

143 FERC ¶ 61,250
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;
Philip D. Moeller, John R. Norris,
Cheryl A. LaFleur, and Tony Clark.

ISO New England Inc. and
New England Power Pool

Docket No. ER12-1643-001

ORDER ON PROPOSED TARIFF REVISIONS

(Issued June 20, 2013)

1. On February 6, 2013, ISO New England Inc. (ISO-NE) submitted, pursuant to section 205 of the Federal Power Act (FPA),¹ proposed revisions to its open access transmission tariff (tariff) to establish a revised compensation methodology governing the provision of frequency regulation service, as required by Order No. 755.² The proposed tariff changes (February 2013 Proposal) revise the initial compensation methodology that ISO-NE and the New England Power Pool Participants Committee (NEPOOL) proposed on April 30, 2012 (April 2012 Proposal), which the Commission rejected on November 8, 2012³ as non-compliant with Order No. 755. ISO-NE requests an effective date of January 1, 2015. We will accept the February 2013 Proposal to become effective 180 days from the date of this order, subject to ISO-NE submitting a compliance filing discussed below.

¹ 16 U.S.C. § 824d (2006).

² *Frequency Regulation Compensation in the Organized Wholesale Power Markets*, Order No. 755, 137 FERC ¶ 61,064 (2011) (Order No. 755), *reh'g denied*, 138 FERC ¶ 61,123 (2012).

³ *ISO New England Inc. and New England Power Pool Participants Committee*, 141 FERC ¶ 61,110 (2012) (November 2012 Order).

I. Background

A. Frequency Regulation Service

2. Frequency regulation is an ancillary service, as required under the Commission's *pro forma* open access transmission tariff (*pro forma* OATT).⁴ It is relied upon by system operators to control both actual and anticipated frequency deviations. A frequency deviation is caused when the supply of dispatched generation, or demand response resources, as measured in Hertz, fails to equal the amount of electricity actually consumed (i.e., load, plus losses), at a given moment. When such a deviation exceeds an acceptable range, the system can be impaired, with major deviations causing generation and transmission equipment to disconnect from the grid. In the worst case, a blackout can be triggered.

B. Order No. 755

3. In Order No. 755, the Commission found that the resources relied upon by regional transmission operators (RTOs) and independent system operators (ISOs) to provide frequency regulation service differ in both their ramping ability and the accuracy with which these resources can respond to the system operator's dispatch signal.⁵ Order No. 755 further found that current compensation policies fail to acknowledge these operational differences. Specifically, Order No. 755 found that existing RTO/ISO compensation methods result in rates that are unjust, unreasonable, and unduly discriminatory or preferential, given that resources are compensated at the same level even when providing different amounts of frequency regulation service.⁶ Order No. 755

⁴ See *Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities and Recovery of Stranded Costs by Public Utilities and Transmitting Utilities*, Order No. 888, FERC Stats. & Regs. ¶ 31,036, at 31,705 (1996), *order on reh'g*, Order No. 888-A, FERC Stats. & Regs. ¶ 31,048 (1997), *order on reh'g*, Order No. 888-B, 81 FERC ¶ 61,248 (1997), *order on reh'g*, Order No. 888-C, 82 FERC ¶ 61,046 (1998), *aff'd in part and rev'd in part sub nom. Transmission Access Policy Study Group v. FERC*, 225 F.3d 667 (D.C. Cir. 2000), *aff'd sub nom., New York v. FERC*, 535 U.S. 1 (2002).

⁵ Order No. 755, FERC Stats & Regs. ¶ 31,324 at P 1.

⁶ *Id.* P 64.

further found that paying a uniform clearing price that includes opportunity costs would send efficient price signals reflecting the true cost of providing frequency regulation service.⁷

4. To accomplish this objective, Order No. 755 required each RTO/ISO to use market-based mechanisms to select and compensate frequency regulation resources based on a two-part payment methodology. First, Order No. 755 required that a capacity payment be made to a resource to keep its capacity in reserve in the event that it is needed to provide real-time frequency regulation service.⁸ Second, Order No. 755 required that performance payments be made, that reflect the amount of work each resource performs in real-time in response to the system operator's dispatch signal.⁹ Order No. 755, however, gave each RTO and ISO discretion in identifying the manner by which it would implement Order No 755's required two-part payment methodology.¹⁰

5. As relevant here Order No. 755 also required RTOs and ISOs to allow for inter-temporal opportunity costs to be included in a resource's offer to sell frequency regulation service, with the requirement that the costs be verifiable. Order No. 755 explained that inter-temporal opportunity costs are a legitimate cost for a market participant to include in its offer to sell frequency regulation and thus must be allowed. However, Order No. 755 allowed RTOs and ISOs to propose who is responsible for calculating such costs – the RTO or ISO itself or market participants.¹¹

C. April 2012 Proposal

6. In the April 2012 Proposal, ISO-NE and NEPOOL (together, the Filing Parties) submitted tariff revisions to implement a Vickrey auction, in place of ISO-NE's existing regulation market, to comply with the requirements of Order No. 755. The Filing Parties asserted that the Vickrey auction design at once complied with the requirements of Order No. 755 while addressing the unique attributes of the New England region.

⁷ *Id.* P 99.

⁸ *Id.* P 198.

⁹ *Id.* P 199.

¹⁰ *Id.* P 185.

¹¹ *Id.* P 103.

7. As discussed in the April 2012 Proposal and the November 2012 Order, the small size of ISO-NE's regulation market – \$13.3 million, or 0.2 percent of the cost of electricity in 2011 – means that supply can be met by a few resources or even one resource for many hours of the year.¹² While ISO-NE has 70 resources that regularly provide regulation service, in 28 percent of the annual hours, only one or two regulation resources were required by the system; in 52 percent of the hours, three or fewer resources were required; and, no more than five resources are dispatched 90 percent of the time in the system to provide regulation service. From 2006 to 2012, there was an average surplus of about 500 MW, compared with a regulation requirement ranging from 30 MW to 150 MW. In 2011, the average regulation requirement was 60 MW and, in 77 percent of hours, the requirement was 50 MW or less. The Filing Parties argued that the Vickrey auction design, which requires that the payment to a resource be based on the system opportunity cost, is the only approach that appropriately handles ISO-NE's limited need for multiple suppliers and retains the principles of truthful bidding and efficiency (least cost supply).¹³

8. The Vickrey auction design consists of four steps. First, each supplier submits a regulation offer for each of its resources consisting of: (1) a capacity offer (\$/MW); (2) a mileage offer (\$/MW of instructed movement); (3) the regulation range (MW); and (4) the ramp rate (MW/minute). Second, resources are selected to “minimize expected cost while satisfying the regulation requirement.”¹⁴ While participants will submit regulation offers to provide regulation capacity for a standard period of one hour, the offer price will be pro-rated, as necessary, for the actual duration of the selection interval. Third, resources are dispatched by automatic generation control. The fourth and final step of this process is settlement. The settlement process produces a bundled payment that is different for each selected resource. For any given selected resource, the bundled payment equals the selected resource's realized costs (calculated *ex post*) plus the incremental system cost savings resulting from that resource's selection (calculated *ex ante*). The Filing Parties argued that the Vickrey auction approach provides strong incentives for suppliers to fully express their true costs through their two-part bids, and that suppliers may include inter-temporal opportunity costs in their capacity offers and would be able to adjust those offers during the day to reflect any changes in their opportunity costs. Furthermore, the Filing Parties explained that regulation suppliers will

¹² ISO-NE uses the term “lumpy” to describe an abundant supply of resources able to provide the small amount of frequency regulation needed.

¹³ April 2012 Proposal, Transmittal at 7, Cramton Test. at 18.

¹⁴ April 2012 Proposal, Cramton Test. at 27.

be able to adjust their Regulation Capacity¹⁵ offers and Regulation Service¹⁶ offers at any time during the day prior to the initiation of a new selection process, rather than solely submitting offers on a daily basis.¹⁷

9. Also, to comply with Order No. 755's requirement that compensation reflect the accuracy with which a resource follows the AGC dispatch instruction, the April 2012 Proposal included "Performance Monitoring":¹⁸ a resource that did not perform during a 4-second AGC cycle would not be compensated for regulation capacity during that cycle. The criteria for determining that a resource is, or is not, performing during a specific cycle included a grace period for a resource to begin moving to a new AGC SetPoint, a tolerance for the actual response rate as a percentage of the offered Automatic Response Rate, and a tolerance around achieving the AGC SetPoint as a percentage of the offered regulation capacity.

10. The Commission found in its November 2012 Order that, because the Filing Parties' proposed Vickrey auction approach did not produce uniform clearing prices or separate payments for capacity and service, it was not compliant with Order No. 755. Therefore, the Commission rejected the proposal and required ISO-NE to file another compliance proposal within 90 days of the November 2012 Order.

D. February 2013 Proposal

11. The February 2013 Proposal maintains much of the Vickrey auction design proposed in the April 2012 Proposal, including two-part bidding and the goal of minimizing expected costs, but now includes separate, uniform prices for regulation capacity and service. As with the April 2012 Proposal, the February 2013 Proposal consists of four steps: (1) submission of offers, (2) resource selection, (3) resource dispatch, and (4) settlement. Of the four steps, settlement is the only one that is different

¹⁵ ISO-NE defines "Regulation Capacity" as the lesser of five times the Automatic Response Rate and one-half of the difference between the Regulation High Limit and the Regulation Low Limit of a Resource capable of providing Regulation. *See* section I.2.2 (Definitions) of the ISO-NE Tariff.

¹⁶ ISO-NE defines "Regulation Service" as the change in output or consumption made in response to changing AGC SetPoints. *See* section I.2.2 (Definitions) of the ISO-NE Tariff.

¹⁷ April 2012 Proposal, Transmittal at 5; Lowell Test. at 9-10.

¹⁸ *See* section III.14.7 of the ISO-NE Tariff.

from the April 2012 Proposal.¹⁹ The settlement process in the February 2013 Proposal produces separate, uniform prices by first calculating the “efficient bundled payment” for each of the selected resources based on each resource’s as-bid costs, expected amount of service to be provided, opportunity costs, and the incremental system cost savings provided by each resource.²⁰ The efficient bundled payment for all resources will then be used to choose the lowest-cost combination of resources necessary to meet ISO-NE’s needs. The highest Regulation Service Offer from this set of selected resources will set the uniform Regulation Service clearing price. ISO-NE will then subtract each cleared resource’s expected service payment from its efficient bundled payment, using the remainder to determine a rate (in \$/MW) at which each resource individually would need to be compensated for its capacity in order to break even. The highest of these rates is used as the Regulation Capacity clearing price for purposes of determining a resource’s compensation,²¹ which will be equal to the sum of (1) the resource’s cleared capacity times the Regulation Capacity clearing price and (2) the resource’s total service provided times the Regulation Service clearing price.

12. Additionally, the February 2013 Proposal includes a make-whole payment mechanism to ensure that actual as-bid costs plus energy opportunity costs are fully compensated. ISO-NE states that the risk of resources being paid less than full compensation is low, but if a resource’s actual opportunity costs significantly exceed the expected opportunity costs, the make-whole payment ensures that regulation providers recover at least their actual costs.²²

13. ISO-NE requests that the regulation market changes become effective on or after January 1, 2015, with two weeks’ notice of the actual effective date to be provided by ISO-NE. ISO-NE states that it must schedule the work needed to implement the regulation market changes to fit within the New England region’s overall plan for other significant development projects, which compete for the same internal and external development resources. ISO-NE argues that the February 2013 Proposal cannot be completed until 2015 because the resources needed to design and implement the software

¹⁹ The first three steps in both proposals are the same. First, each regulation resource will submit a regulation offer that includes that resource’s capacity offer, mileage offer, regulation range, and ramp rate. Second, resources are selected to minimize expected cost while satisfying the regulation requirements of the system. Third, resources are dispatched by AGC. February 2013 Proposal, Transmittal at 3.

²⁰ *Id.* at 3.

²¹ February 2013 Proposal, Lowell Test. at 3-5.

²² February 2013 Proposal, Transmittal at 4; Lowell Test. at 5-6.

for the market are largely the same as those required to deliver more significant development projects. ISO-NE states that it understands and recognizes the importance of the regulation market and, therefore, it is pursuing an interim change to its existing regulation market.²³

14. ISO-NE states that, in the interim, it intends to implement short-term changes to the existing regulation market by the third quarter of 2013.²⁴ ISO-NE asserts that these interim changes will reduce discriminatory pricing in the regulation market by incorporating energy opportunity costs in the clearing price. This new regulation clearing price would be used to compensate all resources providing regulation, including both generators and alternative technologies.²⁵

II. Notice of Filing and Responsive Pleadings

15. Notice of the February 2013 Proposal was published in the *Federal Register*, 78 Fed. Reg. 10,164 (2013), with interventions and protests due on or before February 27, 2013. NEPOOL and Beacon Power, LLC (Beacon) submitted timely motions to intervene and comments. On March 1, 2013, the Electricity Storage Association (ESA) filed a motion to intervene out of time and comments.

16. On March 15, 2013, ISO-NE filed a motion to answer and answer. On April 17, 2013, ISO-NE filed a motion to answer and supplemental answer.

III. Discussion

A. Procedural Matters

17. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2012), the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding. Pursuant to Rule 214(d) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(d) (2012), we will

²³ February 2013 Proposal, Transmittal at 7.

²⁴ ISO-NE submitted the proposed interim changes on April 11, 2013, in Docket No. ER13-1259-000, which is currently pending before the Commission.

²⁵ Since 2008, ISO-NE has implemented an Alternative Technologies Regulation Pilot Program (Pilot Program), which provides a mechanism for storage and other resources to provide, and be compensated for, regulation service.

grant ESA's late-filed motion to intervene and comments, given its interest in the proceeding, the early stage of the proceeding, and the absence of any undue prejudice or delay.

18. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(a)(2) (2012), prohibits an answer to a protest and an answer to an answer unless otherwise ordered by the decisional authority. We will accept the answers filed by ISO-NE because they have provided information that assisted us in our decision-making process.

B. Regulation Market Changes

1. ISO-NE Proposal

19. ISO-NE states that the February 2013 Proposal complies with Order No. 755 and corrects the shortcomings of the April 2012 Proposal found in the November 2012 Order, by providing: (1) separate, uniform prices for regulation capacity and service; and (2) two-part compensation based on those uniform prices.

20. ISO-NE states that the New England stakeholders voted unanimously (with five abstentions) in support of the February 2013 Proposal at the February 1, 2013, NEPOOL Participants Committee meeting.

2. Responsive Pleadings

21. NEPOOL, Beacon and ESA support the February 2013 Proposal, agreeing that the revisions include uniform prices and separate payments for capacity and service.²⁶ NEPOOL further explains that it did not join in the ISO-NE filing because it does not support discussion in the Transmittal Letter attached to the February 2013 Proposal regarding proposed changes to the New England markets, which have not yet been considered in the stakeholder process. NEPOOL believes that section III.A and Attachment IV of the Transmittal Letter ("Development and Implementation Schedule," and ISO-NE's 2013 Work Plan, respectively) cover substantially more than required by Order No. 755.²⁷

²⁶ Beacon Comments at 3; ESA Comments at 3.

²⁷ NEPOOL Comments at 4. *See* section III of ISO-NE's Transmittal Letter and Attachment IV of its February 2013 Proposal.

3. Commission Determination

22. We find that the February 2013 Proposal satisfies most of the requirements of Order No. 755. The proposed modifications to the initial, Vickrey auction design provide uniform clearing prices and separate payments, for regulation capacity and mileage, thereby remedying both shortcomings in the April 2012 Proposal, which were identified in the November 2012 Order. Accordingly, we will accept the February 2013 Proposal, subject to ISO-NE submitting the compliance filing discussed below.

23. Although the February 2013 Proposal complies with the clearing price and payment directives of Order No. 755, it does not address how resources will be able to include inter-temporal opportunity costs in their bids, which is also required by Order No. 755. Order No. 755 requires that “RTOs and ISOs ... allow for inter-temporal opportunity costs to be included in a resource’s offer to sell frequency regulation service, with the requirement that the costs be verifiable.”²⁸ We recognize that ISO-NE’s proposal does include a make-whole payment mechanism to ensure that actual as-bid costs plus energy opportunity costs are fully compensated. However, the make-whole payment, as an *ex post* mechanism, does not by itself ensure that regulation resources are allowed to include inter-temporal opportunity costs in their *ex ante* bids. Therefore, we will require ISO-NE to submit, within 45 days of the date of this order, a compliance filing that explains how regulation resources will be allowed to incorporate inter-temporal opportunity costs into their bids and how ISO-NE will verify these costs, and the associated modified tariff revisions.

C. Effective Date

1. ISO-NE Proposal

24. ISO-NE requests that the February 2013 Proposal become effective on or after January 1, 2015, explaining that the tariff changes require substantial changes to the market administration and operations software. Additionally, ISO-NE states that the tariff changes need to be scheduled to fit within the ISO-NE Work Plan. The Work Plan includes other significant development projects that compete for the same internal and external development resources. ISO-NE states that the January 1, 2015 (or later) effective date is necessary because the resources required to design and implement the software for this market are largely the same resources required to deliver the other

²⁸ Order No. 755, FERC Stats & Regs. ¶ 31,324 at P 103.

projects in the Work Plan.²⁹ ISO-NE asserts that it recognizes the importance of the regulation market and that therefore, it is pursuing interim changes to its current regulation market design to include energy opportunity costs in the clearing price.

2. Responsive Pleadings

25. Beacon and ESA oppose the January 1, 2015 effective date. Beacon and ESA state that ISO-NE has yet to open its regulation market to non-generation storage resources as required by Order No. 890.³⁰ Beacon states that ISO-NE is the only jurisdictional grid operator that has failed to allow non-generation resources to participate in its regulation market. According to these parties, storage resources are only allowed to supply regulation through the Pilot Program, which limits total participation to 13 MW.³¹ Beacon states that the Pilot Program was set to terminate with the opening of the new regulation market in May 2010. However, Beacon asserts that ISO-NE has continuously delayed implementation of the new market and kept the Pilot Program in place, which, according to Beacon, allows for unfair and unduly discriminatory treatment to non-generation resources. Beacon argues that the benefits of energy storage technologies, including fast and accurate response, reduced fuel consumption from displaced fossil plants, reduced emissions, increased flexibility, and increased reliability, would benefit both consumers and the New England grid.³²

26. Beacon and ESA dispute ISO-NE's prioritizations in the Work Plan, arguing that advanced energy storage resources, like flywheels, are designed to help mitigate the grid challenges on which ISO-NE claims it is focused in lieu of the regulation market. Thus, Beacon and ESA argue that requiring ISO-NE's compliance with Order Nos. 755 and 890 should be a priority due to the benefits energy storage resources provide to the grid.³³ To

²⁹ February 2013 Proposal, Transmittal at 6-7.

³⁰ Beacon Comments at 5; ESA Comments at 4. *See, e.g., Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, FERC Stats. & Regs. ¶ 31,241, at P 888 (2007) ("We therefore modify Schedules 2, 3, 4, 5, 6, and 9 of the *pro forma* OATT to indicate that Reactive Supply and Voltage Control, Regulation and Frequency Response, Energy Imbalance, Spinning Reserves, Supplemental Reserves and Generator Imbalance Services, respectively, may be provided by generating units as well as other nongeneration resources such as demand resources where appropriate.").

³¹ *See* Market Rule 1, Appendix J, section III.J.4 of the ISO-NE Tariff.

³² Beacon Comments at 5-6; ESA Comments at 4-5.

³³ Beacon Comments at 6; ESA Comments at 6.

that end, NEPOOL states that stakeholders were given the opportunity to question and comment on the Work Plan, and the stakeholder input reflected informal support for the priority of Order No. 755 compliance changes relative to the priorities of the other challenges confronting the region.³⁴

27. With regard to the interim changes to the current regulation market design that will include energy opportunity costs in the clearing price, Beacon and ESA support ISO-NE's efforts to become more compliant with Order No. 755. Beacon and ESA state that the inclusion of energy opportunity costs in the clearing price will ensure appropriate compensation to regulation providers in line with the directives of Order No. 755, while sending the right market signals to current providers, ensuring the selection of the lowest total cost regulation resources.³⁵ Beacon and ESA argue that it cannot be assumed that this near-term fix will be implemented, and Beacon states that the Commission should direct ISO-NE to comply with Order No. 755 within 180 days of the date of the filing.³⁶

28. Beacon and ESA state that ISO-NE's proposed effective date of January 1, 2015, is more than two years from the Order No. 755 mandated effective date of October 2012 and is unacceptable because it precludes Beacon and other storage providers from fully operating in the ISO-NE region and from being compensated in a just and reasonable manner.³⁷ Moreover, Beacon and ESA state that additional delay will continue discriminatory pricing, is not in the interest of ratepayers, and will maintain a significant barrier to entry for energy storage flywheels in the ISO-NE market.³⁸

³⁴ NEPOOL Comments at 5.

³⁵ Beacon Comments at 7; ESA Comments at 7.

³⁶ At the time comments were filed, Beacon and ESA state that the interim proposal did not pass either the Markets Committee or the Participants Committee. However, we note here that at the writing of this order, the Markets Committee supported the proposal unanimously, with seven abstentions on March 11, 2013. Likewise, the Participants Committee supported the interim proposal as part of their Consent Agenda on April 5, 2013. Subsequently, as mentioned above, ISO-NE and NEPOOL filed the interim regulation market changes on April 11, 2013, in Docket No. ER13-1259-000.

³⁷ Beacon Comments at 4; ESA Comments at 3.

³⁸ Beacon Comments at 2, 7, 8; ESA Comments at 2, 7, 8.

29. NEPOOL states that stakeholders were given the opportunity to question and comment on the Work Plan, and the stakeholder input reflected informal support for the priority of Order No. 755 compliance changes relative to the priorities of the other challenges confronting the region.³⁹

30. In its Answer, ISO-NE disputes ESA's comments regarding the existing regulation market and the ability of storage resources to participate.⁴⁰ ISO-NE states that while the market through which generators provide regulation service is not able to accommodate storage resources, ISO-NE offers a separate program that does accommodate storage resources – the Pilot Program. ISO-NE reiterates that the Pilot Program has been in place since late 2008, and provides a mechanism for resources to provide and be compensated for regulation service. ISO-NE explains that the Pilot Program remains open to new entrants. Moreover, ISO-NE contends that, should the short-term changes currently being discussed in the stakeholder process be implemented, market participants with storage resources will be paid based on regulation prices that reflect energy opportunity costs of the marginal unit, just like generation resources are currently compensated.⁴¹ ISO-NE argues that the adoption of the short-term changes to include energy opportunity costs in the regulation clearing price largely comports with and captures the economic benefits anticipated by Order No. 755, and therefore believes that the proposed schedule for implementing the regulation market changes is reasonable.⁴²

31. In its Supplemental Answer, ISO-NE states that the interim regulation market design changes were approved at the NEPOOL Participants Committee on April 5, 2013 as part of its Consent Agenda. ISO-NE also notes that on April 11, 2013, ISO-NE and NEPOOL jointly filed the interim proposal in Docket No. ER13-1259-000, and requested the changes become effective on July 1, 2013.⁴³

3. Commission Determination

32. We will grant ISO-NE a partial extension of time and allow the February 2013 Proposal to become effective 180 days from the date of this order.

³⁹ NEPOOL Comments at 5.

⁴⁰ ISO-NE Answer at 3. *See, e.g.*, ESA Comments at 1 (claiming that storage resources are “restricted” from participating in the regulation market).

⁴¹ ISO-NE Answer at 3.

⁴² ISO-NE Answer at 5.

⁴³ ISO-NE Supplemental Answer at 3.

33. Order No. 755 required that compliance filings thereto be implemented 180 days after submission, and consistent with Order No. 755, 180 days from the date of this order should provide adequate time for ISO-NE to implement the regulation market changes accepted here. The already significant delays in establishing an Order No. 755-compliant frequency regulation market in ISO-NE have caused, and continue to cause, market uncertainty for regulation market participants. In light of the importance of ensuring that all frequency regulation resources receive just and reasonable and not unduly discriminatory compensation, we find it unreasonable to delay implementation to January 2015.⁴⁴

The Commission orders:

(A) ISO-NE's proposed tariff revisions are hereby accepted for filing, to become effective 180 days from the date of this order, subject to condition, as discussed in the body of this order.

(B) ISO-NE is hereby directed to submit a compliance filing and revised tariff sheets, within 45 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.

⁴⁴ We are not persuaded that ISO-NE's proposed interim changes justify granting a delayed implementation date in this proceeding. Proposing alternative tariff revisions that do not comply with Order No. 755 cannot support a delay in complying with the rule itself.