169 FERC ¶ 61,142
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Tampa Electric Company — Docket Nos. ER19-1920-000, ER19-1920-001

ORDER ON COMPLIANCE

(Issued November 22, 2019)

1. On May 21, 2019, as amended on June 21, 2019, Tampa Electric Company (Tampa Electric) 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 Tampa Electric's filing partially complies with the requirements of Order Nos. 845 and 845-A. Accordingly, we accept Tampa Electric's compliance filing, effective May 22, 2019, and direct Tampa Electric to submit a further compliance filing within 60 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 facilities[4] and stand alone network upgrades[5] 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]

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[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 article 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 service[10] 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. Tampa Electric's Compliance Filing

6. Tampa Electric 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. Tampa Electric states that it has adopted without modification the following *pro forma* LGIP and *pro forma* LGIA reforms: interconnection customer's option to build, transparency

[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 section 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.

regarding study models and assumptions, definition of contingent facilities, definition of generating facility, requesting interconnection service below generating facility capacity, and provisional interconnection service.[12]

7. Tampa Electric proposes to modify the following Order Nos. 845 and 845-A *pro forma* LGIP and *pro forma* LGIA reforms: dispute resolution, interconnection study deadlines, identification of contingent facilities, interconnection study deadlines, surplus interconnection service, and material modifications and incorporation of advanced technologies. Tampa Electric states that these modifications are consistent with or superior to the changes adopted in Order Nos. 845 and 845-A, and should be permitted.[13]

8. Finally, Tampa Electric requests an effective date of May 22, 2019 for its proposed Tariff revisions.

III. Notice and Responsive Pleadings

9. Notice of Tampa Electric's compliance filing was published in the *Federal Register*, 84 Fed. Reg. 24,500 (2019), with interventions and protests due on or before June 11, 2019. Seminole Electric Cooperative, Inc. filed a timely motion to intervene.

10. On June 13, 2019, Commission staff issued a deficiency letter that requested additional clarification regarding Tampa Electric's procedure for allowing surplus interconnection service (Deficiency Letter). On June 21, 2019, Tampa Electric filed its response to the Deficiency Letter (Deficiency Response), which included additional language to be added to its LGIP (June 21, 2019 Amendment). Notice of Tampa Electric's Deficiency Response and June 21, 2019 Amendment was published in the *Federal Register*, 84 Fed. Reg. 30,710 (2019), with interventions and protests due on or before July 21, 2019. None was filed.

IV. Discussion

A. Procedural Matters

11. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2019), Seminole Electric Cooperative, Inc.'s timely, unopposed motion to intervene serves to make it a party to this proceeding.

[12] Tampa Electric May 22, 2019 Compliance Filing, 2-3, 5 (Filing).

[13] *Id.* at 2-4, 6.

B. Substantive Matters

12. As discussed below, we find that Tampa Electric's filing partially complies with the requirements of Order Nos. 845 and 845-A. Accordingly, we accept Tampa Electric's compliance filing, effective May 22, 2019, and direct Tampa Electric to submit a further compliance filing within 60 days of the date of this order.

1. Proposed Variations

13. As discussed further below, Tampa Electric has requested certain variations from the Commission's requirements in Order Nos. 845 and 845-A. The Commission explained in Order No. 845 that such variations would be reviewed under the same standard in Order No. 2003.[14] In Order No. 2003, when adopting the *pro forma* LGIA and LGIP, the Commission permitted transmission providers to seek variations from the *pro forma* LGIP and/or *pro forma* LGIA if they were "consistent with or superior to" the terms of the *pro forma* LGIP and *pro forma* LGIA.[15] A transmission provider seeking a "consistent with or superior to" variation must demonstrate why its proposal is consistent with or superior to the *pro forma* LGIP and/or *pro forma* LGIA.[16] The Commission also permitted transmission providers to justify a variation to the *pro forma* LGIA or LGIP based on regional reliability requirements and required transmission providers submitting such regional reliability variations to the Commission for approval to identify the proposed variations and explain why such variations are necessary.[17] We will evaluate Tampa Electric's proposed variations from the requirements of Order Nos. 845 and 845-A accordingly.

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[14] Order No. 845, 163 FERC ¶ 61,043 at P 43.

[15] *Standardization of Generator Interconnection Agreements and Procedures*, Order No. 2003, 104 FERC ¶ 61,103, at P 825 (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), *cert. denied*, 552 U.S. 1230 (2008).

[16] *See*, *e.g.*, *Nev. Power Co.*, 167 FERC ¶ 61,086, at P 3 (2019).

[17] Order No. 2003, 104 FERC ¶ 61,103 at P 826; Order No. 2003-A, 106 FERC ¶ 61,220 at P 45.

2. Interconnection Customer's Option to Build

14. 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 synchronization date, or commercial operation date.[18] 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.[19] 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."[20]

15. 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;[21] and (2) clarify that the option to build does not apply to stand alone network upgrades on affected systems.[22] 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.[23] 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.[24]

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[18] Order No. 845, 163 FERC ¶ 61,043 at PP 85-87.

[19] Order No. 2003, 104 FERC ¶ 61,103 at P 353; *see also pro forma* LGIP section 5.1.3.

[20] Order No. 845, 163 FERC ¶ 61,043 at P 85.

[21] Order No. 845-A, 166 FERC ¶ 61,137 at P 68.

[22] *Id.* P 61.

[23] *Id.* P 75.

[24] *Id.* P 33.

a. Tampa Electric's Compliance Filing

16. Tampa Electric proposes revisions to its LGIP amending section 1 and its *pro forma* LGIA amending articles 5.1, 5.1.3, 5.1.4, and 5.2(12) to incorporate the *pro forma* LGIA provisions adopted by Order Nos. 845 and 845-A without modification.

b. Commission Determination

17. We find that the revised definition and option to build provisions that Tampa Electric proposes in its *pro forma* LGIA and its LGIP comply with the requirements of Order Nos. 845 and 845-A because they incorporate the *pro forma* LGIA and *pro forma* LGIP provisions adopted by Order Nos. 845 and 845-A without modification.

3. Dispute Resolution

18. 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.[25] 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.[26]

a. Tampa Electric's Compliance Filing

19. Tampa Electric proposes revisions to its LGIP to add the new section 13.5.5 that establishes generator interconnection dispute resolution procedures that allow a disputing party to unilaterally seek non-binding dispute resolution. However, Tampa Electric notes that it has altered limited provisions in the first and the final paragraphs of the section to provide clarity (e.g., specifying the 30 days for action as "Calendar Days," making "decision maker" a defined term, and specifying the referenced process as the "non-

[25] Order No. 845, 163 FERC ¶ 61,043 at P 133; *see also pro forma* LGIP section 13.5.5.

[26] Order No. 845, 163 FERC ¶ 61,043 at P 139.

binding Dispute Resolution" process). Tampa Electric states that these modifications are consistent with or superior to the changes the Commission made to the *pro forma* LGIP and should be permitted.[27]

b. Commission Determination

20. We find that the revised dispute resolution procedures that Tampa Electric proposes in its LGIP comply with the requirements of Order Nos. 845 and 845-A. We find the variations to be consistent with or superior to Order Nos. 845 and 845-A because they provide additional clarity to, but do not alter, the non-binding dispute resolution procedures.

4. Identification and Definition of Contingent Facilities

21. 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.[28] 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.[29] 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.[30] The Commission stated that this transparency will ensure that the method is applied on a non-discriminatory basis.[31] The Commission further required that transmission providers provide, upon the interconnection customer's request, the

[27] Filing at 2.

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

[29] Order No. 845, 163 FERC ¶ 61,043 at P 199.

[30] *Id.*; *see also pro forma* LGIP section 3.8.

[31] Order No. 845, 163 FERC ¶ 61,043 at P 200.

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.[32]

a. Tampa Electric's Compliance Filing

22. Tampa Electric proposes revisions to its LGIP to add a new section 3.8, which states that at the conclusion of the system impact study for the large generating facility, Tampa Electric shall identify any contingent facilities that may impact the results of the system impact study and note why each contingent facility was identified and how it relates to the interconnection request. Tampa Electric also includes in new section 3.8 the language the Commission outlined in the *pro forma* LGIP to state that Tampa Electric shall also provide, upon the request of the interconnection customer, the estimated interconnection facilities and/or network upgrades costs and estimated in-service completion time of each identified contingent facility when this information is readily available and not commercially sensitive. However, Tampa Electric states that it changed a reference to "Interconnection Facility" to instead say "Interconnection Facilities" to conform to the defined term in section 1 of the LGIP.[33] Tampa Electric states that this modification is consistent with or superior to the changes the Commission made to the *pro forma* LGIP and should be permitted.[34] Finally, Tampa Electric also proposes to add the definition of contingent facilities contained in section 1 of Appendix B of Order No. 845-A.

b. Commission Determination

23. We find that Tampa Electric's proposed definition of contingent facilities adopts the Commission's revisions to the *pro forma* LGIP and thus complies with the requirements of Order Nos. 845 and 845-A.

24. We also find that the revised provisions that identify and describe Tampa Electric's method for determining contingent facilities, as Tampa Electric proposes in its LGIP, partially comply with the requirements of Order Nos. 845 and 845-A. Tampa Electric's proposed language partially complies with Order Nos. 845 and 845-A because Tampa Electric has adopted the definition of contingent facilities and the language

[32] *Id.* P 199; *see also pro forma* LGIP section 3.8.

[33] Filing at 3.

[34] *Id.*

regarding the need for the transmission provider to include in LGIP section 3.8 a method for identification of contingent facilities without modification.

25. However, while Tampa Electric included language stating that it shall identify contingent facilities at the conclusion of the system impact study process and will note why each contingent facility was identified and how it relates to the interconnection request, Tampa Electric's proposed Tariff revisions to section 3.8 of its LGIP do not provide a method it will use to identify contingent facilities. As specified in Order No. 845, transmission providers must include, in section 3.8 of their LGIPs, a method for determining contingent facilities.[35] The Commission required that this method must provide sufficient transparency to determine why a specific contingent facility was identified and how it relates to the interconnection request.[36] 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.[37] Tampa Electric's proposed Tariff revisions lack the requisite transparency required by Orders No. 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 Tampa Electric will use as part of its method to identify contingent facilities.[38] Without this information, an interconnection customer will not understand how Tampa Electric will evaluate potential contingent facilities to determine their relationship to an individual interconnection request.[39] Further, including provisions regarding specific thresholds or criteria in Tampa Electric's LGIP will ensure that Tampa Electric's technical screens or analyses will be applied to interconnection requests on a consistent, not unduly discriminatory or preferential basis. Accordingly, we direct Tampa Electric to file, within 60 days of the date of this order, a further compliance filing that includes in section 3.8 of its LGIP the method it will use to determine contingent facilities, including technical screens or analyses it proposes to use to identify these facilities. We also require that Tampa Electric include the specific thresholds or criteria to achieve the level of transparency required by Order No. 845.

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[35] Order No. 845, 163 FERC ¶ 61,043 at P 199.

[36] *Id*.

[37] *Id.* P 200.

[38] 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. *Id.* P 220.

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

5. Transparency Regarding Study Models and Assumptions

26. In Order No. 845, the Commission revised section 2.3 of the *pro forma* LGIP to 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." 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).[40]

27. 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.[41] 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.[42] 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.[43]

a. Tampa Electric's Compliance Filing

28. Tampa Electric proposes revisions to its LGIP to add a new section 2.3 that incorporates the *pro forma* language adopted by Order Nos. 845 and 845-A without modification.

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[40] Order No. 845, 163 FERC ¶ 61,043 at P 236; *see also pro forma* LGIP section 2.3.

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

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

[43] *Id.* P 88.

b. Commission Determination

29. We find that the revised study model provisions that Tampa Electric proposes in its LGIP comply with the requirements of Order Nos. 845 and 845-A because they incorporate the *pro forma* language without modification.

6. Definition of Generating Facility

30. 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.[44]

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.[45]

a. Tampa Electric's Compliance Filing

31. Tampa Electric proposes revisions to section 1 of both its LGIP and *pro forma* LGIA to incorporate language adopted by Order Nos. 845 and 845-A without modification.

b. Commission Determination

32. We find that the revised provisions related to the definition of a "Generating Facility" that Tampa Electric proposes in its LGIP and *pro forma* LGIA comply with the requirements of Order Nos. 845 and 845-A because they incorporate the language without modification.

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

[45] Order No. 845, 163 FERC ¶ 61,043 at P 275.

7. Interconnection Study Deadlines

33. 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. 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.[46] 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.[47] 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.[48] 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.[49]

a. Tampa Electric's Compliance Filing

34. Tampa Electric proposes revisions to its LGIP to add a new section 3.5.2 that incorporate the *pro forma* language of Order Nos. 845 and 845-A, with two limited exceptions. First, Tampa Electric proposes to report on the draft interconnection facilities study because only the deadline for a draft facilities study is defined in its LGIP.[50] Tampa Electric notes that the deadline for a final interconnection facilities study depends on the interconnection customer's comments on the draft facilities study, and that the facilities study timeframes prescribed in Order No. 2003 were based on draft facilities studies.[51] Second, Tampa Electric has changed the term "Interconnection Facilities

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[46] *Id.* P 305; *see also pro forma* LGIP section 3.5.2 and 3.5.3.

[47] Order No. 845, 163 FERC ¶ 61,043 at P 305; *see also pro forma* LGIP section 3.5.4.

[48] Order No. 845, 163 FERC ¶ 61,043 at P 307.

[49] Order No. 845-A, 166 FERC ¶ 61,137 at P 107.

[50] Tampa Electric, OATT, Section 3.5.2.3, Fourth Revised Vol. No. 4.

[51] Filing at 4.

Studies Agreement" to "Interconnection Facilities Study Agreements," because the latter term is the defined term used throughout its LGIP.[52] Additionally, Tampa Electric proposes the following revisions: to LGIP section 3.5.2.1 to provide for a feasibility study completion deadline of "forty-five (45) Calendar Days; to LGIP section 3.5.2.2 to provide for a system impact study completion deadline of "ninety (90) Calendar Days"; and to LGIP section 3.5.2.3 to provide for a facilities study completion deadline of "ninety (90) or one hundred eighty (180) Calendar Days, as appropriate for that study."[53]

b. Commission Determination

35. We find that the revised provisions that address Tampa Electric's study deadline statistics and informational reporting requirements, as proposed in Tampa Electric's LGIP, comply with the requirements of Order Nos. 845 and 845-A. We find that the minor variations proposed by Tampa Electric are consistent with or superior to Order Nos. 845 and 845-A because the proposed variations in the terms are consistent with those used throughout Tampa Electric's LGIP. We find that the use of the terms defined in Tampa Electric's LGIP add additional clarity and help to avoid confusion.

8. Requesting Interconnection Service below Generating Facility Capacity

36. 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,[54] 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.[55]

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[52] Tampa Electric, OATT, Section 3.5.2.3, Fourth Revised Vol. No. 4.

[53] Tampa Electric, OATT, Section 3.5.2.1 (B),(C), and (E); 3.5.2.2(B), (C), and (E); 3.5.2.3(B) and (C), Fourth Revised Vol. No. 4.

[54] 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 article 1 (Definitions).

[55] Order No. 845, 163 FERC ¶ 61,043 at P 367; *see also pro forma* LGIP sections 3.1, 6.3, 7.3, and 8.2 and *pro forma* LGIP appendix 1.

37. 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 reliability of the system.[56] 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.

38. 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.[57]

39. 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.[58]

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[56] Order No. 845, 163 FERC ¶ 61,043 at PP 383-384.

[57] *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.*

[58] *Id.* P 406; *see also pro forma* LGIP section 4.4.1 and 4.4.2.

a. Tampa Electric's Compliance Filing

40. Tampa Electric proposes revisions to its LGIP that adopt the Commission's proposed reforms to sections 3.1, 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. However, Tampa Electric's proposed Tariff revisions do not fully incorporate the *pro forma* LGIP language adopted by Order No. 845.[59] Order No. 845 adopted the following language as the second sentence of 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.[60]

b. Commission Determination

41. We find that the revised provisions that allow an interconnection customer to request interconnection service below its full generating facility capacity, as proposed in Tampa Electric's LGIP, partially comply with the requirements of Order Nos. 845 and 845-A because they incorporate most of the language required by those Orders without modification. However, as discussed above, Tampa Electric's revisions to section 3.1 of its LGIP omit some of the *pro forma* LGIP language required by Order No. 845.[61] Accordingly, we direct Tampa Electric to file, within 60 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.

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[59] *See* Order No. 845-A, 166 FERC ¶ 61,137 at P 117.

[60] 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 Tampa Electric'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.

[61] *Id.* PP 347, 367, and Appendix B.

9. Provisional Interconnection Service

42. In Order No. 845, the Commission required transmission providers to allow all interconnection customers to request provisional interconnection service.[62] 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 interconnection service while the facilities required for its full interconnection request are completed.[63] To implement this service, the Commission revised the *pro forma* LGIP and *pro forma* LGIA to add a definition for "Provisional Interconnection Service"[64] and for a "Provisional Large Generator Interconnection Agreement."[65]

43. In addition, the Commission added *pro forma* LGIA article 5.9.2, which details the terms for provisional interconnection service.[66] 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.[67] The Commission stated that interconnection customers are responsible for the costs for performing these provisional interconnection studies.[68]

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[62] *Id.* P 438.

[63] *Id.* P 441.

[64] *Pro forma* LGIP section 1 (Definitions); *pro forma* LGIA article 1 (Definitions).

[65] *Pro forma* LGIP section 1 (Definitions); *pro forma* LGIA article 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.

[66] Order No. 845, 163 FERC ¶ 61,043 at P 438; *see also pro forma* LGIP section 5.9.2.

[67] Order No. 845, 163 FERC ¶ 61,043 at P 448.

[68] *Id.*

a. Tampa Electric's Compliance Filing

44. Tampa Electric proposes revisions to its LGIP and *pro forma* LGIA that add: (1) the new definition of provisional interconnection service, (2) the new article 5.9.2 to the *pro forma* LGIA that details the terms of provisional interconnection service, and (3) a new section 3.2A to the LGIP describing provisional interconnection service to comply with the requirement of Order No. 845 that "all interconnection customers may request provisional interconnection service."[69] Specifically, the new section 3.2A provides that an interconnection customer may request provisional interconnection service prior to the completion of requisite interconnection facilities, network upgrades, distribution upgrades, or system protection facilities, when available or additional studies indicate that there is a level of interconnection service that can occur without additional interconnection facilities and/or network upgrades. The new section 3.2A also states that provisional interconnection service is temporary and only available to an interconnection customer awaiting the completion of the full interconnection process, that it terminates upon the completion of the applicable interconnection facilities and network upgrades, and that it may not provide an interconnection customer its full requested level of interconnection service. Tampa Electric also proposes language in article 5.9.2 stating that it will update its provisional interconnection studies at the interconnection customer's expense each time the conditions assumed in those supporting studies change.[70]

b. Commission Determination

45. We find that the revised provisions that establish provisional interconnection service, as proposed in Tampa Electric's LGIP and *pro forma* LGIA, comply with the requirements of Order Nos. 845 and 845-A because Tampa Electric incorporates the definition of provisional interconnection service and article 5.9.2 without modification. We find that Tampa Electric's proposed new LGIP section 3.2A is consistent with or superior to Order Nos. 845 and 845-A because it allows interconnection customers to request provisional interconnection service and details the application process for and parameters of provisional interconnection service as described in Order Nos. 845 and 845-A.

[69] *Id.* P 438.

[70] Tampa Electric, OATT, Article 5.9.2, Fourth Revised Vol. No. 4.

10. Surplus Interconnection Service

46. 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.[71] Surplus interconnection service enables a new interconnection customer to utilize the unused portion of an existing interconnection customer's interconnection service within specific parameters.[72] 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.[73] 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.[74] 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 use of surplus interconnection service.[75] 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.[76] When the interconnection customer, the surplus interconnection service customer, and the transmission provider enter into agreements for surplus interconnection service, they

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[71] Order No. 845, 163 FERC ¶ 61,043 at P 467; *see also pro forma* LGIP section 1 (Definitions); *pro forma* LGIA article 1 (Definitions).

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

[73] Order No. 845, 163 FERC ¶ 61,043 at P 467; *see also pro forma* LGIP section 3.3 and 3.3.1.

[74] Order No. 845, 163 FERC ¶ 61,043 at P 483; *see also pro forma* LGIP section 3.3.

[75] Order No. 845, 163 FERC ¶ 61,043 at PP 455, 467.

[76] *Id.* P 481.

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 OATT.[77]

a. Tampa Electric's Proposal

47. Tampa Electric proposes revisions to its LGIP and *pro forma* LGIA that add a definition for Surplus Interconnection Service to section 1 of its LGIP and article 1 of the *pro forma* LGIA.[78]

48. In its Deficiency Response, Tampa Electric proposes revisions to supplement the *pro forma* provisions of section 3.3 and subsection 3.3.1 of the LGIP. Specifically, Tampa Electric has added a paragraph to *pro forma* subsection 3.3.1 that states that all notifications and requests for surplus interconnection service shall be posted on Tampa Electric's OASIS and shall be processed outside of the interconnection queue. Tampa Electric adds new subsections to section 3.3 to describe the surplus interconnection service process in detail.[79]

49. Tampa Electric, in section 3.3.4.1, proposes Tariff language outlining the process by which a customer that is neither the existing customer nor its affiliate can submit a surplus interconnection service request. That section states:

> If the Requesting Customer is not the Existing Customer or an affiliate of the Existing Customer, the following conditions must be met for the Surplus Interconnection Service Request to be considered valid:
>
> (i) The Existing Customer must agree to allow the Requesting Customer to use the Surplus Interconnection Service.
>
> (ii) The Existing Customer shall stipulate the amount of Surplus Interconnection Service that is available and when that service is

[77] *Id.* P 499.

[78] Filing at 6.

[79] The new subsections are as follows: Submittal of a Surplus Interconnection Service Request, Review of the Surplus Interconnection Service Request, Customer Identification, Available Studies, System Impact Study, Facility Study, Interconnection Agreement and Dispute Resolution.

> available, and may describe any other conditions under which Surplus Interconnection Service at the Point of Interconnection may be used.

b. Commission Determination

50. We find that Tampa Electric has complied with the Commission's requirement to establish surplus interconnection service. Tampa Electric has adopted the *pro forma* LGIP and *pro forma* LGIA revisions for surplus interconnection service as required by Order Nos. 845 and 845-A without modification and proposed a process for evaluating and transferring surplus interconnection service that complies with the requirements of Order Nos. 845 and 845-A.

11. Material Modifications and Incorporation of Advanced Technologies

51. 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,[80] 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.[81] 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.[82]

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[80] 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.

[81] *Id.* P 518.

[82] *Id.*; *see also pro forma* LGIP section 4.4.6.

52. 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.[83] 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.[84]

53. 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.[85] 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.[86] 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.[87]

54. 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.[88] The Commission also found that, if the transmission provider determines that additional studies are necessary 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

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[83] Order No. 845, 163 FERC ¶ 61,043 at P 519.

[84] *Id.*

[85] *Id.* P 519; Order No. 845-A, 166 FERC ¶ 61,137 at P 155.

[86] Order No. 845, 163 FERC ¶ 61,043 at P 521.

[87] *Id.*

[88] *Id.* P 535; Order No. 845-A, 166 FERC ¶ 61,137 at P 155.

the transmission provider's technological change procedure.[89] 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.[90]

55. 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 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.[91]

a. Tampa Electric's Compliance Filing

56. Tampa Electric proposes revisions to its LGIP and its *pro forma* LGIA that incorporate a new section 4.4.6 to the OATT LGIP and a definition of permissible technological advancement to section 1 of its LGIP. The definition states that permissible technological advancement "shall mean any changes to the technology of the Large Generating Facility that: (i) does not change the technical specifications submitted by the Interconnection Customer to the Transmission Provider or (ii) does change the

[89] Order No. 845, 163 FERC ¶ 61,043 at P 534. The Commission set the default deposit amount to $10,000, but stated that a transmission provider may propose a reasonable alternative deposit amount in its compliance filing and include a justification supporting this alternative amount. *Id.*

[90] *Id.* P 522.

[91] Order No. 845-A, 166 FERC ¶ 61,137 at P 155.

submitted technical specifications but does not materially change the results of the System Impact Study after review in accordance with Section 4.4.6."

57. Tampa Electric's proposed LGIP section 4.4.6 sets forth the technological change procedures. Tampa Electric proposes to allow the interconnection customer to submit modifications to the large generating facility's technology at any time before the conclusion of the system impact study. Tampa Electric states that the interconnection customer's analysis shall explain how its proposed technological advancement would result in electrical performance that is equivalent to or better than the electrical performance expected prior to the change.[92] Tampa Electric states that the proposed technological advancement will be deemed a permissible technological advancement if it does not change the technical specifications for the large generating facility and no further action will be required.[93] Tampa Electric further states that, if the modifications would change the technical specifications, Tampa Electric will update the appropriate study models and re-run the results.[94] If the study results are such as that the previously identified interconnection facilities and network upgrades are adequate, the modification will be deemed a permissible technological advancement and no further action will be required. However, if the study results are impacted such that the previously identified interconnection facilities or network upgrades are inadequate remedies for identified system impacts, the modification will be deemed a material modification.

b. Commission Determination

58. We find that the proposed revisions to incorporate a definition of a permissible technological change and associated procedures, as proposed by Tampa Electric in its LGIP partially comply with the requirements of Order Nos. 845 and 845-A.

59. With regard to Tampa Electric's proposed definition of permissible technological advancement, we find that the use of the undefined terms "technical specifications" and "materially change" makes it unclear how Tampa Electric will determine whether a proposed technological change is a permissible technological advancement. Further, we find that it is unclear how Tampa Electric will determine whether a proposed technological change will or will not require further study (and associated deposit) under the technological change procedure. Accordingly, we direct Tampa Electric to file, within 60 days of the date of this order, a further compliance filing that revises

[92] Tampa Electric, OATT, Section 4.4.6, Fourth Revised Vol. No. 4.

[93] *Id.*

[94] *Id.*

section 4.4.6 of its LGIP and its definition of permissible technological advancement to clarify how it will assess changes to a generating facility's technical specifications.

60. With respect to the timing of acceptance of technological advancements, the Commission, in Order No. 845, permitted the interconnection customer to submit a request to incorporate technological advancement prior to the execution of the interconnection facility study agreement. The Commission stated that establishing a reasonable cut-off point for allowing technological advancements would enhance the transmission provider's ability to tender an interconnection service agreement and, consequently, would not delay other projects.[95] Tampa Electric's filing, however, proposes to, without justification, accept technological changes up until the "conclusion of system impact study" rather than at the execution of facilities study agreement. Accordingly, we direct Tampa Electric to file, within 60 days of the date of this order, a further compliance filing to permit the interconnection customer to submit a request to incorporate technological advancement prior to the execution of the facility study agreement.

61. Tampa Electric's technological change procedure states that an interconnection customer may submit "modifications to the Large Generating Facility's technology." However, Order No. 845 required the technological change procedure to state that the interconnection customer should submit a technological advancement request if it seeks to incorporate technological advancements into its proposed generating facility.[96] Requiring the interconnection customer to submit a technological change request provides clarity with regard to whether the transmission provider is evaluating the request under the new technological change procedure or the existing material modification assessment procedures. Therefore, we direct Tampa Electric to submit a further compliance filing, within 60 days of the date of this order, that revises its technological change procedure to state that an interconnection customer should submit a technological advancement request if it seeks to incorporate the technological advancements into its proposed generating facility.

62. In Order No. 845, the Commission 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, in its technological change procedure, should specify the amount of the deposit.[97] While Order No. 845 sets the default deposit amount

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[95] Order No. 845, 163 FERC ¶ 61,043 at P 536.

[96] *Id.* P 519.

[97] *Id.* P 534.

at $10,000, it allows the transmission provider to propose, with justification, a reasonable alternative amount.[98] Order No. 845 further states that the transmission provider is required to describe for the interconnection customer any costs incurred to conduct necessary additional studies and issue, provide its costs, and either refund any overage or charge for any shortage for costs that exceeded the deposit amount.[99] Tampa Electric fails to propose a deposit for a technological change request as required by Order No. 845. Accordingly, we direct Tampa Electric to file, within 60 days of the date of this order, a further compliance filing proposing the deposit amount the interconnection customer is required to tender in order to comply with the requirements of Order No. 845.

63. With regard to a deadline for the completion of a technological change request, Order No. 845 states that each transmission provider's technological change procedure must include the timeframe for the transmission provider to perform the study to determine if the proposed technological advancement is a material modification and return the results to the interconnection customers.[100] Order No. 845 further states that a 30-day study result deadline is appropriate, noting that the transmission provider should perform and complete all necessary studies as soon as practicable.[101] Additionally, Order No. 845-A required that the transmission provider determine whether the proposed technological change is a material modification within 30 days of an interconnection customer submitting a technological change request.[102] In its compliance filing, Tampa Electric fails to specify a deadline by which it will determine whether the proposed technological change is a material modification. Accordingly, we direct Tampa Electric to submit, within 60 days of the date of this order, a further compliance filing revising its LGIP to specify that Tampa Electric will complete its assessment and determination of whether a proposed technological change is a material modification within 30 days of an interconnection customer submitting a technological change request.

64. In addition, because Tampa Electric'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

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[98] *Id.*

[99] *Id*.

[100] *Id.* P 535.

[101] *Id.*

[102] Order No. 845-A, 166 FERC ¶ 61,137 at P 155.

required to do so if it cannot accommodate a proposed technological advancement without triggering the material modification provision of the *pro forma* LGIP.[103]

12. Other Issues Raised by Tampa Electric

a. Correction to Internal Section Reference and Other Changes

65. Tampa Electric proposes additions and modifications to Appendix B of its LGIP to correct internal section references to comply with the errata notice issued on May 13, 2019. Specifically, Tampa Electric's additions and modifications affect the following sections of the LGIP and its appendices: 3.4.1; 3.4.3; 3.4.4; 3.5 (formerly designated 3.5.1); 3.5.2; 4.1; 4.4.2; 4.4.6 (formerly designated 4.4.4); 6.1; 7.1; 7.2; 7.4; 8.3; Appendix 1, section 5(i) (formerly designated section 5(h)); and Appendix 2, section 4.0.

66. Additionally, Tampa Electric amends the Table of Contents of the OATT to reflect the changes made in compliance with Order Nos. 845 and 845-A, as itemized above.

b. Commission Determination

67. We find that the proposed revisions and modifications, as proposed by Tampa Electric in its LGIP, conform with requirements of Order Nos. 845 and 845-A.

The Commission orders:

(A) Tampa Electric'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) Tampa Electric is hereby directed to submit a compliance filing within 60 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.

[103] Order No. 845, 163 FERC ¶ 61,043 at P 522.