

February 2020

Commission Meeting Summaries

These are summaries of orders voted by the Federal Energy Regulatory Commission at its February 20, 2020 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-8 through E-11 – Press Release

E-19 & E-22 – Press Release

FERC partially accepts a compliance filing, directs a further compliance filing

E-1, *Arizona Public Service Company*, Docket No. ER19-1939-000. The order finds that APS' filing partially complies with the requirements of Order Nos. 845 and 845-A that amended the Commission's *pro forma* Large Generator Interconnection Agreement and *pro forma* Large Generator Interconnection Procedures. The order accepts the filing and directs APS to submit a further compliance filing within 60 days of the date of the order.

FERC partially accepts a compliance filing, directs a further compliance filing

E-2, *California Independent System Operator Corporation*, Docket No. ER19-1950-000. The order finds that CAISO's filing partially complies with the requirements of Order Nos. 845 and 845-A that amended the Commission's *pro forma* Large Generator Interconnection Agreement and *pro forma* Large Generator Interconnection Procedures. The order accepts the filing and directs CAISO to submit a further compliance filing within 60 days of the date of the order.

FERC partially accepts a compliance filing, directs a further compliance filing

E-3, *Cube Yadkin Transmission, LLC*, Docket Nos. ER19-1956-000, ER19-1956-001. The order finds that Cube Yadkin's filing partially complies with the requirements of Order Nos. 845 and 845-A that amended the Commission's *pro forma* Large Generator Interconnection Agreement and *pro forma* Large Generator Interconnection Procedures. The order accepts the filing and directs Cube Yadkin to submit a further compliance filing within 60 days of the date of the order.

FERC partially accepts a compliance filing, directs a further compliance filing

E-4, *Deseret Generation & Transmission Co-operative, Inc.*, Docket No. ER19-1902-001. The order finds that Deseret's filing partially complies with the requirements of Order Nos. 845 and 845-A that amended the Commission's *pro forma* Large Generator Interconnection Agreement and *pro forma* Large Generator Interconnection Procedures. The order accepts the filing and directs Deseret to submit a further compliance filing within 60 days of the date of the order.

FERC partially accepts a compliance filing, directs a further compliance filing

E-5, *El Paso Electric Company*, Docket No. ER19-1953-000. The order finds that El Paso's filing partially complies with the requirements of Order Nos. 845 and 845-A that amended the Commission's *pro forma* Large Generator Interconnection Agreement and *pro forma* Large Generator Interconnection Procedures. The order accepts the filing and directs El Paso to submit a further compliance filing within 60 days of the date of the order.

FERC partially accepts a compliance filing, directs a further compliance filing

E-6, *Louisville Gas and Electric Co. and Kentucky Utilities Co.*, Docket Nos. ER19-1916-000, ER19-1916-001. The order finds that LGE&KU's filing partially complies with the requirements of Order Nos. 845 and 845-A that amended the Commission's *pro forma* Large Generator Interconnection Agreement and *pro forma* Large Generator Interconnection Procedures. The order accepts the filing and directs LG&E/KU to submit a further compliance filing within 60 days of the date of the order.

FERC partially accepts a compliance filing, directs a further compliance filing

E-7, *New York Independent System Operator, Inc.*, Docket No. ER19-1949-000. The order finds that NYISO's filing partially complies with the requirements of Order Nos. 845 and 845-A that amended the Commission's *pro forma* Large Generator Interconnection Agreement and *pro forma* Large Generator Interconnection Procedures. The order accepts the filing and directs NYISO to submit a further compliance filing within 60 days of the date of this order.

FERC denies rehearing

E-12, *Linden VFT, LLC v. PJM Interconnection, L.L.C.*, Docket No. EL15-67-002, *et al.* The order denies requests for rehearing of the Commission's April 22, 2016 order that denied a complaint submitted by Linden alleging the assignment of costs in accordance with the solution-based distribution factor method for certain transmission projects approved through the PJM Regional Transmission Expansion Planning (RTEP) process produces unjust and unreasonable rates. In addition, the order denies rehearing of an order accepting tariff revisions to incorporate cost responsibility assignments for transmission projects included in the RTEP approved by the PJM Board of Directors, including the projects at issue in the Linden complaint.

FERC denies a complaint

E-13, *Linden VFT, LLC v. PJM Interconnection, L.L.C.*, Docket No. EL17-68-000. This order denies a complaint by Linden against PJM with respect to revised cost responsibility assignments for transmission projects included in PJM's Regional Transmission Expansion Plan resulting from the termination of Consolidated Edison Company of New York, Inc.'s transmission service agreements with PJM.

FERC accepts tariff revisions

E-14, *PJM Interconnection, L.L.C.*, Docket No. ER17-950-000. The order accepts revisions to Schedule 12-Appendix and Schedule 12-Appendix A of the PJM Tariff submitted by PJM in accordance with Schedule 12 of the PJM Tariff to revise cost responsibility assignments for transmission enhancements and expansions included in the PJM Regional Transmission Expansion Planning due to termination of the Consolidated Edison Company of New York, Inc. transmission service agreements with PJM.

FERC denies a motion for stay

E-15, *Southwest Power Pool, Inc.*, Docket No. ER16-1341-003, *et al.* The order denies SPP's motion for stay of the refund directive in the Commission's February 28, 2019 order in Docket No. ER16-1341-003. In addition, the order denies SPP's request that the Commission establish settlement judge procedures and hold several related proceedings in abeyance.

FERC denies rehearing and grants clarification

E-16, *Southwest Power Pool, Inc.*, Docket No. ER16-1341-004. The order denies requests for rehearing of the Commission's February 28, 2019 order in Docket No. ER16-1341-003. In addition, the order grants SPP's request for clarification of the Commission's refund directive in the February 28, 2019 order.

FERC denies rehearing and grants in part clarification

E-17, *Southwest Power Pool, Inc.*, Docket No. ER15-2028-003. The order denies a request for rehearing of the Commission's June 20, 2019 order rejecting a contested settlement and remanding the proceeding to the Chief Judge to resume hearing procedures regarding the appropriate treatment of certain grandfathered agreements. The order also grants in part and denies in part a request for clarification of the June 20, 2019 order.

FERC denies rehearing

E-18, *Southwest Power Pool, Inc.*, Docket No. ER15-2115-004. The order denies Northwest Iowa Power Cooperative's request for rehearing of the Commission's June 20, 2019 order rejecting a contested settlement and remanding the proceeding to the Chief Judge to resume hearing procedures regarding the appropriate treatment of certain grandfathered agreements.

FERC denies rehearing and grants in part clarification

E-20, *Refinements to Horizontal Market Power Analysis for Sellers in Certain Regional Transmission Organization and Independent System Operator Markets*, Docket No. RM19-2-001. The order denies the requests for rehearing and grants in part the requests for clarification filed as to Order No. 861, which revised the Commission's regulations regarding the horizontal market power analysis required for market-based rate sellers that study certain RTO/ISO markets and submarkets therein.

FERC denies rehearing and grants in part clarification

E-21, *Data Collection for Analytics and Surveillance and Market-Based Rate Purposes*, Docket No. RM16-17-001. The order denies the requests for rehearing and grants in part the requests for clarification filed as to Order No. 860, which revised certain aspects of the substance and format of information submitted for market-based rate purposes by market-based rate sellers.

FERC approves a settlement amendment

E-23, *Pacific Gas and Electric Company, et al.*, Docket No. ER19-1945-000. The order approves an uncontested amendment to a 2017 settlement agreement reached with Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas & Electric Company.

FERC accepts a settlement agreement

E-24, *Duke Energy Carolinas, LLC*, Docket No. EL19-27-000. The order accepts a settlement agreement regarding Duke Energy Florida's reactive power rate schedule.

FERC denies rehearing

E-26, *California Independent System Operator Corp.*, Docket No. ER19-538-001. The order denies rehearing of the Commission's February 21, 2019 order that accepted tariff revisions regarding practices for conformance of load forecasts in the balancing authority areas that participate in CAISO markets.

FERC accepts a filing

E-27, *ISO New England Inc.*, Docket No. ER20-308-000. The order accepts a filing submitted by ISO New England that provides information relating to the fourteenth Forward Capacity Auction (FCA 14) for the 2023-2024 Capacity Commitment Period, including the qualification of capacity resources to participate in FCA 14.

FERC responds to federal court's remand and acts on complaints

G-1, *HollyFrontier Refining & Marketing LLC, et al. v. SFPP, L.P.*, Docket No. OR14-35-003, *et al.* The order addresses the U.S. Court of Appeals for the District of Columbia Circuit's decision in *Southwest Airlines Co. v. FERC* remanding Commission orders dismissing complaints against SFPP's 2012 and 2013 index increases in Docket Nos. OR14-35-000 and OR14-36-000. In addition, the order addresses complaints in Docket Nos. OR19-21-000, OR19-33-000, and OR19-37-000 challenging SFPP's 2018 index increases. The complaints challenge the index increases under the Commission's substantially exacerbate test. In light of the remand and concerns regarding the structure of the substantially exacerbate test and its consistency with Commission regulations, the order seeks briefing regarding a proposal to (1) eliminate the substantially exacerbate test as the preliminary screen applied to complaints against index increases and (2) apply the percentage comparison test (as currently done in protested proceedings) to determine whether to investigate the complaints.

FERC withdraws an advance notice of proposed rulemaking

G-2, *Revisions to Indexing Policies and Page 700 of FERC Form No. 6*, Docket Nos. RM17-1-000 and RM15-19-000. The order withdraws the advance notice of proposed rulemaking in Docket No. RM17-1 that sought comment regarding potential modifications to the Commission's policies for evaluating oil pipeline index rate changes and certain additions to the FERC Form No. 6, page 700 (Page 700) annual reporting requirements. In addition, the order denies a petition for rulemaking filed by the Liquids Shippers Group, Airlines for America, and the National Propane Gas Association in Docket No. RM15-19 seeking to expand certain annual filing requirements related to the summary cost of service on Page 700.

FERC grants a request for declaratory order

H-1, *Southern California Edison Company*, Project Nos. 67-133, 120-028, 2085-020, 2086-039, 2174-017, & 2175-021. The order grants SoCal Ed's petition asking for a declaration that the California State Water Resources Control Board has waived its authority under section 401(a)(1) of the Clean Water Act to issue water quality certification with respect to the relicensing of six hydroelectric projects.

FERC grants rehearing

H-2, *Appalachian Power Company*, Project No. 2514-188. The order grants in part Appalachian Power Company's request for rehearing of one aspect of the study plan determination issued for the Byllesby-Buck Hydroelectric Project, located on the New River in Carroll County, Virginia.

FERC denies rehearing

H-3, *Grand River Dam Authority*, Project No. 1494-447. The order denies rehearing of a notice dismissing the City of Miami, Oklahoma's request for rehearing of staff's letter stating that its complaint would be referred to the Office of Energy Projects, Division of Hydropower Administration and Compliance.

FERC approves amendments to a certificate of public convenience and necessity

C-1, *Midship Pipeline Company, LLC*, Docket No. CP17-458-005. The order approves Midship's request to amend its certificate of public convenience and necessity for the Midcontinent Supply Header Interstate Pipeline Project (MIDSHIP Project). The MIDSHIP Project is designed to provide up to 1,468,800 dekatherms per day of firm transportation service from the South Central Oklahoma Oil Province and the Sooner Trend Anadarko Basin Canadian and Kingfisher gas plays in the Anadarko Basin located in Oklahoma to existing natural gas pipelines near Bennington, Oklahoma for subsequent transport to Gulf Coast and Southeastern markets. The order grants Midship's request to update its cost-based interim and base recourse rates to reflect increased costs of and cost estimates for the construction of the project.

FERC grants a filing

C-2, *PennEast Pipeline Company, L.L.C.*, Docket No. CP15-558-000. The order grants PennEast's request to extend the deadline to complete construction and make available for service its PennEast Pipeline Project by two years from January 19, 2020 to January 19, 2022.

FERC denies rehearing and stay requests

C-4, *Texas LNG Brownsville LLC*, Docket No. CP16-116-001. The order denies a request for rehearing and stay of the Commission's November 22, 2019 order authorizing the Texas LNG Project, an LNG terminal on the Brownsville Shipping Channel in south Texas.

FERC denies rehearing and stay requests

C-5, *Annova LNG Common Infrastructure, LLC, Annova LNG Brownsville A, LLC, Annova LNG Brownsville B, LLC and Annova LNG Brownsville C, LLC*. Docket No. CP16-480-001. The order denies a request for rehearing of the Commission's November 22, 2019 order authorizing the Annova LNG Brownsville Project, an LNG terminal on the Brownsville Shipping Channel in south Texas.

FERC grants partial waiver of a certificate condition

C-6, *Tennessee Gas Pipeline Company, LLC*, Docket No. CP19-7-000. The order approves the request for partial waiver of Ordering Paragraph (C) of Tennessee's certificate order authorizing the construction of a new 2.1-mile-long pipeline loop and replacement of two compressor units at Compressor Station 261 in Hampden County, Massachusetts (261 Upgrade Project). One of Tennessee's two shippers for the project terminated its precedent agreement, so Tennessee requests partial waiver of the condition in Ordering Paragraph (C) requiring Tennessee to file a written statement affirming that it has executed firm contracts for the capacity levels and terms of service represented in the precedent agreements supporting the application before Tennessee can begin construction of the project.

FERC denies requests for rehearing and stay

C-7, Tennessee Gas Pipeline Company, L.L.C., Docket No. CP19-7-001. The order denies requests for rehearing and stay of the Commission's order granting authorizations under sections 7(b) and 7(c) under the Natural Gas Act for Tennessee's 261 Upgrade Project.

FERC denies rehearing requests

C-9, Algonquin Gas Transmission, LLC, Docket No. CP16-9-009. The order denies two requests for rehearing of Commission staff's December 26, 2018 letter order granting Algonquin a two-year extension of time to complete construction of the Atlantic Bridge Project.

FERC conditionally approves third marine berth for an LNG project

C-10, Sabine Pass LNG, L.P., Docket No. CP19-11-000. The order conditionally approves Sabine Pass' request to site, construct and operate a third marine berth and supporting facilities at the existing Sabine Pass LNG Terminal on the Sabine Pass Channel in Cameron Parish, Louisiana. Specifically, Sabine Pass proposes to construct and operate a new berth pocket to be dredged from land adjacent to and southeast of the LNG Terminal's two existing marine berths. The project is designed to alleviate existing LNG loading, shipping and operational constraints for the liquefaction, storage and export of domestically-produced natural gas.

FERC conditionally authorizes abandonment by sale of pipeline facilities

C-11, Northern Natural Gas Company, Docket No. CP19-479-000. The order conditionally authorizes Northern Natural to abandon by sale to DKM Enterprises, LLC approximately 108.5 miles of aging pipeline on its A-line in Kansas and to construct and operate a new compressor unit to replace the abandoned capacity on its remaining parallel pipelines at an existing compressor station in Tescott, Kansas.

FERC conditionally approves an interstate natural gas pipeline project

C-12, Natural Gas Pipeline Company of America LLC, Docket No. CP19-99-000. The order conditionally authorizes Natural to construct, operate and abandon facilities on its system (Gulf Coast Southbound Project). The project is designed to provide 300,000 dekatherms of gas per day of incremental firm transportation service from a primary receipt point at an interconnection with Alliance Pipeline L.P., in Grundy County, Illinois, to a primary delivery point at Natural's interconnection with Cheniere Corpus Christi Pipeline, LP in San Patricio County, Texas, to supply gas to the Corpus Christi LNG Terminal. Natural proposes to provide this service primarily by installing additional compression at existing compressor stations on its Gulf Coast Line. Natural does not propose to construct new pipeline as a part of this project.