

January 2019

Commission Meeting Summaries

These are summaries of orders voted by the Federal Energy Regulatory Commission at its January 17, 2019 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.

FERC denies rehearing

E-1, *Southwest Power Pool, Inc.*, Docket No. ER16-204-004. The order denies Nebraska Public Power District's request for rehearing of Opinion No. 562, an order that affirmed the placement of certain Tri-State Generation and Transmission Association, Inc. transmission facilities in Southwest Power Pool, Inc.'s transmission pricing Zone 17.

FERC establishes hearing and settlement judge procedures

E-2, *East Texas Electric Cooperative, Inc. v. Public Service Company of Oklahoma*, Docket No. ER18-199-000. This order establishes hearing and settlement judge procedures on a complaint alleging that the return on equity of the AEP-West companies (Public Service Company of Oklahoma, Southwestern Electric Power Company, AEP Oklahoma Transmission Company, and AEP Southwestern Transmission Company) is unjust and unreasonable.

FERC denies rehearing

E-3, *Louisiana Public Service Commission v. Entergy Services, Inc.*, Docket No. EL01-88-020. The order denies a request for rehearing by the Louisiana Public Service Commission of the Commission's order on an initial decision regarding Entergy Services' bandwidth calculation filing.

FERC establishes hearing and settlement judge procedures

E-4, *Louisiana Public Service Commission v. System Energy Resources, Inc. and Entergy Services, Inc.*, Docket No. EL18-204-000. The order establishes hearing and settlement judge procedures on a complaint alleging that System Entergy Resources' capital structure is unjust and unreasonable.

FERC finds utility has complied in part, orders a further compliance filing

E-5, *Potomac-Appalachian Transmission Highline, LLC and PJM Interconnection, L.L.C.*, Docket No. ER09-1256-004 *et al.* This order finds that Potomac-Appalachian Transmission Highline (PATH) complied in part, and did not comply in part, with the directives of Opinion No. 554 concerning its formula rates and its abandonment recovery. The order requires PATH to recalculate its recoverable cost of service associated with General Advertising costs and land transactions, and its refund estimates, and submit a further compliance filing.

FERC accepts a refund report, provides clarification

E-6, *York Haven Power Company, LLC*, Docket No. ER17-2577-001. The order accepts York Haven's refund report. The order also clarifies that acceptance of the refund report does not signify that the Commission agrees with York Haven's position that no time-value refund payments are necessary, and confirms the appropriate time-value refund methodology.

FERC grants in part, denies in part, and dismisses in part waiver requests

E-7, *NorthWestern Corporation*, Docket No. ER18-2324-000. The order grants in part, denies in part, and dismisses in part NorthWestern's request for waivers of the Southwest Power Pool, Inc.'s Open Access Transmission Tariff related to NorthWestern's Large Generator Interconnection Agreement with Rolling Thunder I Power Partners, LLC, in order to convert the agreement to a three-party Generator Interconnection Agreement.

FERC grants a request for incentive rate treatment

E-8, *ITC Midwest LLC*, Docket No. ER19-355-000. The order grants ITC Midwest's request for authorization to recover 100 percent of all prudently incurred costs associated with its investment in the Cardinal-Hickory Creek 345 kV Project if the project is abandoned or cancelled for reasons beyond ITC Midwest's control.

FERC grants a request for incentive rate treatment

E-9, *American Transmission Company LLC*, Docket No. ER19-360-000. This order grants ATC's request for authorization to recover 100 percent of all prudently incurred costs associated with its investment in the Cardinal-Hickory Creek 345 kV Project if the project is abandoned or cancelled for reasons beyond ATC's control.

FERC denies a Formal Challenge and Complaint

E-10, *North Carolina Electric Membership Corporation v. Duke Energy Progress, LLC*, Docket No. EL18-168-000. This order denies the Formal Challenge and Complaint filed

by North Carolina Electric Membership Corporation (NCEMC) against Duke Energy Progress, LLC (Duke Energy). In response to NCEMC's allegations that Duke Energy violated its transmission formula rate with regard to the treatment of federal corporate income tax rate changes, the order finds that Duke Energy correctly developed its transmission formula rate. The order also finds that NCEMC failed both to show that Duke Energy improperly addressed reductions in the state corporate income tax rate and to show that Duke Energy's tariff is unjust and unreasonable in its treatment of excess Accumulated Deferred Income Taxes.

FERC proposes a rule

M-1, *Notice of Proposed Rulemaking, Revisions to the Filing Process for Commission Forms*. Docket No. RM19-12-000. This Notice of Proposed Rulemaking (NOPR) proposes that the Commission transition from the current use of the Visual FoxPro software for the reporting of information required by various forms to a type of Extensible Markup Language called eXtensible Business Reporting Language (XBRL). This change is necessary because Visual FoxPro is no longer supported by its developer. The XBRL standard would be used to file the Commission's Form Nos. 1, 1-F, 2, 2-A, 3-Q electric, 3-Q natural gas, 6, 6-Q, 60, and 714. In addition, the NOPR proposes to revise the Commission's regulations to require filers of Form No. 1-F to file electronically.

FERC's sixth annual report to Congress on the fees charged for the use of government dams

H-1, *Sixth Report to Congress on Appropriateness of Statutory Limit on Government Dam Annual Charges under Section 10(e) of the Federal Power Act*, Docket No. AD19-10-000. This document is the sixth annual report to Congress on the fees charged for the use of government dams. The Commission is required to report regularly to Congress on the appropriateness of annual charges collected in accordance with section 10(e)(1) of the Federal Power Act from the licensees of hydroelectric projects that use government dams or other structures owned by the United States. The report finds that the charges are still appropriate and should remain unchanged.

FERC denies rehearing

H-2, *Boyce Hydro Power, LLC*, Project No. 10808-064. The order denies two requests for rehearing of the Commission's September 10, 2018 order revoking the license for the Edenville Project located in Gladwin and Midland counties, Michigan.

FERC denies rehearing

H-3, *Northern Indiana Public Service Company, LLC*, Project No. 12514-085. The order denies Northern Indiana Public Service Company, LLC's request for rehearing of the Commission's June 21, 2018 order amending Article 403 of the license for the Norway-Oakdale Hydroelectric Project No. 12514 to modify the definition of "abnormal river conditions." The project is located on the Tippecanoe River in Carroll and White counties, Indiana.

FERC grants authorizations to replace and abandon interstate gas pipeline facilities

C-2, *Columbia Gas Transmission, LLC*, Docket No. CP18-13-000. The order grants Columbia Gas a certificate of public convenience and necessity, in accordance with section 7(c) of the Natural Gas Act, to replace approximately 14 miles of bare steel pipeline along its Line 8000 system in Mineral County, West Virginia, and Allegany County, Maryland. The order also authorizes Columbia Gas to abandon in place, in accordance with section 7(b) of the NGA and Part 157, subpart A of the Commission's regulations, the sections of its Line 8000 system being replaced.