

February 2015 Meeting Summaries

These are summaries of orders voted by the Federal Energy Regulatory Commission at its February 19, 2015 public meeting. The summaries are produced by FERC's Office of External Affairs and are intended to provide only a general synopsis of the orders. These summaries are not intended as a substitute for the Commission's official orders. To determine the specific actions and the Commission's reasoning, please consult the individual orders when they are posted to FERC's eLibrary found at www.ferc.gov.

E-2 – Press Release

E-3, E-4 – Press Release

E-5 – Press Release

E-6, E-7 & E-8 – Press Release

E-10, E-11 – Press Release

FERC accepts proposed tariff revisions

E-12, *Southwest Power Pool Inc.*, Docket No. ER15-714-000. This order accepts SPP's proposed revisions to its Open Access Transmission Tariff to clarify the circumstances under which mitigated offers may be adjusted during the operating day.

FERC denies rehearing requests

E-13, *Bonneville Power Administration*, Docket No. EF14-5-002. This order denies requests for rehearing of the Commission's October 16, 2014 order confirming and approving, in accordance with the Pacific Northwest Electric Power Planning and Conservation Act, the Bonneville Power Administration's proposed Oversupply Rate (OS-14 rate) on a final basis. The order affirms that the OS-14 rate satisfies the statute's requirement that costs be equitably allocated.

FERC denies rehearing requests

E-14, *Iberdrola Renewables Inc., et al.*, Docket No. EL11-44-008. The order denies requests for rehearing of the Commission's October 16, 2014 order, accepting Bonneville's revised oversupply management protocol (OMP) and the related cost allocation proposal. The order affirms the Commission's prior finding that, in accordance with section 211A of the Federal Power Act, allocating the costs of the OMP to transmission customers on the basis of scheduled transmission during an oversupply results in comparable transmission service for all Bonneville's firm transmission customers. The order also reaffirms that Bonneville's use of the OMP is not inconsistent with the requirements of the *pro forma* Open Access Transmission Tariff. Further, the order finds that, until Bonneville implements a long-term solution for managing oversupply, the OMP remains necessary and appropriate.

FERC denies a complaint

E-15, *Alterna Springerville LLC, LDVF1 TEP LLC, Wilmington Trust Company, and William J. Wade v. Tucson Electric Power Company*, Docket No. EL15-17-000. This order denies the complaint filed by Alterna Springerville LLC, LDVF1 TEP LLC, Wilmington Trust Company, and William J. Wade (Complainants) against Tucson Electric Power Company (Tucson), asserting that Tucson denied firm transmission service rights to which Complainants were entitled under a Facility Support Agreement (FSA), in favor of transmitting Tucson's own generation and generation owned by others. This order denies the complaint on the basis that Complainants have not shown that the FSA requires Tucson to provide firm transmission service to Palo Verde, the point of interconnection requested by Complainants.

FERC grants a petition for declaratory order

E-16, *InterAmerican Energy Sources LLC*, EL15-24-000. The order grants a petition for a declaratory order finding: that the petitioner, InterAmerican Energy Sources LLC, is exempt under section 201(f) of the Federal Power Act as a wholly-owned subsidiary of a political subdivision of Puerto Rico (which has been defined as a state for purposes of the Federal Power Act); and that after the transmission cable that the petitioner is planning, which will connect Puerto Rico with St. Thomas, US Virgin Islands, is constructed and placed in service, it would be exempt from the North American Electric Reliability Council's (NERC) Reliability Standards as NERC is the Electric Reliability Organization only for the continental United States.

FERC accepts a refund report

G-1, *Portland Natural Gas Transmission System*, Docket No. RP08-306-003. This order accepts Portland's refund report and dismisses Portland's request for rehearing of

Opinion No. 510-A on the ground that the issue of whether the at-risk condition applicable in this proceeding should be 210,840 dekatherms per day (Dth) as held in Opinion No. 510, or 217,405 Dth per day as held in Opinion No. 510-A, is moot. The order finds that resolution of the at-risk condition in this proceeding would have no effect on the rates actually paid by Portland's customers either in this case or the 2010 rate case, which is being addressed in the Agenda Item G-2 order. Accordingly, the order finds that no purpose is served by a final resolution of the at-risk condition based on the record in this proceeding.

FERC denies rehearing

G-2, *Portland Natural Gas Transmission System*, RP10-729-000, RP10-729-001. The order (Opinion No. 524-A) denies requests for rehearing of Opinion No. 524, which addressed issues relating to the second of two consecutive rate cases filed by Portland since 2008. Opinion No. 524-A denies rehearing on all issues raised, including the appropriate level of Portland's at-risk condition and billing determinants, its depreciation rate, and the award to Portland of return on equity at the top of the zone of reasonable returns. The order also accepts Portland's compliance filing to Opinion No. 524, subject to one correction.

FERC grants rehearing in part; denies rehearing in part

G-3, *SFPP L.P.*, Docket No. IS08-390-004, *et al.* The order grants SFPP's request for rehearing of Opinion No. 511-A involving its proposed West Line cost-of-service rate increase. The order grants SFPP's rehearing request related to Accumulated Deferred Income Taxes and denies rehearing regarding SFPP's July 1, 2009 index increase. The order also addresses the compliance filing SFPP submitted in accordance with Opinion No. 511-A, and directs SFPP to make certain modifications.

FERC grants rehearing in part; denies rehearing in part

G-4, *SFPP L.P.*, Docket No. IS09-437-006, *et al.* This order addresses requests for rehearing of Opinion No. 522 related to SFPP's proposed East Line cost-of-service rate increase. The order grants SFPP's rehearing request related to Accumulated Deferred Income Taxes and denies rehearing regarding the income tax allowance, the cost of debt, and litigation costs. The order also addresses the compliance filing SFPP submitted in accordance with Opinion No. 522, and directs SFPP to make certain modifications.

FERC denies rehearing and stay

H-1, *Boyce Hydro Power LLC*, Project No. 2785-089. The order denies the licensee's request for rehearing of the Commission staff's October 15, 2014 order approving the licensee's Exhibit G drawings for the Sanford Water Power Project No. 2785, located on

the Tittabawassee and Tobacco Rivers in Midland and Gladwin counties in Michigan. The order finds that, contrary to the licensee's claim, the recreational facilities mentioned in the order need to be included in the project boundary.

FERC denies rehearing, dismisses motion for stay, and rejects notice of withdrawal of pleading

H-2, *Eastern Hydroelectric Corporation*, Project Nos. 7019-069 and -070. The order denies Eastern Hydroelectric's request for rehearing of the October 16, 2014 order revoking its license for the East Juliette Hydroelectric Project No. 7019 in accordance with section 31(b) of the Federal Power Act for failure to comply with the terms of the license. The order also rejects the licensee's notice of withdrawal of its prior license amendment application, noting that a pleading cannot be withdrawn after the Commission decision acting on it becomes final.

FERC denies rehearing

H-3, *Trafalgar Power, Inc.* Project No. 9821-104. The order denies the rehearing requests filed by the U.S. Department of the Interior and the New York State Department of Environmental Conservation in response to Commission staff's October 22, 2014 letter, which declined to open a proceeding to implement a fishway prescription at Trafalgar Power's Ogdensburg Project No. 9821, located on the Oswegatchie River in St. Lawrence County, New York. The order finds that staff properly declined to open a proceeding because the Ogdensburg Project license does not contain a fishway prescription or a reservation of authority to prescribe fishways in accordance with section 18 of the Federal Power Act.

FERC denies rehearing

H-4, *Cameron Gas and Electric Company*, Project No. 11150-101. The order denies the licensee's request for rehearing of Commission staff's November 26, 2014 order requiring the licensee to cease generation at its Smithville and Mix Project located in Eaton County, Michigan. The order finds that the licensee has a long history of noncompliance with the reservoir elevation limits of its license and that the licensee failed to take action to remedy the noncompliance.

FERC approves abandonment of natural gas facilities

C-2, *Tennessee Gas Pipeline Company*, Docket No. CP14-552-000. The order grants Tennessee's authorization to abandon a compressor unit which does not meet New York State Department of Environmental Conservation's emission regulations. The order also grants a certificate of public convenience and necessity to construct and operate a new compressor unit that will replace the abandoned unit and three other aging compressor

units at Compressor Station 245 in Herkimer County, New York. Tennessee states that the proposal will not result in an increase in its mainline capacity.

FERC grants petition for a declaratory order

C-4, *Enbridge Offshore Facilities LLC*, Docket No. CP14-512-000. The order grants Enbridge's petition for a declaratory order finding that its Gas Delivery Pipeline will not be engaged in transportation of natural gas in interstate commerce under the Commission's jurisdiction under section 7 of the Natural Gas Act (NGA). The order finds that Enbridge's construction and operation of a 100-mile pipeline on the Outer Continental Shelf, operated as part of a larger enhanced oil recovery project, are exempt under section 1(b) of the NGA from certification requirements and the Commission's jurisdiction. No motions to intervene, notices of intervention, or protests were filed.

FERC authorizes a compressor station

C-5, *Carolina Gas Transmission Corporation*, Docket No. CP14-97-000. The order authorizes Carolina Gas' prior notice request under section 7(c) of the Natural Gas Act to construct and operate a compressor station near Edgemoor, South Carolina, and 1,300 feet of 8-inch diameter pipeline, as well as to increase the maximum allowable operating pressure of an existing pipeline also located in South Carolina.