnection customers are responsible for the costs for performing these provisional interconnection studies.⁷³

a. Idaho Power’s Compliance Filing

46. Idaho Power proposes revisions to adopt the Commission’s *pro forma* definitions related to provisional interconnection service and the *pro forma* language in LGIA article 5.9.2 without modification. Idaho Power proposes to fill in the bracketed placeholder in article 5.9.2 to state that it will study and update the maximum permissible output of the generating facility subject to a provisional LGIA on a quarterly basis.⁷⁴

⁶⁸ *Id.* P 441.

⁶⁹ *Pro forma* LGIP § 1 (Definitions); *pro forma* LGIA art. 1 (Definitions).

⁷⁰ *Pro forma* LGIP § 1 (Definitions); *pro forma* LGIA art. 1 (Definitions). The Commission declined, however, to adopt a separate *pro forma* provisional large generator interconnection agreement. Order No. 845, 163 FERC ¶ 61,043 at P 444.

⁷¹ *Id.* P 438; *see also pro forma* LGIP § 5.9.2.

⁷² Order No. 845, 163 FERC ¶ 61,043 at P 448.

⁷³ *Id.*

⁷⁴ Idaho Power OATT, attach. M (1.0.0), app. 6 (1.0.0), LGIA art. 5.9.2 (Provisional Interconnection Service, 2.0.0).

b. Commission Determination

47. We find that Idaho Power's proposed LGIP and *pro forma* LGIA revisions regarding provisional interconnection service comply with the requirements of Order Nos. 845 and 845-A because Idaho Power proposes to adopt the Commission's *pro forma* LGIP and *pro forma* LGIA provisions without modification except to fill in the bracketed placeholder in *pro forma* LGIA article 5.9.2 to state that it will study and update the maximum permissible output of the generating facility subject to a provisional LGIA on a quarterly basis.

9. Surplus Interconnection Service

48. In Order No. 845, the Commission adopted *pro forma* LGIP sections 1, 3.3, and 3.3.1 and *pro forma* LGIA article 1 to establish surplus interconnection service, which the Commission defined as any unneeded portion of interconnection service established in an LGIA such that if the surplus interconnection service is utilized the total amount of interconnection service at the point of interconnection would remain the same.⁷⁵ Surplus interconnection service enables a new interconnection customer to utilize the unused portion of an existing interconnection customer's interconnection service within specific parameters.⁷⁶ The Commission required transmission providers to revise their tariffs to include the new definition of surplus interconnection service in their *pro forma* LGIP and *pro forma* LGIA, and provide in the *pro forma* LGIP an expedited interconnection process outside of the interconnection queue for surplus interconnection service.⁷⁷ That expedited process must allow affiliates of the existing interconnection customer to use surplus interconnection service for another interconnecting generating facility and allow for the transfer of surplus interconnection service that the existing interconnection customer or one of its affiliates does not intend to use.⁷⁸ The transmission provider must perform reactive power, short circuit/fault duty, and stability analyses studies as well as steady-state (thermal/voltage) analyses as necessary to ensure evaluation of all required reliability conditions to provide surplus interconnection service and ensure the reliable

⁷⁵ Order No. 845, 163 FERC ¶ 61,043 at P 467; *see also pro forma* LGIP § 1 (Definitions); *pro forma* LGIA art. 1 (Definitions).

⁷⁶ Order No. 845, 163 FERC ¶ 61,043 at P 467; Order No. 845-A, 166 FERC ¶ 61,137 at P 119.

⁷⁷ Order No. 845, 163 FERC ¶ 61,043 at P 467; *see also pro forma* LGIP §§ 3.3, 3.3.1.

⁷⁸ Order No. 845, 163 FERC ¶ 61,043 at P 483; *see also pro forma* LGIP § 3.3.

use of surplus interconnection service.⁷⁹ The original interconnection customer must be able to stipulate the amount of surplus interconnection service that is available, designate when that service is available, and describe any other conditions under which surplus interconnection service at the point of interconnection may be used.⁸⁰ When the original interconnection customer, the surplus interconnection service customer, and the transmission provider enter into agreements for surplus interconnection service, they must be filed by the transmission provider with the Commission, because any surplus interconnection service agreement will be an agreement under the transmission provider's open access transmission tariff.⁸¹

a. Idaho Power's Compliance Filing

49. Idaho Power proposes revisions to add LGIP sections 1, 3.3 and 3.3.1, and *pro forma* LGIA article 1 to comply with the Commission's directives in Order Nos. 845 and 845-A. Idaho Power adopts the Commission's *pro forma* LGIP and *pro forma* LGIA revisions for surplus interconnection service as required by Order Nos. 845 and 845-A without modification.

50. In its Deficiency Response, Idaho Power proposes additional language in LGIP section 3.3 to describe its proposed surplus interconnection process. Idaho Power states that this section provides greater detail regarding the surplus interconnection process and describes the responsibilities of Idaho Power, the original or existing interconnection customer, and the surplus interconnection customer.⁸²

51. In section 3.3.2, Idaho Power proposes that a surplus interconnection customer must submit a written request for surplus interconnection service that includes: (1) a cover letter with the identity of the customer seeking surplus interconnection service along with the existing point of interconnection requested, the identity of the generating facility that is already connected to Idaho Power's transmission system, and any affiliation that the surplus interconnection customer may have to the existing

⁷⁹ Order No. 845, 163 FERC ¶ 61,043 at PP 455 and 467.

⁸⁰ *Id.* P 481.

⁸¹ *Id.* P 499.

⁸² Under section 3.3 (Utilization of Surplus Interconnection Service, 3.0.0) of its LGIP, Idaho Power proposes new subsections: 3.3.2 (Submitting a Surplus Interconnection Service Request, 3.0.0); 3.3.3 (Scoping Meeting for Surplus Interconnection Service, 3.0.0); 3.3.4 (Surplus Interconnection Service System Impact Study, 3.0.0); 3.3.5 (Surplus Interconnection Service Facilities Study, 3.0.0); 3.3.6 (Surplus Interconnection Service Large Generator Interconnection Agreement, 3.0.0).

interconnection customer; (2) a completed application as outlined in Appendix 1 of the LGIP; (3) a letter of intent with the signature from the original/existing interconnection customer, including the specified amount of surplus interconnection service it is making available, when such surplus interconnection service will be available, and any conditions under which such surplus interconnection service may be used; and (4) modeling data for the surplus interconnection service that it is requesting. If the surplus interconnection customer fails to provide a completed request, Idaho Power will notify the surplus interconnection customer of the deficiencies and the surplus interconnection customer will have 15 business days to remedy them. Idaho Power states that, if the surplus interconnection customer does not remedy the deficiencies by the end of the 15 business days, it will deem the request for surplus interconnection service to be withdrawn. Conversely, Idaho Power proposes that once it has received a completed surplus interconnection request, it will process the request on an expedited basis and separately from other requests pending in the interconnection queue.⁸³

52. Within 10 business days of receipt of a valid surplus interconnection service request, Idaho Power states that it will establish a date that is agreeable to the existing interconnection customer for a scoping meeting, which shall be no later than 30 calendar days from receipt of the request, unless otherwise agreed upon by the parties. Idaho Power, the existing interconnection customer, and surplus interconnection customer will bring to the meeting any system impact and facilities studies that have been performed and any technical data including: general facility loadings, general instability issues, general short circuit issues, general voltage issues, and general reliability issues as may be reasonably required. Idaho Power, the existing interconnection customer, and the surplus interconnection customer will also bring to the meeting personnel and other resources that may be reasonably required to accomplish the meeting's purpose. The surplus interconnection customer shall provide to Idaho Power its preferred plan of service for its use of surplus interconnection service.⁸⁴

53. Following the scoping meeting and provided the original/existing interconnection customer's system impact study is available, Idaho Power will determine if the original system impact study is sufficient to evaluate the request for surplus interconnection service. If the original system impact study is not available, or available but insufficient to enable Idaho Power to evaluate the surplus interconnection request, then, within five business days, the surplus interconnection customer will be provided a surplus interconnection service system impact study agreement obligating the surplus

⁸³ Idaho Power OATT, attach. M (1.0.0), LGIP § 3.3.2 (Submitting a Surplus Interconnection Service Request, 3.0.0).

⁸⁴ Idaho Power OATT, attach. M, LGIP § 3.3.3 (Scoping Meeting for Surplus Interconnection Service, 3.0.0).

interconnection customer to pay the actual costs of the surplus interconnection service system impact study. Within 30 calendar days of receipt of the surplus interconnection service system impact study agreement from Idaho Power, the surplus interconnection customer will execute the surplus interconnection service system impact study agreement and will return it to Idaho Power, along with a deposit in the amount of \$50,000, or the request will be deemed withdrawn. Once Idaho Power has received the surplus interconnection system impact study agreement and deposit, the system impact study will begin and shall consist of reactive power, short circuit/fault duty, stability analyses, harmonic analyses, and any other studies deemed appropriate by Idaho Power. Idaho Power will use reasonable efforts to complete and issue the surplus interconnection system impact study report within ninety calendar days. Within 10 business days of providing a surplus interconnection system impact study report, Idaho Power, the surplus interconnection customer, the original/existing interconnection customer shall meet to discuss the results, or they may waive this meeting.⁸⁵

54. If any interconnection facilities and/or control technologies are identified as necessary in the surplus interconnection service system impact study report, Idaho Power will provide to the surplus interconnection customer a surplus interconnection service facilities study agreement, which provides that the surplus interconnection customer shall compensate Idaho Power for the actual cost of the surplus interconnection service facilities study. Under the proposed process, the agreement and a \$50,000 deposit should be delivered to Idaho Power within 30 calendar days after the receipt of the surplus interconnection service facilities study agreement. Idaho Power will utilize existing studies to the extent practicable and use reasonable efforts to complete the surplus interconnection service facilities study and issue the report within 90 calendar days after receipt of the agreement and study deposit. Idaho Power will notify the surplus interconnection customer an estimated completion date with an explanation of the reasons the additional time is required. Within 10 business days of providing a surplus interconnection service facilities study report, Idaho Power, the surplus interconnection customer, the original/existing interconnection customer shall meet to discuss the results, or they may waive this meeting.⁸⁶

55. In addition, within 45 calendar days of tendering the surplus interconnection service facilities study, or the surplus interconnection system impact study if no additional interconnection facilities or control technologies are required, Idaho Power will tender a draft amended and restated LGIA together with draft appendices completed to the extent practicable to the original/existing interconnection customer and the surplus

⁸⁵ *Id.*

⁸⁶ Idaho Power OATT, attach. M (1.0.0), LGIP § 3.3.5 (Surplus Interconnection Service Facilities Study, 3.0.0).

interconnection customer that will be utilizing the surplus interconnection service. The existing interconnection customer and the surplus interconnection customer shall provide comments to the transmission provider within 30 calendar days.⁸⁷

56. Idaho Power, the original/existing interconnection customer, and the surplus interconnection customer shall negotiate any disputed provisions of the appendices to the draft amended and restated LGIA for not more than 60 calendar days after tender of the draft amended and restated LGIA. If the surplus interconnection customer determines the negotiations are at an impasse, it may request termination of the negotiations. Unless otherwise agreed by the parties, if the surplus interconnection customer has not executed the LGIA, requested filing of an unexecuted LGIA, or initiated dispute resolution procedures within 60 calendar days of tender of amended and restated LGIA, it shall be deemed to have withdrawn its surplus interconnection service request. Idaho Power shall provide to the original/existing interconnection customer and the surplus interconnection customer a final amended and restated LGIA within 15 business days after completion of the negotiation process. No later than 15 business days after execution of the amended and restated LGIA or request to file an executed amended and restated LGIA, the transmission provider shall file the amended and restated LGIA with the Commission.⁸⁸

b. Commission Determination

57. We find that Idaho Power's proposed Tariff revisions regarding surplus interconnection service comply with the requirements of Order Nos. 845 and 845-A because Idaho Power adopts the *pro forma* definition of surplus interconnection service and *pro forma* provisions in LGIP sections 3.3 and 3.3.1 without modification. We also find that Idaho Power's proposed process for evaluating surplus interconnection service complies with the requirements of Order Nos. 845 and 845-A. The process provides that Idaho Power will evaluate surplus interconnection service requests outside of its non-surplus interconnection queue. Additionally, as required by Order Nos. 845 and 845-A, Idaho Power's proposed process requires that the transmission provider, original interconnection customer, and surplus interconnection service customer file a surplus interconnection service agreement with the Commission that includes the terms and conditions of surplus interconnection service.

⁸⁷ Idaho Power OATT, attach. M (1.0.0), LGIP § 3.3.6 (Surplus Interconnection Service Large Generator Interconnection Agreement, 3.0.0).

⁸⁸ *Id.*

10. Material Modifications and Incorporation of Advanced Technologies

58. In Order No. 845, the Commission modified section 4.4.2(c) of the *pro forma* LGIP to allow an interconnection customer to incorporate certain technological advancements to its interconnection request, prior to the execution of the interconnection facilities study agreement,⁸⁹ without risking the loss of its queue position. The Commission required transmission providers to develop and include in their LGIPs a definition of permissible technological advancements that will create a category of technological changes that, by definition, do not constitute a material modification and, therefore, will not result in the loss of queue position.⁹⁰ In addition, the Commission modified section 4.4.6 of the *pro forma* LGIP to require transmission providers to insert a technological change procedure that includes the requisite information and process that the transmission provider will follow to assess whether an interconnection customer's proposed technological advancement is a material modification.⁹¹

59. The Commission required that the technological change procedure specify what technological advancements can be incorporated at various stages of the interconnection process and clearly identify which requirements apply to the interconnection customer and which apply to the transmission provider.⁹² Additionally, the technological change procedure must state that, if the interconnection customer seeks to incorporate technological advancements into its proposed generating facility, it should submit a technological advancement request, and the procedure must specify the information that the interconnection customer must submit as part of that request.⁹³

⁸⁹ While the Commission clarified that interconnection customers may submit a technological advancement request up until execution of the facilities study agreement, the Commission stated that it will permit transmission providers to propose rules limiting the submission of technological advancement requests to a single point in the study process (prior to the execution of a facilities study agreement), to the extent the transmission provider believes it appropriate. Order No. 845, 163 FERC ¶ 61,043 at P 536.

⁹⁰ *Id.* P 518.

⁹¹ *Id.*; see also *pro forma* LGIP § 4.4.6.

⁹² Order No. 845, 163 FERC ¶ 61,043 at P 519.

⁹³ *Id.*

60. The Commission also required that the technological change procedure specify the conditions under which a study will or will not be necessary to determine whether a proposed technological advancement is a material modification.⁹⁴ The Commission explained that the technological change procedure must also state that, if a study is necessary to evaluate whether a particular technological advancement is a material modification, the transmission provider shall clearly indicate to the interconnection customer the types of information and/or study inputs that the interconnection customer must provide to the transmission provider, including, for example, study scenarios, modeling data, and any other assumptions.⁹⁵ In addition, the Commission required that the technological change procedure explain how the transmission provider will evaluate the technological advancement request to determine whether it is a material modification.⁹⁶

61. Further, the Commission required that the technological change procedure outline a time frame of no more than 30 days after the interconnection customer submits a formal technological advancement request for the transmission provider to perform and complete any necessary additional studies.⁹⁷ The Commission also found that, if the transmission provider determines that additional studies are needed to evaluate whether a technological advancement is a material modification, the interconnection customer must tender a deposit, and the transmission provider must specify the amount of the deposit in the transmission provider's technological change procedure.⁹⁸ In addition, the Commission explained that, if the transmission provider cannot accommodate a proposed technological advancement without triggering the material modification provision of the pro forma LGIP, the transmission provider must provide an explanation to the interconnection customer regarding why the technological advancement is a material modification.

62. In Order No. 845-A, the Commission clarified that: (1) when studies are necessary, the interconnection customer's technological change request must demonstrate that the proposed incorporation of the technological change will result in electrical performance that is equal to or better than the electrical performance expected prior to the technological change and will not cause any reliability concerns; (2) if the interconnection customer

⁹⁴ *Id.*; Order No. 845-A, 166 FERC ¶ 61,137 at P 155.

⁹⁵ Order No. 845, 163 FERC ¶ 61,043 at P 521.

⁹⁶ *Id.* P 521.

⁹⁷ *Id.* P 535.

⁹⁸ *Id.* P 534. The Commission set the default deposit amount at \$10,000 but stated that a transmission provider may propose a reasonable alternative deposit amount in its compliance filing and include justification supporting this alternative amount. *Id.*

cannot demonstrate in its technological change request that the proposed technological change would result in equal or better electrical performance, the change will be assessed pursuant to the existing material modification provisions in the pro forma LGIP; (3) information regarding electrical performance submitted by the interconnection customer is an input into the technological change study, and this factor alone is not determinative of whether a proposed technological change is a material modification; and (4) the determination of whether a proposed technological change (that the transmission provider does not otherwise include in its definition of permissible technological advancements) is a material modification should include an analysis of whether the proposed technological change materially impacts the timing and costs of lower-queued interconnection customers.⁹⁹

a. Idaho Power's Compliance Filing

63. Idaho Power proposes revisions to section 1 of its LGIP to incorporate the following definition of permissible technological advancement:

Permissible Technological Advancement shall mean any change to an Interconnection Customer's project that results in electrical performance that is equal to or better than the Interconnection Request's previously projected electrical performance and that does not alter the fuel type, total size of the interconnection, or cause any reliability concerns (i.e. materially impact the transmission system with regard to short circuit capability limits, steady-state thermal and voltage limits, or dynamic system stability and response).

64. Idaho Power proposes revisions to section 4.4.2 of its LGIP that adopt the Commission's *pro forma* language without modification.

65. Idaho Power explains in its technological change procedure that an interconnection customer must provide the transmission provider with the following: (1) WECC-approved dynamic models in General Electric Positive Sequence Load Flow format; (2) a technical specification sheet (cut sheet) that includes the specific unit that is being utilized; (3) changes to the collector system that includes collector conductor data, collector layout, generator step up transformer data, and unit/inverter transformer data required to develop an equivalent circuit, and (4) reactive devices beyond the point of interconnection. Idaho Power proposes that once it has received this information, it will evaluate whether the new

⁹⁹ Order No. 845-A, 166 FERC ¶ 61,137 at P 155.

equipment meets interconnection requirements and will return its findings no later than 10 business days to the interconnection customer.¹⁰⁰

b. Commission Determination

66. We find that Idaho Power's proposed LGIP revisions to incorporate a definition of a permissible technological advancement and technological change procedure partially comply with the requirements of Order Nos. 845 and 845-A. Specifically, we find that Idaho Power's proposed definition of a permissible technological advancement meets the Commission's requirement to provide a category of technological change that does not constitute a material modification.

67. When reviewing an interconnection customer's technological advancement request under the technological change procedure, Idaho Power states that it will evaluate whether the new equipment meets interconnection requirements and that it will return its findings no later than 10 business days to the interconnection customer. It is unclear what "interconnection requirements" Idaho Power is referring to in its evaluation of an interconnection customer's request. Order No. 845 specified that the purpose of the technological change procedure is for the transmission provider to determine whether a requested technological advancement is a material modification.¹⁰¹ Therefore, we direct Idaho Power to submit a further compliance filing, within 120 days of the date of this order, that revises its technological change procedure to provide that Idaho Power will determine whether a requested technological advancement is a material modification.¹⁰²

68. Further, Order No. 845 required an interconnection customer to tender a deposit if the transmission provider determines that additional studies are needed to evaluate whether a technological change is a material modification. Order No. 845 states that the transmission provider should specify the amount of the deposit in its technological change procedure.¹⁰³ While Order No. 845 sets the default deposit amount at \$10,000, it allows the transmission provider to propose, with justification, a reasonable alternative amount. However, Idaho Power fails to specify a deposit amount. Accordingly, we

¹⁰⁰ Idaho Power OATT, attach. M (1.0.0), LGIP § 4.4.6 (Technological Change Procedure, 2.0.0).

¹⁰¹ Order No. 845, 163 FERC ¶ 61, 043 at PP 520 and 521.

¹⁰² We note that the Commission required that the technological change procedure outline a time frame of no more than 30 days after the interconnection customer submits a formal technological advancement request for the transmission provider to perform and complete any necessary additional studies. Order No. 845, 163 FERC ¶ 61,043 at P 535.

¹⁰³ *Id.* P 534.

direct Idaho Power to file, within 120 days of the date of this order, a further compliance filing that revises its LGIP to specify the deposit amount that the interconnection customer must tender if Idaho Power determines that additional studies are needed to evaluate whether a technological change is a material modification.

69. Order No. 845 also requires that the technological change procedure explain how the transmission provider will evaluate the technological advancement request to determine whether it is a material modification.¹⁰⁴ Idaho Power's proposed LGIP revisions do not explain how it will evaluate the technological advancement request to determine whether it is a material modification. Accordingly, we direct Idaho Power to file, within 120 days of the date of this order, a further compliance filing revising its LGIP to provide a more detailed explanation of the studies that Idaho Power will conduct to determine whether the technological advancement request will result in a material modification.

70. Further, because Idaho Power's filing is silent on whether it will provide an explanation to the interconnection customer regarding why the technological advancement is a material modification, we reiterate that the transmission provider is required to do so if it cannot accommodate a proposed technological advancement without triggering the material modification provision of the *pro forma* LGIP.¹⁰⁵

The Commission orders:

(A) Idaho Power's compliance filing is hereby accepted, effective May 22, 2019, subject to a further compliance filing, as discussed in the body of this order.

(B) Idaho Power is hereby directed to submit a compliance filing within 120 days of the date of this order, as discussed in the body of this order.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

¹⁰⁴ *Id.* P 521.

¹⁰⁵ *Id.* P 522.