

DOCKETS AT FERC/STATE COMMISSIONS

REF	DOCKET	DESCRIPTION	CURRENT STATUS
1.	RT04-1 ER04-48 ER05-652 ER05-109	SPP RTO Approval Dockets	<p>On May 19, 2008, SPP filed a petition of waiver of the Commission’s regulations requiring SPP to perform an audit of the independence of its decision-making process as an RTO. FERC is currently performing a comprehensive audit of SPP that, among other things, addresses SPP’s independence.</p> <p>Comments on SPP’s filing were due June 6, 2008. None were filed.</p> <p>On August 15, 2008, SPP filed an informational report under ER05-652. The report discusses: (1) SPP’s assessment of the average costs of all new network upgrades identified through SPP’s regional transmission cost allocation plan (“Cost Allocation Plan”), as well as SPP’s efforts to work with its stakeholders and the Regional State Committee (“RSC”) to evaluate the effectiveness and accuracy of the \$180,000/MW safe harbor threshold for Base Plan Upgrades; (2) the unintended consequence reports issued by its Regional Tariff Working Group (“RTWG”) to the Markets and Operations Committee (“MOPC”) and the RSC concerning the calculations of the cost allocation impacts of the Base Plan Upgrades to each Transmission Customer within the SPP Region; and (3) information concerning SPP’s disposition of all requests for waiver of the Base Plan criteria, to inform the Commission and others regarding the reasonableness of SPP’s application of the waivers and the treatment of any facilities granted waivers that subsequently caused unintended consequences.</p> <p>On September 3, 2008, FERC granted waiver to SPP of the Commission’s regulations that require SPP to perform an audit of its independence from market participants under RT04-1.</p> <p>On January 15, 2009, SPP submitted its annual operating budget and true-up. This is submitted pursuant to the Commission’s October 1, 2004 Order in Docket No. RT04-1, and commitments made by SPP in Docket No. ER08-1338.</p> <p>On June 1, 2009, SPP filed an informational report under ER05-652. The report discusses: (1) SPP’s assessment of the average costs of all new network upgrades identified through SPP’s regional transmission cost allocation plan (“Cost Allocation Plan”), as well as SPP’s efforts to work with its stakeholders and the Regional State Committee (“RSC”) to evaluate the effectiveness and accuracy of the \$180,000/MW safe harbor threshold for Base Plan Upgrades; (2) the unintended consequence reports issued by its Regional Tariff Working Group (“RTWG”) to the Markets and Operations Committee (“MOPC”) and the RSC concerning the calculations of the cost allocation impacts of the Base Plan Upgrades to each Transmission Customer within the SPP Region; and (3) information concerning SPP’s disposition of all requests for waiver of the Base Plan criteria, to inform the Commission and others regarding the reasonableness of SPP’s application of the waivers and the treatment of any facilities granted waivers that subsequently caused unintended consequences.</p>

<p>2.</p>	<p>ER05-1065</p>	<p>Entergy Services' New Proposal for an Independent Coordinator of Transmission ("ICT") and Extension of the ICT's Initial Term</p> <p>Docket No. ER05-1065 replaces Entergy's Initial ICT Proposal in Docket No. ER04-699, which closed June 30, 2005.</p>	<p>The ICT's Third Quarterly Performance Report for 2008 was filed on September 30, 2008.</p> <p>Entergy continues to notify the Commission of data-reporting and AFC-related issues pursuant to the Commission's April 24, 2006 Order.</p> <p>On November 14, 2008, Union Power Partners, L.P. and Lafayette Utilities System filed comments regarding the ICT's Third Quarter Performance Report for 2008.</p> <p>The ICT's Fourth Quarterly Performance Report for 2008 was filed on December 22, 2008.</p> <p>On February 5, 2009, Occidental Chemical Corporation filed comments in response to the December 22 Filing.</p> <p>On February 11, 2009, SPP submitted the ICT's Annual Performance Report for the period of November 17, 2007 through November 17, 2008.</p> <p>On February 17, 2009, Lafayette Utilities System submitted comments regarding the February 3, 2009 AFC Error Report. LUS requested additional information regarding the magnitude and effects of the AFC error described in the Report.</p> <p>On March 25, 2009, SUEZ Energy Marketing NA, Inc. filed comments regarding the ICT Second Annual Performance Report.</p> <p>On March 27, 2009, Occidental Chemical Corporation filed comments regarding the ICT Second Annual Performance Report.</p> <p>On March 30, 2009, the NRG Companies and Union Power Partners filed comments regarding the ICT Second Annual Performance Report.</p> <p>On March 31, 2009, SPP submitted the ICT's First Quarterly Performance Report for 2009.</p> <p>On March 31, 2009, Cottonwood Energy Company filed comments regarding the ICT Second Annual Performance Report.</p> <p>On April 3, 2009, Entergy submitted its Attachments C, D and E Compliance Filing, in both Docket No. ER05-1065 and OA07-32.</p> <p>On April 14, 2009, the Lafayette Utilities System, the Louisiana Energy and Power Authority, the Municipal Energy Agency of Mississippi, the Mississippi Delta Energy Agency, Arkansas Electric Cooperative Corporation, and Union Power Partners, L.P. filed a Motion for Enlargement of Time to File Comments and Protests, requesting an extension to May 4, 2009.</p> <p>On April 17, 2009, FERC issued a Notice of Conference to be held on June 24, 2009. The purpose of the conference is for the commissions, Entergy, SPP, and stakeholders to discuss the ICT arrangement and transmission access issues on</p>
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Entergy's transmission system. The conference will be held at Charleston Place Hotel, in Charleston, SC, from 9 AM to 3 PM.

On April 21, 2009, FERC issued a Notice of Extension of Time, extending the comment period to May 4, 2009.

On April 30, 2009, FERC issued a Supplemental Notice of Conference. Panelists are asked to file their written remarks in these dockets (ER05-1065 and ER09-555) on or before Friday, June 12, 2009.

On April 30, 2009, the Southeast Electricity Consumers Association filed a Motion to Intervene in Docket Nos. ER05-1065 and OA07-32.

On May 4, 2009, NRG Companies submitted a Motion to Intervene.

On May 4, 2009, Occidental Chemical Corporation filed a Protest and Comments, Cottonwood Energy Company LP filed a Motion to Intervene and Protest, the East Texas Cooperatives filed Comments and Protest, Brazos Electric Power Cooperative, Inc. filed a Motion to Intervene, Arkansas Cities filed Comments, Union Power Partners, L.P. filed a Protest, and Arkansas Electric Cooperative Corporation, et al. filed a Protest and Comments.

On May 4, 2009, Southwest Power Pool submitted its Initial Comments on Proposed Tariff Revisions. The ICT's views on external control area and net interchange modeling are presented. The ICT's views are intended to provide Entergy, stakeholders, and the Commission with a basic understanding of potential changes that the ICT believes would improve the current processes as presented in Entergy's tariff and business practices.

On May 8, 2009, SPP and Entergy Services, Inc. filed the Differences Report Between ICT Base Plan and Entergy Construction Plan. The report is regarding the differences between the 2009 ICT Base Plan and the 2009-2011 Entergy Construction Plan, as required by FERC's orders approving the establishment of the ICT and Entergy's OATT.

On May 11, 2009, Occidental Chemical Corporation submitted comments in response to the ICT's First Quarterly Performance Report for 2009.

On May 19, 2009, LMA Customers' filed an Answer to Requests for Affirmative Relief by the Entergy ICT and Union Power Partners L.P.

On May 19, 2009, Arkansas Cities filed Reply Comments to Union Power Partners comments.

On May 19, 2009, SPP filed a Motion for Leave to File Response and Response to Stakeholder Protests on Proposed Tariff Revisions. SPP supports approval of Entergy's April 3 Compliance Filing.

On May 20, 2009, Entergy Services, Inc. filed a Motion for Leave to File Answer and Answer.

On June 1, 2009, the Arkansas Public Service Commission submitted comments in response to the ICT Annual Performance Report.

On June 12, 2009, SPP submitted written comments of Nick Brown and Bruce Rew in preparation for the June 24 Conference.

On June 12, 2009, Entergy submitted its written remarks in preparation for the June 24 Conference.

On June 12, 2009, GDF SUEZ Energy Marketing North America, Inc. filed written comments of Michael Sparks, East Texas Electric Cooperative, Inc. filed written comments of Seth Brown, Entegra Power Group, LLC filed written comments of Rebecca Turner, and Lafayette Utilities System filed written comments of Terry Huval for the June 24 Conference.

On June 15, 2009, SPP submitted the ICT's First WPP Quarterly Report under ER09-555 and ER05-1065. This covers the time period of March 2009 to May 2009.

On June 18, 2009, AEP filed the presentation to be made by Kip Fox at the June 24 Conference.

On June 22, 2009, Union Power Partners filed comments on the Differences Report that was filed on May 8, 2009.

On June 25, 2009, the Louisiana Energy Users Group filed its presentation materials from the June 24 Conference.

On June 26, 2009, Arkansas Public Service Commission submitted the Comments of Chairman Paul Suskie regarding the June 24 Conference.

On June 26, 2009, Union Power Partners, L.P. filed comments regarding Entergy's June 11, 2009 filing of AFC-Related Errors.

On June 29, 2009, Union Power Partners, L.P. filed presentation materials of Rebecca E Turner, Vice President of Regulatory and Market Design at Entegra Power Group, LLC.

On June 30, 2009, SPP filed the ICT's Second Quarterly Performance Report for 2009.

3.	<p>EC06-4 ER06-20</p>	<p>Louisville Gas and Electric Company (“LG&E”) and Kentucky Utility Company’s (“KU”) Request for Commission Approval to Change their Method of Complying with Order Nos. 888 and 889 and Certain Conditions Imposed by the Commission in the Context of their Prior Mergers, and Achieving the Goals of Order No. 2000</p>	<p>On September 26, 2008, SPP, as the Independent Transmission Organization (“ITO”) for the LG&E and KU systems, submitted the ITO Semi-Annual Report. This covers the period of March 1, 2008 through August 31, 2008.</p> <p>The semi-annual report is required by FERC’s orders approving the establishment of the ITO and section 12.1.2 of the ITO Agreement in LG&E/KU’s Tariff.</p> <p>On April 24, 2009, SPP filed a Notice of Compensation Dispute. The SPP-ITO is seeking additional compensation for incremental services being provided to EON as a result of Order Nos. 890 et seq. and Order No. 693. Under the ITO Agreement (Section 3.5), fee disputes for additional services are required to be presented to FERC. This filing was made pursuant to that requirement and requested that the matter be referred to a FERC Settlement Judge for resolution.</p>
4.	<p>RM05-17 RM05-25</p>	<p>Preventing Undue Discrimination and Preference in Transmission Service</p> <p>Order Nos. 890, 890-A, 890-B, and 890-C</p>	<p>On June 23, 2008, the Commission issued Order No. 890-B affirming its basic determinations in Order Nos. 890 and 890-A, granting rehearing and clarification of certain revisions to its regulations and the pro-forma OATT adopted in Order Nos. 888 and 889.</p> <p>Several key issues are addressed in the Order, including: the methodology for calculating ATC; standardization of energy and generation imbalance charges; rollover rights; rules regarding the designation and undesignation of network resources; and the reporting of transmission capacity reassignments in the Electric Quarterly Reports (“EQR”). Requests for rehearing of Order No. 890-B were due July 23, 2008. Order 890-B became effective September 8, 2008 (60 days after publication in the Federal Register July 8, 2008).</p> <p>Pursuant to Paragraph 592 of Order 890-A, transmission providers have until July 14, 2008 to develop, in coordination with NERC and NAESB, a consistent set of tracking capabilities and business practices for tagging for implementation of conditional firm service.</p> <p>On July 8, 2008, FERC granted NAESB’s July 7, 2008 request to extend from July 14, 2008 to August 29, 2008 the time transmission providers, working through NAESB and NERC, have to develop a consistent set of tracking capabilities and business practices for tagging for implementation of conditional firm service, as required in Order No. 890-A.</p> <p>Pursuant to Paragraph 6 of Order 890-B, RTO and ISO transmission providers, transmission providers whose facilities are in the footprint of an RTO or ISO, and WSPP were to submit an FPA section 206 filing that contains the revised non-rate terms and conditions of the <i>pro forma</i> OATT as stated in Appendix B by October 6, 2008.</p> <p>On August 22, 2008, FERC issued an Order Granting Rehearing of Order 890-B.</p>

			<p>On February 3, 2009 in Docket Nos. RM05-17, RM05-25, and RM06-16, NERC submitted its 2009-2011 Standards Development Plan pursuant to Section 310 of the ERO Rules of Procedure.</p> <p>On March 12, 2009 in Docket No. RM05-17, NAESB submitted a supplemental report in accordance with Order Nos. 890, 890-A, 890-B and Order 676. This report includes the results of the ratification and replaces Appendix B of the February 19, 2009 Version 002.1 Wholesale Electric Quadrant (“WEQ”) standards filing. The results of the ratification address NAESB business practices related to the Commercial Timing Table (WEQ-004 Appendix D). The business practices were ratified according to the NAESB procedures on March 11, 2009. The standards can be downloaded from the NAESB home page (www.naesb.org).</p> <p>On March 19, 2009, FERC issued Order 890-C, Order on Rehearing and Clarification, in which FERC addresses rehearing requests concerning consistency and transparency of ATC calculations, as well as designation of Network Resources. FERC clarifies that it did not intend in Order No. 890-B to require transmission providers to post identical ATC values on either side of an interface in every instance and at all times. FERC also affirms in Order No. 890-C the requirement that network resources used to supply sales of system power to off-system buyers must first be undesignated. Order 890-C becomes effective April 24, 2009 (30 days from publication in the Federal Register).</p> <p>On April 20, 2009, Duke Energy Corporation filed a Request for Clarification of Order No. 890-C, issued on March 19, 2009.</p> <p>On May 20, 2009, FERC issued an Order Granting Rehearing for Further Consideration of Order 890-C.</p>
5.	RM04-7	Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities	<p>On June 18, 2009, FERC issued Order No. 697-C, Order on Rehearing and Clarification. FERC granted in part and denied in part the requests for rehearing and clarification of its determinations in Order 697-B. Order 697-C will become effective July 29, 2009 (30 days after publication in the Federal Register).</p>
6.	RM06-16 RM06-22	Mandatory Reliability Standards for the Bulk-Power System to Process the Proposed Reliability Standards Submitted by NERC on April 4, 2006	<p>On January 18, 2008, the Commission issued a final rule, Order No. 706, approving eight new mandatory critical infrastructure protection (“CIP”) reliability standards: (1) CIP-002-1 (critical cyber asset identification), (2) CIP-003-1 (security management controls), (3) CIP-004-1 (personnel and training), (4) CIP-005-1 (electronic security perimeters), (5) CIP-006-1 (physical security of critical cyber assets), (6) CIP-007-1 (systems security management), (7) CIP-008-1 (incident reporting and response planning), and (8) CIP-009-1 (recovery plans for critical cyber assets).</p> <p>The final rule became effective April 7, 2008. These are the first mandatory and enforceable reliability standards that address cyber security concerns on the U.S. bulk power system.</p> <p>On July 30, 2008, NERC submitted a supplemental compliance filing in Docket RM06-16 in response to Paragraph 751 and 757 of Order 706.</p> <p>On August 13, 2008, FERC accepted NERC’s May 16, 2008 compliance filing in Docket RM06-16.</p> <p>On August 14, 2008, NERC submitted a further compliance filing in response to Paragraph 18 of the February 21, 2008 Order under RM06-16.</p>

On September 18, 2008, Edison Electric Institute's request for clarification is denied under RM06-16.

On September 18, 2008, FERC issued an Order on Proposed Clarification under RM06-22. The Commission is proposing to clarify that the facilities within a nuclear generation plant in the United States that are not regulated by the United States Nuclear Regulatory Commission are subject to compliance with the eight mandatory "CIP" Reliability Standards approved in Order No. 706.

On September 18, 2008, FERC issued a notice seeking public comment on its proposal to close the Cyber Security Gap under RM06-22. Comments are due October 20, 2008.

On October 10, 2008, The Edison Electric Institute and Nuclear Energy Institute filed a Motion to Extend Deadline for Filing of Comments in Docket RM06-22. The extension requested is until November 3, 2008.

On October 10, 2008, FERC issued a Notice of Extension of Time for Mandatory Reliability Standards for Critical Infrastructure Protection under RM06-22. The extension is granted to and including November 3, 2008.

On October 31, 2008, in Docket RM06-16, North American Electric Reliability Corporation ("NERC") submitted a filing in compliance with paragraph 951 of the Commission's Order No. 693 that required NERC to conduct a year-long survey of Interconnection Reliability Operating Limits ("IROL") practices and actual operating experiences.

On November 3, 2008, numerous parties filed comments on the Order on Proposed Clarification issued September 18, 2008 under RM06-22.

On November 24, 2008, FERC issued a letter order accepting NERC's August 14, 2008 compliance filing, in response to Paragraph 18 of the February 21, 2008 Order in Docket No. RM06-16.

On December 19, 2008, NERC submitted a supplemental compliance filing, in response to Paragraphs 751 and 757 of Order No. 706.

On January 27, 2009, FERC issued a letter order in Docket No. RM06-22. FERC accepts 12 revised and 9 new Violation Risk Factors. In addition, the Commission requires revisions to four of the new Violation Risk Factors. NERC's compliance filing is due March 30, 2009.

On February 2, 2009, FERC issued a letter order in Docket No. RM06-22. FERC approved the December 19 Filing.

On February 3, 2009 in Docket Nos. RM05-17, RM05-25, and RM06-16, NERC submitted its 2009-2011 Standards Development Plan pursuant to Section 310 of the ERO Rules of Procedure.

On February 3, 2008, NERC issued its Supplemental Compliance Filing in Docket No. RM06-16. This was in response to Paragraph 951 of Order No. 693.

On February 27, 2009, NERC submitted a petition seeking approval for Violation Severity Levels associated with

Reliability Standard TOP-004-2 (Transmission Operations that was approved by Letter Order of the Commission on January 22, 2009). The TOP-004-2 Violation Severity Levels were approved by NERC Board of Trustees on February 10, 2009.

On March 6, 2009, NERC submitted its Supplemental Informational Compliance Filing in Response to Paragraph 77 of Order No. 693 in Docket No. RM06-16.

On March 11, 2009, NERC submitted a petition seeking approval for Reliability Standard BAL-004-0 (Time Error Correction).

On March 18, 2009, Midwest Independent Transmission System Operator, Inc. filed a Motion To Intervene and Comments to the Supplemental Compliance Filing of The North American Electric Reliability Corporation in Response to Paragraph 951 of Order No. 693, Docket No. RM06-16-006.

On March 19, 2009, FERC issued Order 706-B, clarifying that the facilities within a nuclear generation plant in the United States that are not regulated by the U.S. Nuclear Regulatory Commission are subject to compliance with the eight mandatory "CIP" Reliability Standards approved in Commission Order No. 706. This rule is effective March 25, 2009.

On March 19, 2009, in dockets RM06-16 and RM08-19, FERC issued a Notice of Proposed Rulemaking for Mandatory Reliability Standards for the Calculation of Available Transfer Capability, Capacity Benefit Margins, Transmission Reliability Margins, Total Transfer Capability, and Existing Transmission Commitments and Mandatory Reliability Standards for the Bulk-Power System.

On April 10, 2009, MISO filed comments to the Petition of NERC for Approval of Reliability Standard BAL-004-1, in Docket No. RM06-16 and RD09-13.

On April 20, 2009, the Edison Electric Institute filed a Request for Clarification of Order 706-B, issued on March 19, 2009.

On April 24, 2009, Nevada Power Company and Sierra Pacific Power Company filed Comments in Response to the Supplemental Compliance Filing of NERC.

On April 30, 2009, NERC submitted its compliance filing pursuant to paragraph 629 of Order No. 693.

On May 20, 2009, FERC issued an Order Granting Rehearing for Further Consideration of Order 706-B.

Comments were due May 26, 2009 in response to the March 19 NOPR. Numerous parties filed Rulemaking Comments.

On May 22, 2009, in Docket No. RM06-22, NERC submitted a filing seeking approval for proposed modifications to Critical Infrastructure Protection Reliability Standards CIP-002-1, CIP-003-1, CIP-004-1, CIP-005-1, CIP-006-1, CIP-007-1, CIP-008-1 and CIP-009-1. The modified Reliability Standards are redesignated as CIP-002-2, CIP-003-2, CIP-

			<p>004-2, CIP-005-2, CIP-006-2, CIP-007-2, CIP-008-2 and CIP-009-2. The modifications are in direct response to the Commission’s directives in Order No. 706, issued on January 18, 2008.</p> <p>On June 1, 2009, in Docket No. RM06-16, NERC submitted a compliance filing pursuant to paragraph 629 of Order No. 693. NERC submitted their informational filing regarding the timeframe to restore power to auxiliary power systems of U.S. nuclear power plants following a blackout as determined during simulations and drills of system restoration plans. This filing contains the referenced material pertaining to the First Quarter of 2009.</p> <p>On June 18, 2009, in Docket No. RM06-22, FERC issued Order 706-C, Denying Request for Clarification of Order No. 706-B. This rule becomes effective June 24, 2009 (the date of publication in the Federal Register).</p> <p>On June 29, 2009, Exelon Corporation filed a Motion to Intervene and Comments in RM06-22, regarding NERC’s May 22 Filing.</p> <p>On June 30, 2009, NERC submitted its Compliance Filing in Response to Order on Compliance Filing issued on January 27, 2009 in RM06-22.</p> <p>On June 30, 2009, NERC submitted a filing in RM06-22 seeking approval for Violation Severity Level assignments for approved Reliability Standards: CIP-002-1, CIP-003-1, CIP-004-1, CIP-005-1, CIP-006-1, CIP-007-1, CIP-008-1 and CIP-009-1. Comments are due July 29, 2009.</p>
7.	<p>RR06-1</p>	<p>North American Electric Reliability Council and North American Electric Reliability Corporation Filing of Draft Version 5 of the Reliability Standards Development Procedure to Allow NERC to Transition to Become the Electric Reliability Organization (“ERO”)</p> <p>SPP intervened on January 10, 2007.</p>	<p>On July 21, 2008, NERC submitted its compliance filing pursuant to the Commission’s March 21, 2008 Order in Docket Nos. RR06-1-012 and RR07-1-002 through RR07-8-002.</p> <p>NERC’s compliance filing consists of a revised Amended and Restated <i>Pro Forma</i> Delegation Agreement with the Regional Entities, a revised NERC Compliance Monitoring and Enforcement Program document (including revised Attachment 2, Hearing Procedures), revised Amended and Restated Delegation Agreements with each of the Regional Entities, and revisions to the NERC Rules of Procedure in compliance with the March 21, 2008 Order.</p> <p>On August 28, 2008, NERC submitted a supplement to the July 21 compliance filing. The purpose of this Supplement was to advise that WECC Board of Directors approved the Revised Amended and Restated NERC-WECC Delegation Agreement.</p> <p>On September 15, 2008, NERC submitted supplemental information adding language in the second paragraph of the CMEP following the existing third sentence.</p> <p>On September 30, 2008, NERC and WECC submitted a second supplemental filing proposing both to clarify and justify NERC’s and WECC’s proposed revisions to Exhibit E, section 3 of the WECC Delegation Agreement, as included in the July 21 compliance filing.</p> <p>On October 31, 2008, NERC submitted its Quarterly Report Regarding Analysis of Reliability Standards Voting Results for July to September 2008.</p>

On November 21, 2008, NERC and WECC submitted a further status report in response to Paragraph 226 of the March 21, 2008 Order.

On December 19, 2008, FERC issued an Order Accepting Compliance Filings (July 21, August 28, and September 30, 2008), subject to conditions, to become effective on January 3, 2009. NERC is directed to submit a compliance filing by February 17, 2009.

On January 7, 2009, FERC issued an Errata Notice correcting paragraph 55 of the December 19 Order. “Notice of Alleged Violation” is changed to read “notice of penalty.”

On January 21, 2009, the Canadian Electricity Association filed a Request for Clarification, or in the Alternative, Rehearing of the Commission’s December 19, 2008 Order. FERC rejected certain language modifications proposed by CEA to NERC’s Compliance Monitoring and Enforcement Program (“CMEP”). CEA is asking for reconsideration.

On January 21, 2009, SPP filed a Request for Rehearing, which seeks rehearing of the Commission’s directive that the SPP Regional Entity must pay all of its statutory expenses out of the separately maintained account for the Regional Entity rather than reimbursing SPP for shared expenses.

On January 30, 2009, NERC submitted its Quarterly Report regarding analysis of reliability standards voting results for October to December 2008.

On February 13, 2009, SPP filed a Motion for Stay of certain provisions of the December 19 Order. Specifically, SPP seeks a stay of the Commission’s directive in the December 19 Order that the SPP Regional Entity must pay all of its statutory expenses out of the separately maintained account for the Regional Entity rather than reimbursing SPP for shared expenses.

On February 17, 2009, NERC submitted its compliance filing pursuant to the December 19, 2008 Order.

On February 17, 2009, FERC issued a letter order accepting NERC’s November 21, 2008 filing.

On February 18, 2009, FERC issued an Order Granting Rehearing for Further Consideration of the December 19, 2008 Order.

On March 9, 2009, the Transmission Agency of Northern California (“TANC”) submitted Comments asking that FERC require NERC to revise Figure 6.1 contained in the February 17 Filing. TANC states that the revised Figure 6.1 does not address the Commission’s directives to conform to the directed revisions in section 6.5 of the December 19 Order.

On March 18, 2009, NERC filed a Motion to Answer and Answer to Comments on Compliance Filing in Response to the December 19, 2008 Order. NERC submitted revisions to Figure 6.1.

On May 4, 2009, NERC submitted its Quarterly Report Regarding Analysis of Reliability Standards Voting Results for January through March 2009.

			<p>On June 1, 2009, FERC issued an Order on Compliance Filing. FERC accepts NERC's compliance filing to become effective June 16, 2009, subject to an additional compliance filing due on July 31, 2009. NERC's proposed revisions to section 6.5 and figure 6.1 are accepted subject to conditions.</p> <p>On June 29, 2009, NERC and WECC submitted their report in response to paragraph 230 of the March 21, 2008 Commission Order issued in RR06-1 and RR07-7.</p>
8.	ER06-1349	SPP August 9, 2006 Filing of Seven Executed Service Agreements for Firm Point-to-Point Service with Kansas Municipal Energy Agency ("KMEA")	<p>On May 10, 2007, the Commission issued a letter order accepting for filing the seven firm point-to-point transmission service agreements between SPP and KMEA. SPP Service Agreement No. 1271.</p> <p>The order constitutes final agency action.</p> <p>A cancellation of this agreement was filed in ER09-1386, effective June 1, 2009.</p>
9.	ER07-319 EL07-73	SPP Compliance Filing, pursuant to the Commission's October 31, 2006 Order, to Revise Various Aspects of SPP's EIS Market - Violation Relaxation Limits ("VRLs")	<p>On May 21, 2008, SPP filed notice with the Commission that the active parties have initiated discussions to resolve the issues raised in the Commission's June 29, 2007 Order. It is requested that the Commission withhold issuance of an order in this proceeding to allow additional time for negotiations.</p> <p>On July 29, 2008, SPP submitted a status report pursuant to the June 29, 2007 Order.</p> <p>On September 26, 2008, SPP submitted a status report pursuant to the June 29, 2007 Order.</p> <p>On October 23, 2008, SPP submitted a status report pursuant to the June 29, 2007 Order.</p> <p>On December 12, 2008, SPP submitted a status report pursuant to the June 29, 2007 Order. Assuming continued progress on the limited issues that remain outstanding, SPP anticipates a settlement offer could be filed during the first quarter of 2009.</p> <p>On February 5, 2009, SPP submitted a status report pursuant to the June 29, 2007 Order. SPP advised that the active parties have reached a settlement and anticipates that a settlement offer will be filed prior to March 15, 2009.</p> <p>On February 24, 2009, SPP filed an Offer of Settlement and Stipulation.</p> <p>On March 16, 2009, Westar Energy, Inc. and Kansas Gas and Electric Company submitted comments regarding the Offer of Settlement.</p> <p>On March 27, 2009, SPP filed reply comments addressing the issues raised by Westar Energy, Inc. and Kansas Gas and Electric Company concerning the Offer of Settlement submitted by SPP on February 27, 2009.</p> <p>The clarifications requested by Westar and agreed to by SPP and the active parties are as follows:</p> <ul style="list-style-type: none"> • With respect to Article 2, Section B. 3. b. of the Settlement: SPP and the

			<p>active parties agree that the language ". . . following approval by the MWG" is not intended to and does not prejudice or pre-suppose automatic approval by the MWG, but is properly understood to mean "if approved by the MWG."</p> <ul style="list-style-type: none"> • With respect to Article 2, Section B. 3. d. of the Settlement: SPP and the active parties agree that SPP stakeholders will be invited to participate in an open process to develop and discuss the cooperative efforts and the lessons learned from the initiatives described in this section. To the extent these open discussions result in Violation Relaxation Limit ("VRL") mitigation solutions, the solutions will be shared with all SPP stakeholders. Any VRL mitigation solutions that require Protocol Revisions or Tariff changes shall commence if so approved by SPP stakeholders and accepted by the Commission. <p>On March 30, 2009, Westar Energy, Inc. and Kansas Gas and Electric Company submitted Reply Comments Regarding SPP's Offer of Settlement. The filing states that, with the clarifications offered in SPP's March 27 Filing, Westar does not oppose approval of the Stipulation provided that such approval incorporates the clarifications set forth in SPP's reply comments.</p> <p>On June 3, 2009, FERC issued an Order Approving Uncontested Settlement and Accepting Compliance Filing. FERC accepts the February 24 Offer of Settlement as well as SPP's July 30, 2007 compliance filing.</p>
10.	RR07-1	<p>Delegation Agreement between NERC and Texas Regional Entity, ("TRE") a division of ERCOT</p> <p>SPP intervened on January 10, 2007.</p>	<p>On July 21, 2008, NERC submitted its compliance filing pursuant to the Commission's March 21, 2008 Order in Docket Nos. RR06-1-012 and RR07-1-002 through RR07-8-002.</p> <p>NERC's compliance filing consists of a revised Amended and Restated <i>Pro Forma</i> Delegation Agreement with the Regional Entities, a revised NERC Compliance Monitoring and Enforcement Program document (including revised Attachment 2, Hearing Procedures), revised Amended and Restated Delegation Agreements with each of the Regional Entities, and revisions to the NERC Rules of Procedure in compliance with the March 21, 2008 Order.</p> <p>TRE Delegation Agreement revisions are discussed at pages 49-54 of the Compliance Filing.</p> <p>See Attachment 10 to NERC's Compliance Filing for the Revised Amended and Restated Delegation Agreement between NERC and TRE.</p> <p>On September 15, 2008, NERC submitted supplemental information adding language in the second paragraph of the CMEP following the existing third sentence.</p> <p>On December 19, 2008, FERC issued an Order Accepting Compliance Filings (July 21, August 28, and September 30, 2008), subject to conditions, to become effective on January 3, 2009. NERC is directed to submit a compliance filing by February 17, 2009.</p> <p>Within the December 19 Order, the agreement between NERC and TRE is accepted without revision.</p>

			<p>On February 17, 2009, NERC submitted its compliance filing pursuant to the December 19, 2008 Order.</p> <p>On March 9, 2009, the Transmission Agency of Northern California (“TANC”) submitted Comments asking that FERC require NERC to revise Figure 6.1 contained in the February 17 Filing. TANC states that the revised Figure 6.1 does not address the Commission’s directives to conform to the directed revisions in section 6.5 of the December 19 Order.</p> <p>On March 18, 2009, NERC filed a Motion to Answer and Answer to Comments on Compliance Filing in Response to the December 19, 2008 Order. NERC submitted revisions to Figure 6.1.</p> <p>On June 1, 2009, FERC issued an Order on Compliance Filing. FERC accepts NERC’s compliance filing to become effective June 16, 2009, subject to an additional compliance filing due on July 31, 2009. NERC’s proposed revisions to section 6.5 and figure 6.1 are accepted subject to conditions.</p>
11.	RR07-2	<p>Delegation Agreement between NERC and the Midwest Reliability Organization (“MRO”)</p> <p>SPP intervened on January 10, 2007.</p>	<p>On July 21, 2008, NERC submitted its compliance filing pursuant to the Commission’s March 21, 2008 Order in Docket Nos. RR06-1-012 and RR07-1-002 through RR07-8-002.</p> <p>NERC’s compliance filing consists of a revised Amended and Restated <i>Pro Forma</i> Delegation Agreement with the Regional Entities, a revised NERC Compliance Monitoring and Enforcement Program document (including revised Attachment 2, Hearing Procedures), revised Amended and Restated Delegation Agreements with each of the Regional Entities, and revisions to the NERC Rules of Procedure in compliance with the March 21, 2008 Order. MRO Delegation Agreement revisions are discussed at pages 54-57 of the Compliance Filing.</p> <p>See Attachment 5 to NERC’s Compliance Filing for the Revised Amended and Restated Delegation Agreement between NERC and MRO.</p> <p>On September 15, 2008, NERC submitted supplemental information adding language in the second paragraph of the CMEP following the existing third sentence.</p> <p>On December 19, 2008, FERC issued an Order Accepting Compliance Filings (July 21, August 28, and September 30, 2008), subject to conditions, to become effective on January 3, 2009. NERC is directed to submit a compliance filing by February 17, 2009.</p> <p>Within the December 19 Order, the agreement between NERC and MRO is accepted, subject to revision. With respect to the proposed revision at Exhibit E, section 5, FERC clarifies that MRO may not charge a membership fee of any kind unless that fee has been submitted for Commission approval. In addition, FERC states that the MRO bylaws, at section 5.8. will be construed consistent with the requirements of Exhibit E, section 5.</p> <p>On February 17, 2009, NERC submitted its compliance filing pursuant to the December 19, 2008 Order.</p> <p>On March 9, 2009, the Transmission Agency of Northern California (“TANC”) submitted Comments asking that FERC require NERC to revise Figure 6.1 contained in the February 17 Filing. TANC states that the revised Figure 6.1 does not address the Commission’s directives to conform to the directed revisions in section 6.5 of the December 19 Order.</p>

			<p>On March 18, 2009, NERC filed a Motion to Answer and Answer to Comments on Compliance Filing in Response to the December 19, 2008 Order. NERC submitted revisions to Figure 6.1.</p> <p>On June 1, 2009, FERC issued an Order on Compliance Filing. FERC accepts NERC's compliance filing to become effective June 16, 2009, subject to an additional compliance filing due on July 31, 2009. NERC's proposed revisions to section 6.5 and figure 6.1 are accepted subject to conditions.</p>
12.	RR07-3	<p>Delegation Agreement between the North American Electric Reliability Corporation and Northeast Power Coordinating Council: Cross Border Regional Entity, Inc. ("NPCC")</p> <p>SPP intervened on January 10, 2007.</p>	<p>On July 15, 2008, the Commission accepted NERC's uncontested May 19, 2008 filing as meeting the 60-day submission requirements ordered by the Commission. FERC will review the proposed revisions for compliance with the Commission's directives when they are actually filed as part of the 120-day compliance filing, due on or before July 21, 2008.</p> <p>On July 21, 2008, NERC submitted its compliance filing pursuant to the Commission's March 21, 2008 Order in Docket Nos. RR06-1-012 and RR07-1-002 through RR07-8-002.</p> <p>NERC's compliance filing consists of a revised Amended and Restated <i>Pro Forma</i> Delegation Agreement with the Regional Entities, a revised NERC Compliance Monitoring and Enforcement Program document (including revised Attachment 2, Hearing Procedures), revised Amended and Restated Delegation Agreements with each of the Regional Entities, and revisions to the NERC Rules of Procedure in compliance with the March 21, 2008 Order.</p> <p>NPCC Delegation Agreement revisions are discussed at pages 58-64 of the Compliance Filing.</p> <p>See Attachment 6 to NERC's Compliance Filing for the Revised Amended and Restated Delegation Agreement between NERC and NPCC.</p> <p>On September 15, 2008, NERC submitted supplemental information adding language in the second paragraph of the CMEP following the existing third sentence.</p> <p>On December 19, 2008, FERC issued an Order Accepting Compliance Filings (July 21, August 28, and September 30, 2008), subject to conditions, to become effective on January 3, 2009. NERC is directed to submit a compliance filing by February 17, 2009.</p> <p>Within the December 19 Order, the agreement between NERC and NPCC is accepted, subject to revision. NPCC is directed to clarify the voting requirements applicable to the NPCC hearing body (Exhibit D, section 2.0). Also, NPCC bylaws may be inconsistent with section 2.0 of Exhibit D, so NPCC is to amend its bylaws to remove ambiguity.</p> <p>NERC and NPCC must also amend Exhibit D, section 3.0 to state that the consultation process is to be initiated only by compliance staff and that the process may not be used to determine appropriate proposals for penalties or sanctions for violations. 30 days after the end of each calendar quarter, NERC and NPCC are required to submit non-public reports to the Commission staff on technical committee consultations during that calendar quarter. NERC and NPCC must also submit a filing by June 30, 2010, that incorporates the results of these quarterly reports and proposes a schedule for the termination of the consultations or detailed justification for their continuation.</p>

			<p>On February 17, 2009, NERC submitted its compliance filing pursuant to the December 19, 2008 Order.</p> <p>On March 9, 2009, the Transmission Agency of Northern California (“TANC”) submitted Comments asking that FERC require NERC to revise Figure 6.1 contained in the February 17 Filing. TANC states that the revised Figure 6.1 does not address the Commission’s directives to conform to the directed revisions in section 6.5 of the December 19 Order.</p> <p>On March 18, 2009, NERC filed a Motion to Answer and Answer to Comments on Compliance Filing in Response to the December 19, 2008 Order. NERC submitted revisions to Figure 6.1.</p> <p>On June 1, 2009, FERC issued an Order on Compliance Filing. FERC accepts NERC’s compliance filing to become effective June 16, 2009, subject to an additional compliance filing due on July 31, 2009. NERC’s proposed revisions to section 6.5 and figure 6.1 are accepted subject to conditions.</p>
13.	RR07-4	<p>Delegation Agreement between NERC and Reliability First Corporation (“RFC”)</p> <p>SPP intervened on January 10, 2007.</p>	<p>On July 21, 2008, NERC submitted its compliance filing pursuant to the Commission’s March 21, 2008 Order in Docket Nos. RR06-1-012 and RR07-1-002 through RR07-8-002.</p> <p>NERC’s compliance filing consists of a revised Amended and Restated <i>Pro Forma</i> Delegation Agreement with the Regional Entities, a revised NERC Compliance Monitoring and Enforcement Program document (including revised Attachment 2, Hearing Procedures), revised Amended and Restated Delegation Agreements with each of the Regional Entities, and revisions to the NERC Rules of Procedure in compliance with the March 21, 2008 Order.</p> <p>RFC Delegation Agreement revisions are discussed at pages 64-73 of the Compliance Filing.</p> <p>See Attachment 7 to NERC’s Compliance Filing for the Revised Amended and Restated Delegation Agreement between NERC and RFC.</p> <p>On September 15, 2008, NERC submitted supplemental information adding language in the second paragraph of the CMEP following the existing third sentence.</p> <p>On December 19, 2008, FERC issued an Order Accepting Compliance Filings (July 21, August 28, and September 30, 2008), subject to conditions, to become effective on January 3, 2009. NERC is directed to submit a compliance filing by February 17, 2009.</p> <p>Within the December 19 Order, the agreement between NERC and RFC is accepted. NERC and RFC included a reference in the agreement to a website address in lieu of placing the procedures into the agreement. FERC finds this reasonable, but directs RFC to revise the text of its cross reference, at paragraphs 1.5.5 and 1.8, if and when the website address changes.</p> <p>On February 17, 2009, NERC submitted its compliance filing pursuant to the December 19, 2008 Order.</p> <p>On March 9, 2009, the Transmission Agency of Northern California (“TANC”) submitted Comments asking that FERC require NERC to revise Figure 6.1 contained in the February 17 Filing. TANC states that the revised Figure 6.1 does</p>

			<p>not address the Commission’s directives to conform to the directed revisions in section 6.5 of the December 19 Order.</p> <p>On March 18, 2009, NERC filed a Motion to Answer and Answer to Comments on Compliance Filing in Response to the December 19, 2008 Order. NERC submitted revisions to Figure 6.1.</p> <p>On June 1, 2009, FERC issued an Order on Compliance Filing. FERC accepts NERC’s compliance filing to become effective June 16, 2009, subject to an additional compliance filing due on July 31, 2009. NERC’s proposed revisions to section 6.5 and figure 6.1 are accepted subject to conditions.</p>
14.	RR07-5	<p>Delegation Agreement between NERC and SERC Reliability Corporation</p> <p>SPP intervened on January 10, 2007.</p>	<p>On July 21, 2008, NERC submitted its compliance filing pursuant to the Commission’s March 21, 2008 Order in Docket Nos. RR06-1-012 and RR07-1-002 through RR07-8-002.</p> <p>NERC’s compliance filing consists of a revised Amended and Restated <i>Pro Forma</i> Delegation Agreement with the Regional Entities, a revised NERC Compliance Monitoring and Enforcement Program document (including revised Attachment 2, Hearing Procedures), revised Amended and Restated Delegation Agreements with each of the Regional Entities, and revisions to the NERC Rules of Procedure in compliance with the March 21, 2008 Order.</p> <p>SERC Delegation Agreement revisions are discussed at pages 73-76 of the Compliance Filing.</p> <p>See Attachment 8 to NERC’s Compliance Filing for the Revised Amended and Restated Delegation Agreement between NERC and SERC.</p> <p>On September 15, 2008, NERC submitted supplemental information adding language in the second paragraph of the CMEP following the existing third sentence.</p> <p>On December 19, 2008, FERC issued an Order Accepting Compliance Filings (July 21, August 28, and September 30, 2008), subject to conditions, to become effective on January 3, 2009. NERC is directed to submit a compliance filing by February 17, 2009.</p> <p>Within the December 19 Order, the agreement between NERC and SERC is accepted, without revision.</p> <p>On February 17, 2009, NERC submitted its compliance filing pursuant to the December 19, 2008 Order.</p> <p>On March 9, 2009, the Transmission Agency of Northern California (“TANC”) submitted Comments asking that FERC require NERC to revise Figure 6.1 contained in the February 17 Filing. TANC states that the revised Figure 6.1 does not address the Commission’s directives to conform to the directed revisions in section 6.5 of the December 19 Order.</p> <p>On March 18, 2009, NERC filed a Motion to Answer and Answer to Comments on Compliance Filing in Response to the December 19, 2008 Order. NERC submitted revisions to Figure 6.1.</p> <p>On June 1, 2009, FERC issued an Order on Compliance Filing. FERC accepts NERC’s compliance filing to become effective June 16, 2009, subject to an additional compliance filing due on July 31, 2009. NERC’s proposed revisions to section 6.5 and figure 6.1 are accepted subject to conditions.</p>

<p>15.</p>	<p>RR07-6</p>	<p>SPP Regional Entity Delegation Agreement (“SPP- NERC RDA”)</p> <p>SPP intervened on January 10, 2007.</p>	<p>On July 21, 2008, NERC submitted its compliance filing pursuant to the Commission’s March 21, 2008 Order in Docket Nos. RR06-1-012 and RR07-1-002 through RR07-8-002.</p> <p>NERC’s compliance filing consists of a revised Amended and Restated <i>Pro Forma</i> Delegation Agreement with the Regional Entities, a revised NERC Compliance Monitoring and Enforcement Program document (including revised Attachment 2, Hearing Procedures), revised Amended and Restated Delegation Agreements with each of the Regional Entities, and revisions to the NERC Rules of Procedure in compliance with the March 21, 2008 Order.</p> <p>SPP Delegation Agreement revisions are discussed at pages 76-79 of the Compliance Filing.</p> <p>See Attachment 9 to NERC’s Compliance Filing for the Revised Amended and Restated Delegation Agreement between NERC and SPP.</p> <p>On September 15, 2008, NERC submitted supplemental information adding language in the second paragraph of the CMEP following the existing third sentence.</p> <p>On December 19, 2008, FERC issued an Order Accepting Compliance Filings (July 21, August 28, and September 30, 2008), subject to conditions, to become effective on January 3, 2009. NERC is directed to submit a compliance filing by February 17, 2009.</p> <p>Within the December 19 Order, the agreement between NERC and SPP is accepted, subject to revision. NERC and SPP must provide further explanation regarding the new bylaw provision generally assuring that participation in SPP Regional Entity activities is open to the public and does not require membership in SPP, Inc. is consistent with other provisions of SPP bylaws and the SPP Regional Entity Standards Development Process Manual that identify particular SPP Regional Entity functions and activities that are conducted by SPP Inc. membership-based committees.</p> <p>Also in the December 19 Order, NERC and SPP are directed to revise Exhibit E, section 5 to establish separate accounts for payment of statutory and non-statutory expenses. Lastly, FERC ads that final determination regarding adequacy between RE and RTO functions will continue to remain pending until the results of the audit are complete.</p> <p>On January 21, 2009, SPP filed a Request for Rehearing, which seeks rehearing of the Commission’s directive that the SPP Regional Entity must pay all of its statutory expenses out of the separately maintained account for the Regional Entity rather than reimbursing SPP for shared expenses.</p> <p>On February 13, 2009, SPP filed a Motion for Stay of certain provisions of the December 19 Order. Specifically, SPP seeks a stay of the Commission’s directive in the December 19 Order that the SPP Regional Entity must pay all of its statutory expenses out of the separately maintained account for the Regional Entity rather than reimbursing SPP for shared expenses.</p> <p>On February 17, 2009, NERC submitted its compliance filing pursuant to the December 19, 2008 Order.</p> <p>On February 18, 2009, FERC issued an Order Granting Rehearing for Further Consideration of the December 19, 2008</p>
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			<p>Order.</p> <p>On March 9, 2009, the Transmission Agency of Northern California (“TANC”) submitted Comments asking that FERC require NERC to revise Figure 6.1 contained in the February 17 Filing. TANC states that the revised Figure 6.1 does not address the Commission’s directives to conform to the directed revisions in section 6.5 of the December 19 Order.</p> <p>On March 18, 2009, NERC filed a Motion to Answer and Answer to Comments on Compliance Filing in Response to the December 19, 2008 Order. NERC submitted revisions to Figure 6.1.</p> <p>On March 25, 2009, FERC issued an Order on Rehearing, which grants rehearing of the December 19 Order regarding the directive that SPP revise Exhibit E, section 5 of the SPP Delegation Agreement to establish separate accounts for payment of statutory and non-statutory expenses between the SPP Regional Entity and the SPP RTO. The Commission finds that with the proper implementation of their directives that they need not, at this time, require SPP to establish a new account.</p> <p>On June 1, 2009, FERC issued an Order on Compliance Filing. FERC accepts NERC’s compliance filing to become effective June 16, 2009, subject to an additional compliance filing due on July 31, 2009. NERC’s proposed revisions to section 6.5 and figure 6.1 are accepted subject to conditions.</p>
16.	RR07-7	<p>Delegation Agreement between NERC and Western Electricity Coordinating Council (“WECC”)</p> <p>SPP intervened on January 10, 2007.</p>	<p>NERC and WECC must submit a status report by June 30, 2009 addressing the merits of retaining the proposed deviation from paragraph 1.3.2 of the pro forma NERC hearing procedures and also submit a status report within 6 months of the date of this order and every six months thereafter addressing WECC’s monitoring and enforcement responsibilities regarding its reliability coordinator function.</p> <p>On July 21, 2008, NERC submitted its compliance filing pursuant to the Commission’s March 21, 2008 Order in Docket Nos. RR06-1-012 and RR07-1-002 through RR07-8-002.</p> <p>NERC’s compliance filing consists of a revised Amended and Restated <i>Pro Forma</i> Delegation Agreement with the Regional Entities, a revised NERC Compliance Monitoring and Enforcement Program document (including revised Attachment 2, Hearing Procedures), revised Amended and Restated Delegation Agreements with each of the Regional Entities, and revisions to the NERC Rules of Procedure in compliance with the March 21, 2008 Order.</p> <p>WECC Delegation Agreement revisions are discussed at pages 79-91 of the Compliance Filing.</p> <p>See Attachment 11 to NERC’s Compliance Filing for the Revised Amended and Restated Delegation Agreement between NERC and WECC.</p> <p>On August 28, 2008, NERC submitted a supplement to the July 21 compliance filing. The purpose of this Supplement was to advise that WECC Board of Directors approved the Revised Amended and Restated NERC-WECC Delegation Agreement.</p> <p>On September 15, 2008, NERC submitted supplemental information adding language in the second paragraph of the CMEP following the existing third sentence.</p>

			<p>On September 22, 2008, NERC and WECC submitted a status report in response to Paragraph 226 of the March 21, 2008 Order.</p> <p>On September 30, 2008, NERC and WECC submitted a second supplemental filing proposing both to clarify and justify NERC's and WECC's proposed revisions to Exhibit E, section 3 of the WECC Delegation Agreement, as included in the July 21 compliance filing.</p> <p>On November 21, 2008, NERC and WECC submitted a further status report in response to Paragraph 226 of the March 21, 2008 Order.</p> <p>On December 19, 2008, FERC issued an Order Accepting Compliance Filings (July 21, August 28, and September 30, 2008), subject to conditions, to become effective on January 3, 2009. NERC is directed to submit a compliance filing by February 17, 2009.</p> <p>Within the December 19 Order, the agreement between NERC and WECC is accepted, subject to revision. NERC and WECC must submit a proposal to reconcile the issues noted in the order with regards to WECC's hearing procedures.</p> <p>On December 22, 2008, FERC accepts the September 22 filing.</p> <p>On February 17, 2009, NERC submitted its compliance filing pursuant to the December 19, 2008 Order.</p> <p>On February 17, 2009, FERC issued a letter order accepting NERC's November 21, 2008 filing.</p> <p>On March 9, 2009, the Transmission Agency of Northern California ("TANC") submitted Comments asking that FERC require NERC to revise Figure 6.1 contained in the February 17 Filing. TANC states that the revised Figure 6.1 does not address the Commission's directives to conform to the directed revisions in section 6.5 of the December 19 Order.</p> <p>On March 18, 2009, NERC filed a Motion to Answer and Answer to Comments on Compliance Filing in Response to the December 19, 2008 Order. NERC submitted revisions to Figure 6.1.</p> <p>On June 1, 2009, FERC issued an Order on Compliance Filing. FERC accepts NERC's compliance filing to become effective June 16, 2009, subject to an additional compliance filing due on July 31, 2009. NERC's proposed revisions to section 6.5 and figure 6.1 are accepted subject to conditions.</p> <p>On June 29, 2009, NERC and WECC submitted their report in response to paragraph 230 of the March 21, 2008 Commission Order issued in RR06-1 and RR07-7.</p>
17.	RR07-8	Delegation Agreement between NERC and Florida Reliability Coordinating Council ("FRCC")	<p>On July 15, 2008, the Commission accepted NERC's uncontested May 19, 2008 filing as meeting the 60-day submission requirements ordered by the Commission. FERC will review the proposed revisions for compliance with the Commission's directives when they are actually filed as part of the 120-day compliance filing, due on or before July 21, 2008.</p>

SPP intervened on January 10, 2007.

On July 21, 2008, NERC submitted its compliance filing pursuant to the Commission's March 21, 2008 Order in Docket Nos. RR06-1-012 and RR07-1-002 through RR07-8-002.

NERC's compliance filing consists of a revised Amended and Restated *Pro Forma* Delegation Agreement with the Regional Entities, a revised NERC Compliance Monitoring and Enforcement Program document (including revised Attachment 2, Hearing Procedures), revised Amended and Restated Delegation Agreements with each of the Regional Entities, and revisions to the NERC Rules of Procedure in compliance with the March 21, 2008 Order.

FRCC Delegation Agreement revisions are discussed at pages 91-98 of the Compliance Filing.

See Attachment 4 to NERC's Compliance Filing for the Revised Amended and Restated Delegation Agreement between NERC and FRCC.

On September 15, 2008, NERC submitted supplemental information adding language in the second paragraph of the CMEP following the existing third sentence.

On December 19, 2008, FERC issued an Order Accepting Compliance Filings (July 21, August 28, and September 30, 2008), subject to conditions, to become effective on January 3, 2009. NERC is directed to submit a compliance filing by February 17, 2009.

Within the December 19 Order, the agreement between NERC and FRCC is accepted, subject to revision. NERC and FRCC are to amend section 1.2 to state the review process is to be initiated only by compliance staff and that the process may not be used to determine proposals for penalties or sanctions for violations. FRCC is also directed to submit non-public reports 30 days after the end of each calendar quarter on compliance committee reviews during that calendar quarter. NERC and FRCC are directed to submit a filing on or before June 30, 2010, incorporating the results of these quarterly reports and proposing a schedule for the termination of the reviews or a detailed justification for their continuation. FRCC is also asked to clarify its proposed modifications to Exhibit D, at section 2.0, regarding voting requirements applicable to the FRCC hearing body. Lastly, the FRCC bylaws may be inconsistent with section 2.0 of the FRCC Exhibit D. FRCC is to amend its bylaws to remove any such ambiguity and to list the quorum and voting rules applicable to the actions of the board compliance committee when it serves as the FRCC hearing body.

On February 17, 2009, NERC submitted its compliance filing pursuant to the December 19, 2008 Order.

On March 9, 2009, the Transmission Agency of Northern California ("TANC") submitted Comments asking that FERC require NERC to revise Figure 6.1 contained in the February 17 Filing. TANC states that the revised Figure 6.1 does not address the Commission's directives to conform to the directed revisions in section 6.5 of the December 19 Order.

On March 18, 2009, NERC filed a Motion to Answer and Answer to Comments on Compliance Filing in Response to the December 19, 2008 Order. NERC submitted revisions to Figure 6.1.

On June 1, 2009, FERC issued an Order on Compliance Filing. FERC accepts NERC's compliance filing to become effective June 16, 2009, subject to an additional compliance filing due on July 31, 2009. NERC's proposed revisions to section 6.5 and figure 6.1 are accepted subject to conditions.

18.	OA07-32	<p>Entergy Order No. 890 Federal Power Act Section 206 Compliance Filing</p> <p>Acting as the ICT, SPP intervened on August 28, 2007.</p>	<p>On November 30, 2007, Entergy Services, Inc. made a filing informing the Commission that it has complied with Order No. 890's requirements concerning the evaluation of pre-confirmed transmission service requests.</p> <p>Commission Staff also issued a notice of possible attendance at the December 11, 2007 ICT stakeholders policy committee meeting in Dallas, Texas.</p> <p>On August 6, 2008, Entergy's compliance filing is accepted by FERC, as modified, effective July 13, 2007. By September 5, 2008, Entergy must submit an informational filing regarding the status of the stakeholder process to review Criteria Manuals, and then provide updates every 60 days thereafter.</p> <p>On September 5, 2008, Entergy submitted a compliance filing pursuant to the August 6 Order. Entergy also filed a Request for Clarification. The next compliance filing is due November 4, 2008.</p> <p>On September 19, 2008, Lafayette Utilities System, Louisiana Energy & Power Authority, Municipal Energy Agency for Mississippi, and Mississippi Delta Energy Agency filed an Answer in Opposition of Entergy's Motion for Clarification.</p> <p>On October 6, 2008, FERC issued an Order Granting Rehearing for Further Consideration regarding the August 6 Order.</p> <p>On November 4, 2008, Entergy Operating Companies submitted a status report updating the Commission on the on-going stakeholder process governing the review and finalization of Attachments to its Open Access Transmission Tariff.</p> <p>On January 5, 2009, Entergy submitted a status report on Attachments C, D, E and T.</p> <p>On January 9, 2009, FERC issued a letter order accepting Entergy's September 5, 2008 filing.</p> <p>On March 4, 2009, FERC issued an Order Denying Clarification of Rehearing.</p> <p>On March 6, 2009, Entergy filed a Status Report on Attachments C, D, E and T, stating the final versions of C, D and E were circulated to its stakeholders on February 18. Based on input during the February 26 web-conference, Entergy is in process of revising these attachments and expects to file them in the next two weeks.</p> <p>On March 27, 2009, Entergy submitted a compliance/refund report relating to penalty assessments and distributions pursuant to Order No. 890.</p> <p>On April 3, 2009, Entergy submitted its Attachments C, D and E Compliance Filing, in both Docket No. ER05-1065 and OA07-32.</p> <p>On April 14, 2009, the Lafayette Utilities System, the Louisiana Energy and Power Authority, the Municipal Energy Agency of Mississippi, the Mississippi Delta Energy Agency, Arkansas Electric Cooperative Corporation, and Union Power Partners, L.P. filed a Motion for Enlargement of Time to File Comments and Protests, requesting an extension to</p>
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			<p>May 4, 2009.</p> <p>On April 21, 2009, FERC issued a Notice of Extension of Time, extending the comment period to May 4, 2009.</p> <p>On April 30, 2009, the Southeast Electricity Consumers Association filed a Motion to Intervene in Docket Nos. ER05-1065 and OA07-32.</p> <p>On May 4, 2009, Occidental Chemical Corporation filed a Protest and Comments, Cottonwood Energy Company LP filed a Motion to Intervene and Protest, the East Texas Cooperatives filed Comments and Protest, Brazos Electric Power Cooperative, Inc. filed a Motion to Intervene, Arkansas Cities filed Comments, Union Power Partners, L.P. filed a Protest, and Arkansas Electric Cooperative Corporation, et al. filed a Protest and Comments.</p> <p>On May 4, 2009, Southwest Power Pool submitted its Initial Comments on Proposed Tariff Revisions. The ICT's views on external control area and net interchange modeling are presented. The ICT's views are intended to provide Entergy, stakeholders, and the Commission with a basic understanding of potential changes that the ICT believes would improve the current processes as presented in Entergy's tariff and business practices.</p> <p>On May 19, 2009, LMA Customers' filed an Answer to Requests for Affirmative Relief by the Entergy ICT and Union Power Partners L.P.</p> <p>On May 19, 2009, Arkansas Cities filed Reply Comments to Union Power Partners comments.</p> <p>On May 19, 2009, SPP filed a Motion for Leave to File Response and Response to Stakeholder Protests on Proposed Tariff Revisions. SPP supports approval of Entergy's April 3 Compliance Filing.</p> <p>On May 20, 2009, Entergy Services, Inc. filed a Motion for Leave to File Answer and Answer.</p> <p>On June 3, 2009, FERC issued an Order Granting Clarification Request. FERC grants Entergy's request for clarification filed in OA07-32 and OA08-59. The effective date of section 2.2 of Entergy's OATT is October 18, 2008. Entergy is directed to file revised tariff sheets with this effective date. Entergy's proposed revisions to Attachment E were rejected.</p> <p>On June 3, 2009, FERC issued an order accepting the March 17 Compliance Filing, subject to a compliance filing due July 6, 2009.</p> <p>On July 6, 2009, Entergy submitted its compliance filing pursuant to the June 3, 2009 Order.</p>
19.	RM07-19 AD07-7	Wholesale Competition in Regions with Organized Electric Markets	<p>On February 22, 2008, FERC issued a NOPR to amend its regulations to improve the operation of organized wholesale electric markets in the following areas: (1) demand response and market pricing during a period of operating reserve shortage; (2) long-term power contracting; (3) market-monitoring policies; and (4) the responsiveness of RTOs and ISOs to stakeholders and the consumers.</p> <p>On April 21, 2008, SPP filed NOPR comments. Specifically, SPP supports the Commission's goal of providing greater</p>

			<p>use of demand resources. Regarding Long-Term Power Contracting in Organized Markets, SPP proposes that RTOs and ISOs host bulletin board for postings to be made by willing buyers and sellers with these buyers and sellers bearing the responsibility for all content posted. SPP further states that the proposals regarding Market Monitoring Policies are consistent with FERC's Order in Docket No. ER04-1 ("SPP RTO Order"). SPP also believes that responsiveness of RTOs and ISOs to Stakeholders and Customers is of vital importance. SPP believes that its current structure complies with the proposals set forth in the NOPR.</p> <p>On October 17, 2008, FERC issued a Final Rule in Order 719. The primary areas addressed in the order are: (1) demand response and pricing during periods of operating reserve shortage in organized markets; (2) long-term power contracting in organized markets; (3) market monitoring policies; and (4) responsiveness of RTOs and ISOs to customers and other stakeholders. The effective date of the Final Rule was December 28, 2008. SPP's compliance filing is due on April 28, 2009.</p> <p>On March 23, 2009, FERC issued an Errata Notice correcting the first sentence to Paragraph 97 of the Final Rule. The smaller demand response report is now due October 28, 2009.</p> <p>On June 29, 2009, Portland Cement Association Arcelormittal USA, Inc. filed a Motion to Intervene and Protest in RM07-19 and AD07-7, as well as CAISO's, ISO-NE's, MISO's, New York ISO's, PJM's and SPP's Order 719 Compliance dockets.</p>
20.	ER07-1069	<p>AEP Filing of Revised <i>Pro-forma</i> Tariff Sheets to Update AEP's Transmission Service Rates and Institute a Formula Rate (AEP Formula Rate Case)</p> <p>SPP intervened on July 13, 2007.</p>	<p>On May 27, 2008, AEP filed its Notice of Annual Update of AEP Formula Rate.</p> <p>Settlement conferences were held on April 23, May 8, and June 12, 2008. Several proposals have been exchanged, the latest having been made on June 17, 2008. This proposal was discussed in a conference call on June 18, 2008 and is still under consideration.</p> <p>According to the Report to the Commission and Chief Judge issued on August 28, 2008, the parties exchanged drafts of settlement proposals on August 27, 2008.</p> <p>According to the Report to the Commission and Chief Judge issued on November 3, 2008, the parties have exchanged drafts of the proposed settlement and are close to finalizing an agreement.</p> <p>On January 23, 2009, FERC issued an Order Establishing Settlement Conference for February 10, 2009.</p> <p>On February 10, 2009, FERC issued a Notice Adopting Procedural Schedule. The deadline for submission of the final settlement agreement is February 27, 2009. If a settlement agreement is not submitted on February 27, the parties will adhere to the procedural schedule set forth in the notice.</p> <p>On February 23, 2009, AEP submitted an Offer of Settlement.</p> <p>On February 25, 2009, AEP submitted a Motion for Interim Rates and Request for Expedited Action.</p> <p>On February 27, 2009, an Order of Chief Judge Shortening Time to Answer shortened the time to answer to and</p>

			<p>including March 4, 2009.</p> <p>On March 5, 2009, an Order of Chief Judge Granting Motion for Interim Rate Relief was issued. AEP is authorized to institute the interim rates to become effective March 1, 2009, and remain effective until the earlier of either the final resolution of this proceeding or June 30, 2009.</p> <p>On March 10, 2009, Initial Comments of Commission Trial Staff in Support of Settlement Agreement were issued.</p> <p>On March 20, 2009, the Commission issued a Certification of Uncontested Settlement. The settlement proceeding is terminated, as the Settlement Agreement resolves all issues.</p> <p>On March 20, 2009, SPP filed a Motion for Interim Rates and Request for Expedited Action. An effective date of March 1, 2009 is requested.</p> <p>On March 25, 2009, FERC issued an Order of Chief Judge Granting Motion to Interim Rates. SPP is authorized to institute the interim rates to become effective March 1, 2009, and remain effective until the earlier of either the final resolution of this proceeding or June 30, 2009.</p> <p>On May 12, 2009, FERC issued an Order of Chief Judge Terminating Settlement Judge Procedures.</p> <p>On May 26, 2009, AEP filed the Notice of Annual Update of AEP Formula Rate.</p> <p>On May 29, 2009, AEP filed an Errata Notice of Annual Update of AEP Formula Rate.</p> <p>On June 24, 2009, FERC issued an Order Approving Uncontested Settlement.</p>
21.	PA08-2	RTO Compliance Audit of SPP pursuant to Section 301 of the Federal Power Act	<p>On October 4, 2007, FERC initiated an audit addressing SPP's responsibilities as a Regional Entity and a RTO. FERC seeks to determine whether SPP is operating in compliance with: (1) the SPP Bylaws, (2) the Delegation Agreement between NERC and SPP and the conditions included in the Delegation Order, (3) the SPP Membership Agreement, (4) the transmission provider obligations described in the SPP OATT and (5) other obligations and responsibilities as approved by the Commission.</p> <p>The audit will cover the period from February 1, 2007 through the present. The portion addressing SPP's RE responsibilities will cover from May 18, 2007 through the present.</p> <p>On September 8, 2008, FERC issued a draft audit report.</p> <p>On January 15, 2009, FERC issued Order Approving Audit Report, Determining Issue of Separation of Functions, and Direction Compliance and Other Corrective Actions.</p> <p>SPP is directed to submit a compliance plan outlining the steps it will take to implement the recommendations in the Report within 60 days (March 16, 2009) from the date of issuance of the final report in this docket.</p>

			<p>SPP must make non-public quarterly submissions detailing its progress in implementing corrective actions are completed. The submissions must be made not later than 30 days after the end of each calendar quarter, beginning with the first quarter after the submission of the compliance plan and continuing until SPP completes all the recommended correction actions.</p> <p>FERC finds that once SPP implements the recommended improvements, the governance structure will enable “very strong” separation between its reliability and regional market functions.</p> <p>On April 10, 2009, SPP responded to the draft Audit Report.</p> <p>On May 6, 2009, FERC issued an order approving the Audit Report prepared by the Division of Audits in the Office of Enforcement.</p>
22.	OA08-5	SPP Order 890 Compliance Filing – Rollover Reform	<p>On May 16, 2008, the Commission issued an order accepting SPP’s October 11, 2007 compliance filing, as modified. SPP must revise the unreserved penalty charge to bring it into line with FERC precedent. A one-time compliance filing is due in 30 days where SPP must propose a methodology for distributing revenues. SPP must also modify Attachment C and R of the Tariff.</p> <p>On June 16, 2008, SPP filed a request for rehearing on the May 16 Order. Specifically, SPP requests that the Commission grant rehearing of its determination that SPP must revise Attachment C to provide a clear definition for total transfer capability (“TTC”), a detailed explanation of its TTC calculation methodology, as well as a list of the databases used to calculate TTC.</p> <p>On June 16, 2008, SPP submitted a compliance filing pursuant to the May 16 Order. SPP revised the unreserved use penalty in Section 13.7 and 14.5. SPP also removed language from various sections in its Tariff providing that penalty revenues will be used to reduce SPP’s administrative costs, incorporated language referencing NERC’s TLR Procedures into Attachment R, and re-incorporated the Commission’s previous rollover policy into Section 2.2 of its Tariff.</p> <p>On July 16, 2008, FERC granted SPP’s request for rehearing of the May 16 Order.</p> <p>On August 11, 2008, SPP submitted a compliance filing pursuant to the May 16 Order. SPP is incorporating its rollover policies that were adopted by Order 890. An effective date of August 11, 2008 is requested.</p> <p>On March 19, 2009, FERC issued an Order on Compliance Filing and Instituting Section 206 Proceeding (see Docket No. EL09-40). In this order, the Commission accepts SPP’s proposed tariff revisions adopting the Order No. 890 <i>pro forma</i> OATT’s five-year minimum contract term and one-year notice period related to a firm transmission customer’s ongoing right to renew or rollover its contract effective August 11, 2008. Additionally, as discussed below, the Commission institutes a proceeding pursuant to section 206 of the Federal Power Act (FPA) to determine the justness and reasonableness of certain language in section 2.2 of SPP’s existing OATT, establishes a refund effective date, and directs SPP and interested parties to file comments on this matter within 30 days of the issuance date of this order (April 17, 2009).</p>

			<p>Also on March 19, FERC issued an Order on Rehearing and Compliance Filing. The Compliance Filing is accepted, as modified, effective October 11, 2007. SPP must submit a compliance filing by April 20, 2009, to remove section 2.4 of Attachment C.</p> <p>On April 20, 2009, SPP submitted a compliance filing pursuant to the March 19 Order. Specifically, SPP is revising Attachment C of its Tariff to remove language regarding Total Transfer Capability (“TTC”). An effective date of October 11, 2007 is requested.</p> <p>On April 20, 2009, SPP submitted Comments Regarding Rollover Provisions in Docket Nos. OA08-5 and EL09-40, which states: 1) the requirement that incumbent firm service customers match the longest competing request is just and reasonable as it is clear and unambiguous and is not unduly discriminatory; 2) the requirement that incumbent firm service customers match the longest competing request is just and reasonable as it promotes Order No. 890 policy goals regarding competition and transmission planning.</p> <p>On April 20, 2009, Tenaska Power Services Co. filed a Motion to Intervene and Comments, asking that the Commission direct SPP to revise section 2.2 of its Tariff to conform to language in section 2.2 of the Order No. 890 pro forma OATT, as revised in Order No. 890-B.</p> <p>On April 20, 2009, TDU Intervenors filed comments, asking that the Commission require SPP to revise section 2.2 to require that the existing customer exercising its rollover right match only the term of the first-in-line competing request, to be consistent with the pro forma tariff provision as recently reconfirmed in Order 890-B.</p> <p>On April 20, 2009, Cargill Power Markets, LLC filed a Motion to Intervene and Comments, asking that the Commission direct SPP to conform the language of section 2.2 with the “equal to a competing request” language of FERC’s pro forma OATT section 2.2.</p> <p>On May 15, 2009, FERC accepts SPP’s April 20 Compliance Filing which removed language regarding Total Transfer Capability (TTC) from its Attachment C. An effective date of October 11, 2007 is granted.</p> <p>On May 20, 2009, SPP filed Reply Comments Regarding Rollover Provisions. SPP states: 1) SPP’s requirement that incumbent firm service customers match the longest competing request is consistent with and superior to the Commission’s pro forma rollover provision; 2) SPP’s rollover policy is presumptively consistent with or superior to the Commission’s pro forma provisions; 3) the Commission has never determined that requiring incumbent firm service customers to match the longest competing request is unreasonable; 4) there is no evidence that SPP’s rollover provision provides opportunities for gaming or collusion.</p> <p>On June 10, 2009, Cargill Power Markets, LLC filed a Motion for Leave to Respond and Response. Cargill responds to SPP’s Reply Comments by stating that SPP’s approach in section 2.2 disregards the “first come, first served” principle embodied in FERC’s open access transmission policy.</p>
23.	OA08-59	Entergy Services, Inc. Order No. 890 Attachment K Compliance Filing	<p>Entergy made its Order No. 890 Attachment K compliance filing on December 7, 2007, requesting an effective date of December 7, 2007.</p> <p>Several motions to intervene and comment on this filing have been filed.</p>

Protests were filed by: (1) Union Power Partners, LP and SUEZ Energy North America, Inc., (2) the Arkansas Electric Cooperative Corporation, the Lafayette Utilities System, the Louisiana Energy and Power Authority, the Mississippi Delta Energy Agency and the Municipal Energy Agency of Mississippi, and (3) the East Texas Cooperatives.

Entergy filed answers to these protests on January 22, 2008 and February 21, 2008.

SPP moved to intervene out-of-time, and filed limited comments on February 29, 2008, responding to the claims of Union Power Partners, LP and SUEZ Energy North American, Inc.

On September 18, 2008, FERC accepted Entergy's December 7 compliance filing, as modified, effective December 7, 2007. The Commission found that the proposed Attachment K partially complies with the coordination planning principle stated in Order No. 890. However, Entergy is required to make a compliance filing within 90 days that provides for stakeholder input into the development of the Construction Plan and for more detail on the formal and informal meeting structures being used in the planning process.

Entergy's compliance filing is due by December 17, 2008.

On October 10, 2008, Entergy filed a Request for Clarification of the September 18, 2008 Order.

On October 20, 2008, the Lafayette Utilities System, the Louisiana Energy and Power Authority, the Municipal Energy Agency of Mississippi and the Mississippi Delta Energy Agency (collectively, "L-M Municipals") filed a Limited Request for Rehearing.

On October 20, 2008, Union Power Partners, L.P. filed a Request for Rehearing.

On November 18, 2008, FERC issued an Order Granting Rehearing for Further Consideration.

On December 9, 2008, Entergy filed a request for extension of time until **February 6, 2009**, to describe in Attachment K the process that Entergy will use to coordinate certain aspects of transmission planning with the transmission owning members of the SPP RTO.

On December 12, 2008, American Electric Power Service Corporation filed a Motion to Intervene Out of Time.

On December 12, 2008, the Lafayette Utilities System, the Louisiana Energy and Power Authority, the Municipal Energy Agency of Mississippi, the Mississippi Delta Energy Agency (collectively, "L-M Municipals"), The Empire District Electric Company, and Arkansas Electric Cooperative Corporation filed an Answer in response to Entergy's Motion for an Extension of Time. They request that if the Commission grants the Motion, then they should also direct Entergy and SPP to open their seams discussions to participation by other directly affected stakeholders.

On December 17, 2008, FERC issued a Notice of Extension of Time, which granted Entergy's request for extension up to and including February 6, 2009, to describe in Attachment K the process that Entergy will use to coordinate certain

		<p>aspects of transmission planning with the transmission owning members of the SPP RTO.</p> <p>On December 17, 2008, Entergy submitted a revised Attachment K, in accordance with the September 18 Order.</p> <p>On January 7, 2009, the L-M Municipals filed Comments on the December 17 compliance filing. Also on January 7, Union Power Partners, LP filed a Protest.</p> <p>On January 22, 2009, Entergy filed an Answer in response to protests filed on January 7.</p> <p>On February 6, 2009, Entergy submitted its compliance filing pursuant to the September 18 and December 17, 2008 Orders.</p> <p>On February 6, 2009, the SIRPP Sponsors submitted a Motion to Intervene Out-Of-Time.</p> <p>On February 27, 2009, Arkansas Cities and Arkansas Public Service Commission filed a Motion to Intervene.</p> <p>Also on February 27, American Electric Power Service Corporation, et al. filed a Motion to Intervene and Comments.</p> <p>Also on February 27, Arkansas Electric Cooperative Corporation and The Lafayette Utilities System filed Comments; Union Power Partners, L.P. filed a Protest.</p> <p>On March 2, 2009, East Texas Electric Cooperative, Sam Rayburn G&T Electric Cooperative, and Tex-La Electric Cooperative of Texas filed a Motion for Leave to File Comments Out-of-Time and Comments.</p> <p>On March 17, 2009, Energy filed an Answer to comments.</p> <p>On June 3, 2009, FERC issued an order accepting the March 17 Compliance Filing, subject to a compliance filing due July 6, 2009.</p> <p>On June 18, 2009, FERC issued an Order Accepting Compliance Filings, as Modified. Entergy's December 17, 2008 and February 6, 2009 filings are accepted, subject to a further compliance filing due on August 17, 2009. Because the Commission's acceptance of the SPP-Entergy Agreement filed in ER09-659 was made subject to the outcome of FERC's findings in this proceeding, SPP must revise the SPP-Entergy Agreement to comply with directives discussed in the June 18 Order under Docket No. OA08-59.</p> <p>On July 6, 2009, Entergy submitted its compliance filing pursuant to the June 3, 2009 Order.</p>
24.	OA08-61	<p>SPP Order No. 890 Compliance Filing - Attachment O Revisions for Coordinated and Regional Planning Process</p> <p>On December 14, 2007, SPP submitted revisions to the SPP Tariff in compliance with the Commission's directives to file a proposal for a coordinated and regional planning process that complies with the planning principles adopted in Order No. 890.</p> <p>Several motions to intervene and comment have been filed in this proceeding.</p> <p>Xcel filed a motion to intervene and conditional protest in this proceeding on January 7, 2008; Xcel protests one aspect of proposed Attachment O relating to Information Exchange.</p>

On January 22, 2008, SPP filed an answer to the comments and requests for modification filed in this proceeding by Xcel and ITC Great Plains, respectively.

On July 11, 2008, the Commission accepted SPP's December 14, 2007 compliance filing, as modified, effective December 14, 2007, and directing a further compliance filing by October 9, 2008.

The Commission directed SPP to:

1. Clarify its Attachment O provisions regarding construction of upgrades proposed by third party transmission owners in a compliance filing to be submitted within 90 days;
2. File within 90 days, a compliance filing providing the necessary demonstration required by Order No. 890-A (For example, tariff language should provide for participation throughout the transmission planning process by sponsors of transmission solutions, generation solutions, and solutions utilizing demand resources) - also address how SPP intends to ensure that its participating transmission owners also comply with this requirement found in Order No. 890-A for any planning they conduct;
3. Describe in a compliance filing how the provisions of each of the agreements with its neighboring regions, meet the inter-regional coordination requirement of Order No. 890 (and, if necessary, propose revised Attachment O language.);
4. Revise Attachment O to state specifically how projects submitted by a transmission owner with a separate local planning process will be evaluated as part of the SPP planning process;
5. Explain, in the compliance filing, the extent of any transmission planning performed by its participating transmission owners that have not filed their own Attachment K planning processes; and
6. Modify its tariff to:
 - i) Require each such participating transmission owner's local plan to be made available on a website for review by stakeholders in the planning process subject to CEII and existing confidentiality provisions;
 - ii) Provide links to each such participating transmission owner's local plan on SPP's website;
 - iii) Require such participating transmission owners to post the planning criteria and assumptions used in its current local plan;
 - iv) Provide links to each such participating transmission owner's planning criteria and assumptions on SPP's website; and
 - v) Require such participating transmission owners to provide a reasonable opportunity for written comments after the posting of their local plan.

Beginning in 2009, FERC will convene regional technical conferences similar to those conferences held in 2007 leading up to the filing of the Attachment K compliance filings for the purpose of determining the progress and benefits realized by each transmission provider's transmission planning process, obtaining customer and other stakeholder input, and discussing any areas that may need improvement.

On August 5, 2008, FERC issued an Errata Notice correcting footnote 18 in the July 11 Order.

On August 7, 2008, SPP submitted a Motion for Extension of Time, requesting 120 days to submit compliance filing pursuant to the July 11 Order.

On September 12, 2008, FERC granted SPP an extension of time to and including February 6, 2009, to comply with FERC's July 11 Order.

On February 6, 2009, SPP submitted its Order 890 Compliance Filing pursuant to the Commission's July 11, 2008 Order. Specifically, SPP submitted revisions to Attachment O of the OATT in order to modify the transmission planning Tariff provisions.

On February 26, 2009, Arkansas Public Service Commission filed a Motion to Intervene.

On February 27, 2009, ITC Great Plains, LLC filed a Protest. ITC states that SPP's filing fails to comply with the Commission's direction since "SPP will continue to rely upon a potentially open-ended right of first refusal to determine who has the right to construct new transmission, and has compound this violation of longstanding Commission precedent by proposing new qualifications on entities that may construct transmission in SPP, some of which would be contained in SPP Business Practices not filed with this Commission."

Also on February 27, Oklahoma Gas and Electric Company filed Comments. OG&E states that, "[t]he tariff revisions filed by SPP represent significant compromises made by all stakeholders, including OG&E, and should be approved as a reasonable balancing of interests of the existing SPP transmission owners, third-transmission owners, and the affected state commissions."

Also in February 27, Missouri Joint Municipal Electric Utility Commission, West Texas Municipal Power Agency, and Kansas Power Pool filed a Motion to Intervene and Protest. The parties state, "...SPP's proposed Tariff revisions fail to eliminate SPP's proposed right of first refusal for incumbent SPP transmission owners."

Also in February 27, Sunflower Electric Power Corporation and Mid-Kansas Electric Company, LLC filed a Joint Motion to Intervene.

On March 13, 2009, Western Farmers Electric Cooperative filed a Motion to File Protest Out-of-Time and Protest. WFEC respectfully protests the provision in section VIII.6 of Attachment O proposed by SPP concerning the obligation of a Designated Transmission Owner to construct SPP-approved facilities if the original Designated Transmission Owner is unable or unwilling to do so.

On March 16, 2009, SPP filed an Answer to comments, stating: 1) Attachment O appropriately balances the interests of all stakeholders; 2) TDU Intervenors and ITC strain the meaning of the July 11 Order and suggest confusion where none exists; 3) Attachment O does not provide open-ended discretion for Transmission Owners, as ITC claims; 4) Attachment O satisfies dual obligations of providing an open process and ensuring that needed transmission is built; 5) ITC's suggested revisions are redundant and raise issues beyond the scope of this proceeding.

On April 24, 2009, LS Power Transmission, LLC filed a Motion to Intervene Out of Time and Protest, asking that the Commission reject SPP's compliance filing and direct SPP to modify its Tariff to eliminate the right of first refusal for incumbent transmission owners.

On May 11, 2009, SPP filed an Answer to LS Power's Out of Time Motion to Intervene and Protest. SPP states 1) LS

Power's motion fails to satisfy the requirements for out of time intervention and should be rejected; and 2) LS Power's intervention misinterprets the July 11 Order, the SPP Membership Agreement, and the SPP Compliance Filing.

On May 15, 2009, LS Power filed an Answer in response to SPP's Answer. LS Power asks the Commission to reject the Compliance Filing and direct SPP to modify its Tariff to eliminate the Right of First Refusal for incumbent transmission owners and provide equal access and equal opportunity for independent transmission developers to develop transmission projects in SPP.

On May 21, 2009, FERC issued an Order on Compliance Filing. FERC accepts SPP's February 6 Filing subject to conditions. FERC accepts the tariff sheets, effective December 14, 2007 and October 17, 2008, as modified and subject to a further compliance filing. Overall, the Commission found that SPP's compliance filing and its revisions to Attachment O comply with Order Nos. 890 and 890-A and the Commission's July 11, 2008 order on SPP's original Order No. 890 compliance filing, but that certain additional revisions are required.

SPP must submit a compliance filing by November 2, 2009 to:

1. Clarify in its compliance filing how the language in the Bylaws is consistent with the language in its Tariff and Membership Agreement (that does not specify any type or amount of facilities a non-Transmission Owner would have to acquire in order to become a Transmission Owner within SPP);
2. Replace the phrase "may be" with the phrase "are capable of being" in the first sentence of Section VIII.2 of Attachment O of the Tariff;
3. Include in Attachment O a timetable limiting the project specification/schedule renegotiation process following a Designated Transmission Owner's request to change the specifications or schedules contained in a Notification to Construct;
4. Revise Attachment O to state that sponsors of transmission, generation, and demand resources can propose alternative solutions to any needs identified in the SPP transmission planning process and revise Attachment O to identify how SPP will evaluate and select from among competing alternative solutions such that all types of resources are considered on a comparable basis.
5. Revise Attachment O to indicate clearly that a stakeholder is able to submit a request for SPP to study potential upgrades or other investments necessary to integrate any resource, whether transmission, generation, or demand response, identified by the stakeholder.

The Commission indicated, despite its approval of SPP's filing, that it remains concerned that a right of first refusal could discourage third-party developer involvement in proposing transmission projects. The Commission will explore SPP's right of first refusal in a regional technical conference to be convened later this year (see May 21, 2009 Press Release).

On June 19, 2009, SPP filed a Motion for Extension of Time, requesting additional time to and including November 2, 2009, to submit the compliance filing required by the Commission's May 21 Order.

On July 7, 2009, FERC issued a notice granting SPP's request for an extension to November 2, 2009, to submit its Order No. 890 compliance filing.

<p>25.</p>	<p>OA08-75</p>	<p>Entergy Services, Inc. Order 890-A Compliance Filing</p>	<p>On March 17, 2008, Entergy submitted a compliance filing incorporating Order No. 890-A's non-rate terms and conditions into Entergy's Third Revised Volume No. 3 OATT. An effective date of July 13, 2007 is requested.</p> <p>Revised versions of Attachments C, D, and E will be submitted in a separate filing upon the conclusion of the stakeholder process.</p> <p>SPP moved to intervene in this docket on April 7, 2008.</p> <p>On April 22, 2008, Entergy filed a Motion for Leave to File Answer and Answer in response to Joint Protests filed on April 7, 2008, by (1) the Louisiana Energy and Power Authority, the Lafayette Utilities System, the Municipal Energy Agency of Mississippi (collectively, the "L-M Municipals") and (2) the Mississippi Delta Energy Agency and its members, the Clarksdale Public Utilities Commission and the Public Service Commission of Yazoo City, Mississippi (collectively, "MDEA").</p> <p>On June 3, 2009, FERC issued an order accepting the March 17 Compliance Filing, subject to a compliance filing due July 6, 2009.</p> <p>On July 6, 2009, Entergy submitted its compliance filing pursuant to the June 3, 2009 Order.</p> <p>On July 6, 2009, MDEA submitted a Motion for Clarification and Conditional Request for Rehearing of the June 3 Order.</p>
<p>26.</p>	<p>ER08-396</p>	<p>Westar's Request for Approval of Revisions to its Formula Rate (Westar Formula Rate Case)</p> <p>SPP moved to intervene in this proceeding on January 11, 2008.</p>	<p>On September 26, 2008, Westar Energy submitted a settlement offer.</p> <p>Also on September 26, SPP and Westar submitted a Motion for Interim Rate Relief and Request for Expedited Action, requesting the Commission to act no later than October 10, 2008.</p> <p>On September 29, 2008, the Order of Chief Judge Shortening Time to Respond and Motion for Interim Rate Relief was issued. Time to respond was shortened to and including September 30, 2008.</p> <p>On October 1, 2008, the Order of Chief Judge Granting Motion for Interim Rate Relief was issued. The order states, "Westar is hereby authorized, pursuant to section 35.1(e) of the Commission's regulations, 18 C.F.R. § 35.1(e) (2007), to institute the interim rates to become effective on October 1, 2008. In the event the Commission does not approve the Settlement Agreement, Westar and SPP have the right to reinstate the ER08-396-000 Rates and to implement credits or offsets through the true-up process under the protocols accepted by the Commission in Docket No. ER05-925-000."</p> <p>On October 16, 2008, the Commission Trial Staff issued Initial Comments on Uncontested Settlement, recommending that the settlement be approved.</p> <p>On October 21, 2008, FERC issued a Certification of Uncontested Settlement. This order terminates docket nos. ER08-396 and EL08-31.</p> <p>On October 22, 2008, an Order of Chief Judge Terminating Settlement Judge Procedures was issued.</p>

			<p>On December 2, 2008, FERC issued a letter order accepting the Settlement Agreement and terminating Docket Nos. EL08-31 and ER08-396. Westar is to make a compliance filing by January 2, 2009 in order to correct rate schedule sheets to be in conformance with Order No. 614.</p> <p>On December 31, 2008, Westar Energy submitted a compliance filing pursuant to the December 2, 2008 Order. Westar submitted revised paginations and cancellations for certain sheet numbers. An effective date of October 1, 2008 is requested.</p> <p>On February 12, 2009, Westar submitted a revised Attachment H-1.</p> <p>On March 24, 2009, FERC issued a letter order accepting the December 31 filing, effective October 1, 2008.</p> <p>On April 14, 2009, FERC issued a letter order accepting the Attachment H-1 revisions, effective June 1, 2008.</p>
27.	RM08-7	<p>Notice of Proposed Rulemaking – Modification of Interchange and Transmission Loading Relief Reliability Standards; and Electric Reliability Organization Interpretation of Specific Requirements of Four Reliability Standards</p>	<p>On June 12, 2008, the ISO/RTO Council filed comments on the Notice of Proposed Rulemaking issued on April 21, 2008, and the Supplemental Notice of Proposed Rulemaking issued on May 16, 2008.</p> <p>On July 21, 2008, FERC issued final rule in Order No. 713. FERC made improvements to grid reliability by modifying five Reliability Standards, approved in 2007, related to interchange scheduling and coordination and approved NERC’s interpretation of five specific requirements of Commission-approved reliability standards. FERC also is asking for explanation on a sixth modified standard related to transmission load relief (TLR).</p> <p>On September 11, 2008, NERC submitted a compliance filing in response to Paragraph 50 of Order No. 713.</p> <p>On March 19, 2009, FERC issued Order 713-A, approving Reliability Standard IRO-006-4, submitted to the Commission for approval by the North American Electric Reliability Corporation (NERC). The rule is effective April 23, 2009 (30 days after publication in the Federal Register). In addition, pursuant to section 215(d)(5) of the FPA, the Commission directs NERC to develop modifications to Reliability Standard IRO-006-4 to address specific Commission concerns.</p> <p>On March 19, 2009, FERC issued an Errata Notice which corrects part of the Table of Contents in Order 713-A.</p> <p>On March 24, 2009, FERC issued an Errata Notice correcting the order number reference in the first sentence of the March 19 Errata Notice to read “Order No. 713-A” rather than “Order No. 719-A”.</p> <p>On April 20, 2009, NRG Companies, the Electric Power Supply Association, and Constellation Energy Commodities Group filed a Request for Rehearing and Clarification of Order No. 713-A issued on March 19, 2009.</p> <p>On May 20, 2009, FERC issued an Order Granting Rehearing for Further Consideration of Order 713-A.</p> <p>On June 22, 2009, NERC submitted its Compliance Filing in Response to Paragraphs 14, 59, and 72 on the Commission’s March 19, 2009 Order 713-A. Comments are due July 27, 2009.</p>

28.	RM08-11	Notice of Proposed Rulemaking – Version Two Facilities Design, Connections and Maintenance Reliability Standards	<p>On October 16, 2008, FERC issued a Notice of Proposed Rulemaking.</p> <p>Pursuant to section 215 of the Federal Power Act, the Commission is proposing to approve three revised Reliability Standards developed by the North American Electric Reliability Corporation (NERC), which the Commission has certified as the Electric Reliability Organization responsible for developing and enforcing mandatory Reliability Standards. The three revised Reliability Standards, designated by NERC as FAC-010-2, FAC-011-2 and FAC-014-2, set requirements for the development and communication of system operating limits of the Bulk-Power System for use in the planning and operation horizons.</p> <p>Comments were due on November 24, 2008 (30 days after publication in federal register).</p> <p>On March 20, 2009, FERC issued Order No. 722, Final Rule on Version Two Facilities Design, Connections and Maintenance Reliability Standards. The Final Rule is effective April 29, 2009.</p> <p>On April 15, 2009, FERC issued an Errata Notice correcting four deadlines for compliance in its March 20 Order.</p> <p>On April 20, 2009, the North American Electric Reliability Corporation filed a Request for Clarification and, in the Alternative, Rehearing of Order No. 722. Specifically, NERC seeks clarification or rehearing regarding Attachment A to the FAC Order regarding changes to Violation Severity Levels (“VSLs”).</p> <p>On May 20, 2009, FERC issued an Order Granting Rehearing for Further Consideration of Order No. 722.</p> <p>On May 29, 2009, NERC filed a Compliance Filing in Response to Order No. 722.</p> <p>On May 29, 2009, NERC filed a Motion for a Forty-Five Day Extension of Time in Response to Paragraph 99 of Order No. 722. The extension would be to and including July 13, 2009.</p> <p>On June 9, 2009, FERC issued a Notice of Extension of Time, granting NERC an extension to and including June 29, 2009, to submit a compliance filing in response to Paragraph 99 of Order No. 722.</p> <p>On June 26, 2009, NERC filed a Motion for Additional One Week Extension of Time in Response to Paragraph 99 of Order No. 722.</p> <p>On June 29, 2009, FERC issued a Notice of Extension of Time, granting an extension to NERC to and including July 6, 2009, to submit its compliance filing in response to Paragraph 99 of Order No. 722.</p> <p>On July 6, 2009, the Transmission Agency of Northern California filed Comments with respect to three errors contained in NERC’s May 29 Filing.</p> <p>On July 6, 2009, NERC submitted its Compliance Filing in Response to Paragraphs 99 and 100 of Order No. 722.</p>
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29.	RM08-13	Notice of Proposed Rulemaking – Transmission Relay Loadability Reliability Standard	<p>On May 21, 2009, FERC issued a Notice of Proposed Rulemaking.</p> <p>Pursuant to section 215 of the Federal Power Act, the Commission proposes to approve Reliability Standard PRC-023-1 (Transmission Relay Loadability Reliability Standard) developed by NERC.</p> <p>Comments are due on July 27, 2009 (60 days after publication in the Federal Register).</p>
30.	RM08-19	Notice of Proposed Rulemaking - Mandatory Reliability Standards for the Calculation of Available Transfer Capability, Capacity Benefit Margins, Transmission Reliability Margins, Total Transfer Capability, and Existing Transmission Commitments and Mandatory Reliability Standards for the Bulk-Power System	<p>On March 19, 2009, in dockets RM06-16 and RM08-19, FERC issued a Notice of Proposed Rulemaking for Mandatory Reliability Standards for the Calculation of Available Transfer Capability, Capacity Benefit Margins, Transmission Reliability Margins, Total Transfer Capability, and Existing Transmission Commitments and Mandatory Reliability Standards for the Bulk-Power System.</p> <p>Comments were due May 26, 2009 (30 days after publication in the Federal Register). Numerous parties filed Rulemaking Comments in response to the March 19 NOPR.</p>
31.	ER08-281	<p>Oklahoma Gas & Electric (“OG&E”) Formula Rate Case</p> <p>SPP moved to intervene out-of-time in this proceeding on January 11, 2008.</p>	<p>On April 24, 2008, the Commission issued a letter order accepting Oklahoma Gas and Electric Company’s Formula Rate compliance filing submitted on March 3, 2008.</p> <p>Settlement conferences were held on July 8 and August 20, 2008.</p> <p>Settlement conferences were held on October 28-29 and November 17-18, 2008.</p> <p>On November 24, 2008, a Report to the Commission and Chief Judge was issued. The parties are in process of drafting a settlement agreement.</p> <p>Settlement procedures still continue.</p> <p>On April 9, 2009, Central Valley Electric Cooperative, Inc., Farmers’ Electric Cooperative, Inc., Lea County Electric Cooperative, Inc., and Roosevelt County Electric Cooperative, Inc., filed a Motion to Intervene Out of Time, for Severance and Consolidation of Common Issues, and for Issuance of Show Cause Order to Westar Energy, Inc. The</p>

Coops ask the Commission to issue a show cause order to Westar requiring them to show cause why it should not be found in violation of the requirements of SPP OATT, Attachment AI at Part IV. They also ask that common issues in ER08-281, ER08-313, and ER09-12, be severed and consolidated into a single proceeding.

On April 23, 2009, Westar Energy filed a Response to Motion for Issuance of Show Cause, in response to the New Mexico Cooperatives' April 9 motion, stating that Westar has made a filing under Attachment AI with the Kansas Corporation Commission seeking a determination as to which of its facilities are Transmission Facilities.

On April 24, 2009, SPP filed a Motion to Intervene Out of Time (Docket No. ER09-12) and an Answer (Docket Nos. ER08-313 and ER08-923; ER08-1307, ER08-1308, ER08-1357, ER08-1358 and ER08-1359; ER09-12; ER08-281). SPP states that it has satisfied its obligation to establish a uniform, consistent definition for transmission facilities under its Tariff.

On April 24, 2009, Cap Rock Energy Corporation filed an Answer in Opposition to Motions for Severance, Consolidation and Intervention Out of Time, in response to the New Mexico Cooperatives' April 9 motion.

On April 24, 2009, Cap Rock Energy Corporation filed an Answer in Opposition to Motions for Severance, Consolidation and Intervention Out of Time, in response to the New Mexico Cooperatives' April 9 motion.

On April 24, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative filed an answer, stating that they share the New Mexico Cooperatives' concern that "[s]uch lack of uniformity and consistency, in turn, is highly likely to result in unjust, arbitrary and potentially anti-competitive rate disparities applicable to entities taking transmission service under the SPP Regional Tariff or connecting generation facilities to transmission facilities within SPP."

On April 24, 2009, the East Texas Cooperatives and American Electric Power Service Corporation filed a Joint Answer to the Motions of the New Mexico Cooperatives. The answer addresses only the motions to intervene out of time and for consolidation of common issues as they pertain to Docket No. ER09-12. They ask that the Commission deny the motions with respect to AEP Attachment AI Proceeding.

On April 24, 2009, Xcel Energy Services, Inc. filed an Answer in Opposition to the New Mexico Cooperatives' Motion to Sever and Consolidate Issues.

On April 24, 2009, Oklahoma Gas and Electric Company filed an Answer in Opposition to Motions to Intervene Out of Time and for Severance and Consolidation.

On April 24, 2009, Oklahoma Gas and Electric Company filed a Settlement Agreement and Offer of Settlement.

On April 24, 2009, Oklahoma Gas and Electric Company filed an Unopposed Motion to Shorten Comment Period and Waiver of Answer Period, asking that the Chief Administrative Law Judge (i) shorten the comment period on the Offer of Settlement submitted contemporaneously by OG&E on its behalf and on behalf of Oklahoma Municipal Power Authority ("OMPA") (collectively, "Settling Parties") to May 4, 2009, for initial comments and to May 11, 2009, for reply comments, and (ii) waive the answer period to this motion.

On April 24, 2009, Occidental Permian LTD and Occidental Power Marketing, LP to Motions to Intervene Out of Time, for Severance and Consolidation of Common Issues, and for Issuance of Show Cause Order.

On April 27, 2009, Kansas Electric Power Company filed a Conditional Motion to Intervene Out of Time, asking for the motion to intervene to be granted if Westar is made a party to this proceeding.

On April 28, 2009, the Chief Judge issued an Order Shortening Settlement Comment Period. Initial Comments are due May 4, 2009, and Reply Comments are due May 11, 2009.

On April 30, 2009, a Settlement Status Report was issued. The Chief Judge has granted the parties' motion to shorten the comment period. Initial comments are due by May 4, 2009, with reply comments by May 11, 2009.

On May 4, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative, Inc. filed joint initial comments regarding the Settlement Agreement and Offer of Settlement. They do not believe certain aspects of Attachment H – Addendum 2-B provide sufficient protection to customers.

On May 4, 2009, the Commission Trial Staff filed Initial Comments in Support of the Settlement Agreement.

On May 4, 2009, the New Mexico Coops filed Initial Comments Contesting the Offer of Settlement.

On May 6, 2009, FERC issued an Order of Chief Judge Denying Motions to Intervene Out of Time and for Severance and Consolidation, and Continuing Settlement Judge Procedures.

On May 11, 2009, Oklahoma Gas and Electric Company filed Reply Comments, requesting that the Settlement Judge certify the Settlement Agreement as uncontested.

On May 11, 2009, Oklahoma Municipal Power Authority filed Reply Comments in support of the Settlement Agreement.

On May 11, 2009, Oklahoma Gas and Electric Company and SPP filed an Unopposed Joint Motion for Interim Implementation of Settlement Rates and Request for Expedited Action. OG&E and SPP would implement the Settlement Formula Rate effective May 1, 2009.

On May 11, 2009, the NM Coops filed a Motion for Leave to File Answer and Answer to Response of Westar Energy, Inc.

On May 11, 2009, the Commission Trial Staff filed Reply Comments regarding the Settlement Agreement filed on April 24, 2009. The Trial Staff requests that the Presiding Judge certify the Settlement to the Commission for approval as an uncontested settlement.

On May 12, 2009, FERC issued an Order of Chief Judge Shortening Period for Answers to Motion for Interim Implementation of Settlement Rates. The period for answers to OG&E's and SPP's Motion filed on May 11 is

			<p>shortened to and including May 18, 2009.</p> <p>On May 13, 2009, OG&E submitted an Errata to the April 24 Filing. There was an inadvertent error in the formula rate template included as Exhibits A and C to the Settlement Agreement.</p> <p>On May 14, 2009, FERC issued a Certification of Uncontested Settlement.</p> <p>On May 15, 2009, FERC issued an Order of Chief Judge Terminating Settlement Judge Procedures.</p> <p>On May 20, 2009, FERC issued an Order of Chief Judge Granting Motion for Interim Rate Relief. Interim rates are to become effective May 1, 2009, and shall remain effective until the final resolution of this proceeding.</p> <p>On June 25, 2009, FERC issued an Order Approving Uncontested Settlement. This order terminates this docket.</p>
32.	<p>ER08-313 ER08-923 ER08-1307 ER08-1308 ER08-1357 ER08-1358 ER08-1359 (Consolidated)</p>	<p>SPS Formula Rate Case and multiple Network Integration Transmission Service Agreements</p> <p>SPP moved to intervene out-of-time on January 11, 2008.</p>	<p>On July 2, 2008, the Commission issued an order consolidating Docket Nos. ER08-923 and ER08-313. The Commission also suspended the Network Integration Transmission Service Agreements between SPS and two SPS network customers, Golden Spread Electric Cooperative, Inc. and South Plains Electric Cooperative, Inc. FERC accepts the proposed revised Agreements for filing, suspends them for a nominal period, make them effective July 6, 2008, as requested, subject to refund, and set the issues raised for hearing and settlement judge procedures.</p> <p>On July 25, 2008 in Docket No. ER08-1307, SPP filed with FERC an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Southwestern Public Service Company as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider and SPS as both Network Customer and Host Transmission Owner. SPP Service Agreement No. First Revised 1277. An effective date of July 6, 2008 is requested. This agreement replaces SA No. 1277 filed in EQR only.</p> <p>On July 25, 2008 in Docket ER08-1308, SPP filed with FERC an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Southwestern Public Service Company as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider and SPS as both Network Customer and Host Transmission Owner. SPP Service Agreement No. Second Revised 543. An effective date of July 6, 2008 is requested. This agreement supersedes the agreement filed in ER06-578.</p> <p>On August 1, 2008, Golden Spread Electric Cooperative, Inc. filed a Request for Rehearing. On August 15, 2008, Golden Spread filed a Motion to Intervene, Protest and Motion to Summarily Reject Filing, in the Alternative, Motion to Consolidate.</p> <p>On August 5, 2008 in Docket No. ER08-1357, SPP filed with FERC a partially executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Golden Spread Electric Cooperative, Inc. as Network Customer, as well as a partially executed Network Operating Agreement between SPP as Transmission Provider, Golden Spread as Network Customer and Southwestern Public Service Company as Host Transmission Owner. SPP Service Agreement No. First Revised 1172. An effective date of July 6, 2008 is requested. This agreement replaces SA No. 1172 filed in EQR only.</p> <p>On August 5, 2008 in Docket No. ER08-1358, SPP filed with FERC an executed Service Agreement for Network</p>

Integration Transmission Service between SPP as Transmission Provider and Southwestern Public Service Company as Network Customer, as well as a partially executed Network Operating Agreement between SPP as Transmission Provider and SPS as both Network Customer and Host Transmission Owner. SPP Service Agreement No. First Revised 1139. An effective date of July 6, 2008 is requested. This agreement supersedes the agreement filed in ER05-1208.

On August 5, 2008 in Docket No. ER08-1359, SPP filed with FERC an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Southwestern Public Service Company as Network Customer, as well as a partially executed Network Operating Agreement between SPP as Transmission Provider and SPS as both Network Customer and Host Transmission Owner. SPP Service Agreement Number First Revised 1138. An effective date of July 6, 2008 is requested. This agreement supersedes the agreement filed in ER05-1200.

A formal settlement conference was held on August 21, 2008.

On September 2, 2008, FERC issued an order Granting Rehearing for Further Consideration in ER08-313.

On September 2, 2008 Southwest Power Pool, Inc. submitted to FERC an Answer To Protests and Requests For Rejection in Docket No. ER08-1307.

On September 5, 2008, Southwest Power Pool, Inc. submitted to FERC an Answer To Protests And Requests For Rejection under Docket No. ER08-1308.

On September 10, 2008, Southwest Power Pool, Inc. submitted to FERC an Answer To Protest And Request For Rejection in Docket No. ER08-1357, ER08-1358 and ER08-1359.

On September 23, 2008, FERC issued an Order accepting and suspending the service agreement and consolidating the ER08-1307 and ER08-1308 proceedings with ER08-923 and ER08-313 (an existing SPS Formula Rate proceeding).

On September 30, 2008, Xcel Energy Service, on behalf of Southwestern Public Service Company submitted an informational filing explaining SPS' efforts to determine which of its facilities are "transmission facilities," and the applicable transmission service rates as required by Attachment AI to the SPP OATT.

On October 1, 2008, FERC issued a letter order "Consolidating Dockets, Accepting and Suspending Service Agreements, and Establishing Hearing and Settlement Judge Procedures." In this order, FERC consolidated dockets ER08-1357, ER08-1358, and ER08-1359, along with ER08-313, ER08-923, ER08-1307, ER08-1308.

On October 23, 2008, Golden Spread Electric Cooperative filed a Request for Rehearing.

On October 24, 2008, the Commission granted Xcel's Request for Clarification and Intervenors' Request for Rehearing in Docket ER08-313.

On November 19, 2008, Golden Spread Electric Cooperative filed a Motion to Intervene, Protest, Motion to Reject, or, in the Alternative, Motion to Consolidate Docket Nos. ER09-162 and ER08-313.

On November 21, 2008, FERC issued an Order Granting Rehearing for Further Consideration.

A Settlement Conference was held on January 28, 2009.

On April 9, 2009, Central Valley Electric Cooperative, Inc., Farmers' Electric Cooperative, Inc., Lea County Electric Cooperative, Inc., and Roosevelt County Electric Cooperative, Inc., filed a Motion to Intervene Out of Time, for Severance and Consolidation of Common Issues, and for Issuance of Show Cause Order to Westar Energy, Inc. The Coops ask the Commission to issue a show cause order to Westar requiring them to show cause why it should not be found in violation of the requirements of SPP OATT, Attachment AI at Part IV. They also ask that common issues in ER08-281, ER08-313, and ER09-12, be severed and consolidated into a single proceeding.

A Settlement Conference was held on April 14, 2009. Another Settlement Conference is scheduled for May 21, 2009.

On April 23, 2009, Westar Energy filed a Response to Motion for Issuance of Show Cause, in response to the New Mexico Cooperatives' April 9 motion, stating that Westar has made a filing under Attachment AI with the Kansas Corporation Commission seeking a determination as to which of its facilities are Transmission Facilities.

On April 24, 2009, SPP filed a Motion to Intervene Out of Time (Docket No. ER09-12) and an Answer (Docket Nos. ER08-313 and ER08-923; ER08-1307, ER08-1308, ER08-1357, ER08-1358 and ER08-1359; ER09-12; ER08-281). SPP states that it has satisfied its obligation to establish a uniform, consistent definition for transmission facilities under its Tariff.

On April 24, 2009, Cap Rock Energy Corporation filed an Answer in Opposition to Motions for Severance, Consolidation and Intervention Out of Time, in response to the New Mexico Cooperatives' April 9 motion.

On April 24, 2009, Cap Rock Energy Corporation filed a Motion to Sever Limited Issue for Immediate Hearing, requesting that the Chief Judge promptly sever the limited issue of the classification of two specific transmission lines owned by SPS that serve Cap Rock from the ongoing settlement judge procedures in this docket for immediate and expedited hearing procedures.

On April 24, 2009, Oklahoma Municipal Power Authority filed an Answer Opposing Motion of the New Mexico Cooperatives.

On April 24, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative filed an answer, stating that they share the New Mexico Cooperatives' concern regarding an uncoordinated approach to implementing Attachment AI of the SPP Tariff and that "[s]uch lack of uniformity and consistency, in turn, is highly likely to result in unjust, arbitrary and potentially anti-competitive rate disparities applicable to entities taking transmission service under the SPP Regional Tariff or connecting generation facilities to transmission facilities within SPP."

On April 24, 2009, the East Texas Cooperatives and American Electric Power Service Corporation filed a Joint Answer to the Motions of the New Mexico Cooperatives. The answer addresses only the motions to intervene out of time and

			<p>for consolidation of common issues as they pertain to Docket No. ER09-12. They ask that the Commission deny the motions with respect to AEP Attachment AI Proceeding.</p> <p>On April 24, 2009, Xcel Energy Services, Inc. filed an Answer in Opposition to the New Mexico Cooperatives' Motion to Sever and Consolidate Issues.</p> <p>On April 24, 2009, Oklahoma Gas and Electric Company filed an Answer in Opposition to Motions to Intervene Out of Time and for Severance and Consolidation.</p> <p>On April 24, 2009, Occidental Permian LTD and Occidental Power Marketing, LP to Motions to Intervene Out of Time, for Severance and Consolidation of Common Issues, and for Issuance of Show Cause Order.</p> <p>On April 27, 2009, Kansas Electric Power Company filed a Conditional Motion to Intervene Out of Time, asking for the motion to intervene to be granted if Westar is made a party to this proceeding.</p> <p>On May 6, 2009, FERC issued an Order of Chief Judge Denying Motions to Intervene Out of Time and for Severance and Consolidation, and Continuing Settlement Judge Procedures.</p> <p>On May 11, 2009, the NM Coops filed a Motion for Leave to File Answer and Answer to Response of Westar Energy, Inc.</p> <p>On July 1, 2009, Cap Rock Energy Corporation filed a Renewed Motion to Sever Limited Issue for Immediate Hearing (regarding classification of two specific transmission lines owned by SPS that serve Cap Rock).</p> <p>On July 2, 2009, the Commission and Chief Judge issued a Report of Settlement Status. On July 1, the parties informed FERC they had reached a settlement in principle on all issues other than the Attachment AI issues that have been set for hearing in this proceeding. It is recommended that settlement judge procedures be extended to and including September 4, 2009, for the purpose of concluding the settlement process as to the non-Attachment AI issues.</p> <p>On July 2, 2009, FERC issued an Order of Chief Judge Continuing Settlement Judge Procedures to and including September 4, 2009.</p> <p>On July 7, 2009, Xcel Energy Services, Inc. filed an Answer to the Renewed Motion of Cap Rock Energy Corporation to Server Limited Issued for Immediate Hearing.</p> <p>On July 7, 2009, Arkansas Electric Cooperative, et. al. ("Joint Respondents") filed a Joint Answer in Opposition to Renewed Motion of Cap Rock Energy Corporation to Sever Limited Issue for Immediate Hearing.</p> <p>On July 8, 2009, Cap Rock Energy Corporation filed a Response to the Joint Answer filed by the Joint Respondents on July 7.</p>
33.	ER08-777	Westar Energy's Revisions to its	On July 7, 2008, KEPCO filed Comments requesting clarifications to be made to tariff sheets.

		<p>Formula Rate – Effective June 1, 2008</p> <p>SPP filed a Motion to Intervene on April 22, 2008</p>	<p>On August 28, 2008, FERC issued an order conditionally accepting compliance filing, effective June 1, 2008. Westar was directed to submit a compliance filing with 15 days. Westar must include a note in its tariff either stating that all future storm damage reserves are subtracted from rate base until they are applied to offset transmission property damage expenses or indicating that the reserves are placed in an external escrow account with the earnings accruing to the reserves booked to Account 228.1.</p> <p>On September 12, 2008, Westar submitted its compliance filing pursuant to the August 28, 2008 Order.</p> <p>On January 29, 2009, FERC issued an Order Conditionally Accepting Tariff Filing. The Commission states that Westar’s proposed Note S revision fails to comply with the Commission’s August 28 Order. The Commission directed Westar to “include a note in its tariff...stating that all future storm damage reserves are subtracted from rate base until they are applied to offset transmission property damage expenses.” The order goes on to state, “We find Kansas Electric Cooperative’s proposed sentence: “[a]ll future accruals of storm damage reserves will be subtracted from rate base until they are applied to offset storm damage expenses” satisfies the August 28 Order requirement. We direct Westar to include such language in a compliance filing 15 days from the date of issuance of this order.” Westar’s compliance filing is due February 13, 2009.</p> <p>On February 12, 2009, Westar submitted a revised Attachment H-1.</p> <p>On April 14, 2009, FERC issued a letter order accepting the Attachment H-1 revisions, effective June 1, 2008.</p>
34.	ER08-1045	<p>SPP Filing of an Executed Service Agreement for Network Integration Transmission Service Agreement (“NITSA”) between SPP and Kansas Power Pool (“KPP”), and a Network Operating Agreement (“NOA”) between SPP, KPP, and Westar Energy, Inc. (“Westar”)</p>	<p>On May 30, 2008, SPP submitted an executed NITSA, Service Agreement No 1633, between SPP and KPP, as well as an NOA between SPP, KPP, and Westar.</p> <p>Comments on SPP’s May 30, 2008 filing were due June 20, 2008. No comments were filed.</p> <p>The Commission accepted SPP’s filing by letter order on July 16, 2008.</p> <p>This agreement replaces SA No. 1312 filed in ER07-283.</p> <p>A cancellation of this agreement was filed in ER09-1397, effective June 1, 2009.</p>
35.	ER08-1054	<p>SPP Filing of an Executed Service Agreement for Network Integration Transmission Service Agreement (“NITSA”) between</p>	<p>On May 30, 2008, SPP submitted an executed NITSA, Service Agreement No 1632, between SPP and KPP, as well an NOA between SPP, KPP, and Westar.</p> <p>Comments on SPP’s May 30, 2008 filing were due June 20, 2008. No comments were filed.</p> <p>The Commission accepted SPP’s filing by letter order on July 18, 2008.</p>

		SPP and Kansas Power Pool (“KPP”), and a Network Operating Agreement (“NOA”) between SPP, KPP, and Westar Energy, Inc. (“Westar”)	<p>This agreement replaces SA No. 1491 filed in EQR only.</p> <p>A cancellation of this agreement was filed in ER09-1397, effective June 1, 2009.</p>
36.	ER08-1206	SPP Filing of an Unexecuted Network Integration Transmission Service Agreement (“NITSA”) between SPP and the Oklahoma Municipal Power Authority (“OMPA”), as well as a Network Operating Agreement (“NOA”)	<p>On July 1, 2008, SPP filed an unexecuted NITSA between SPP as Transmission Provider and OMPA as Network Customer, as well as an executed NOA between SPP as Transmission Provider, OMPA as Network Customer and AEP, OG&E and WFEC as Host Transmission Owners.</p> <p>These Agreements modify the currently effective Agreements that were accepted for filing by the Commission on September 21, 2007 in Docket No. ER07-1220-000 (Service Agreement No. 1166). An effective date of June 1, 2008 is requested.</p> <p>On July 17, 2008, SPP filed a motion to defer action in this proceeding until October 16, 2008 to allow OMPA and WFEC to continue their negotiations relating to Wholesale Distribution Service Charges and to allow time for execution and filing of a revised service agreement.</p> <p>If WFEC and OMPA are unable to negotiate a compromise, OMPA reserves the right to protest the unexecuted agreement(s), and the Commission may take action on SPP’s original filing in this proceeding.</p> <p>On October 8, 2008, SPP filed a motion to defer action in this proceeding until November 17, 2008.</p> <p>On November 12, 2008, SPP filed a motion to defer action in this proceeding until December 17, 2008.</p> <p>On December 17, 2008, SPP submitted a revised NITSA and NOA, designated SPP Service Agreement No. Sixth Revised 1166. An effective date of December 1, 2008 is requested.</p> <p>On January 7, 2009, AEP filed a Motion to Intervene and Protest.</p> <p>Also on January 7, 2009, OMPA filed a Protest, Request for Rejection or Suspension of Direct-Assignment Provisions, and Motion for Consolidation. OMPA does not believe we should require them to pay a pro rata share of the full costs of upgrades on the transmission system of SPA, without credits or refunds that include interest, as a condition of network service. The filing includes a Motion to consolidate with AEP NITSA filed in Docket No. ER09-342.</p> <p>On January 12, 2009, AECC filed a Motion to Intervene Out of Time.</p> <p>On January 21, 2009, Southwestern Power Administration filed a Motion to Intervene Out of Time, and Western Farmers Electric Cooperative filed a Motion for Leave to File Answer and Answer.</p> <p>On January 22, 2009, SPP filed an Answer to Protests and Requests for Rejection stating: 1) SPP’s general cost</p>

allocation methodology does not apply to Network Upgrades on SPA's transmission system; 2) conditioning OMPA's service upon completion of the Network Upgrade is consistent with SPP's Tariff and Commission precedent; 3) SPP's processing of the service agreement was consistent with Attachment AD of SPP's Tariff; 4) OMPA's request for a hearing on SPA's cost allocation methods is inconsistent with SPP's Tariff and is beyond the scope of this proceeding; 5) SPP properly assigned to OMPA a portion of the costs of the SPA Network Upgrade; 6) AEP may not rely upon redispach service a permanent alternative to the Network Upgrade; and 7) SPP agrees that the service agreement should become effective on June 1, 2008, and will submit a revised version of the agreement in a compliance filing.

On January 23, 2009, FERC issued a deficiency letter requesting information to be submitted by February 23, 2009. The requested information includes all study results as well as any relevant data and power flow files on CD ROM that SPP used to conduct the Aggregate Facility Study SPP-2006-AG3-AFS-11.

On February 23, 2009, SPP submitted a response to the request for additional information issued by FERC on January 23.

On March 6, 2009, Associated Electric Cooperative, Inc. filed a Motion to Intervene Out-of-Time.

On March 20, 2009, AEP and OMPA filed Comments regarding SPP's February 23 Filing.

On April 6, 2009, SPP filed an Answer to Protests and Requests for Rejection stating the following: 1) SPP's Tariff prohibits it from sharing non-public information with AEP and OMPA; 2) it is appropriate for SPP to treat SPA's transmission system as part of SPP's transmission system for transmission planning and expansion.

On April 14, 2009, Oklahoma Municipal Power Authority filed a Motion for Leave to Answer and Answer, concerning the confidentiality of the power flow materials in SPP's deficiency response.

On April 24, 2009, FERC issued an Order Accepting and Suspending Proposed Service Agreements, Consolidating Proceedings, and Establishing Hearing and Settlement Judge Procedures. FERC consolidated Docket Nos. ER08-1206 and ER09-342. Settlement judge procedures are established regarding the costs associated with a proposed network upgrade on the Southwestern Power Administration's system. SPP is to revise the OMPA Service Agreement from an effective date of December 1, 2008 to June 1, 2008 by **May 26, 2009**.

On May 1, 2009, FERC issued an Order of Chief Judge Designating Settlement Judge and Scheduling Settlement Conference in Docket Nos. ER08-1206 and ER09-342. Judge David H. Coffman is appointed. A settlement conference will be held on May 12, 2009.

On May 11, 2009, SPP filed a Motion for Clarification and Request for Expedited Action. SPP seeks a single clarification of the April 24 Order to grant a waiver of all the relevant confidentiality provisions of Attachment AE of SPP's OATT in order to enable SPP to share confidential information with the other parties in this proceeding during settlement negotiations.

On May 13, 2009, FERC issued an Order Scheduling Settlement Conference. The next settlement conference is scheduled for July 14, 2009.

		<p>On May 26, 2009, SPP filed a Request for Rehearing and Suspension. SPP requests rehearing of the April 24 Order. SPP also requests that the Commission suspend the effectiveness of certain aspects of the filed amendments to the two Service Agreements for Network Integration Transmission Service at issue, which the Commission accepted and set for hearing and settlement procedures in Docket Nos. ER08-1206 and ER09-342, pending the resolution of the issues set for hearing. Since the Commission has set for hearing and settlement discussions whether and to what extent transmission customers should be responsible for the costs of the Network Upgrade and has accepted the Service Agreements subject to refund, SPA is unwilling to commence construction. Therefore, the obligations of the transmission customers to make the payments and the obligation of SPP to make the contractual arrangements with SPA should be suspended.</p> <p>On May 26, 2009, SPP submitted a compliance filing pursuant to the April 24 Order, requiring that the OMPA Service Agreement be revised to reflect an effective date of June 1, 2008.</p> <p>A Technical Conference is to be held on June 30, 2009.</p> <p>The next Settlement Conference is to be held on July 14, 2009.</p> <p>On June 5, 2009, FERC issued an Order of Chief Judge Continuing Settlement Judge Procedures in ER08-1206 and ER09-342.</p> <p>On June 9, 2009, FERC granted clarification in response to SPP's May 11 Motion for Clarification. The Commission grants SPP's motion for clarification. Accordingly, SPP is granted a waiver of section 7.1.4(b) of Attachment AE.</p> <p>On June 12, 2009, SPP submitted a Motion for Adoption of Protective Order.</p> <p>On June 15, 2009, FERC issued an Order of Chief Judge Adopting Protective Order.</p> <p>On June 25, 2009, FERC issued an Order Granting Rehearing for Further Consideration regarding the April 24 Order.</p>
37.	ER08-1324	<p>SPP Filing of an Executed Network Integration Transmission Service Agreement (“NITSA”) between SPP and Kansas Power Pool (“KPP”), as well as a Network Operating Agreement (“NOA”)</p> <p>On July 30, 2008, SPP filed with FERC an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Kansas Power Pool as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider, KPP as Network Customer and Westar Energy, Inc. as Host Transmission Owner. SA 1311 Revision 1.</p> <p>On September 17, 2008, FERC issues a letter order accepting the submittal effective July 1, 2008, as requested.</p> <p>This order constitutes final agency action.</p> <p>A cancellation of this agreement was filed in ER09-1397, effective June 1, 2009.</p>
38.	ER08-1419	<p>SPP Balanced Economic Portfolio Filing</p> <p>On August 15, 2008, Southwest Power Pool, Inc submitted amendments to its Open Access Transmission Tariff to establish (i) a process for including a balanced portfolio of economic upgrades into the SPP Transmission Expansion Plan and (ii) a regional postage stamp rate design for recovery of costs of such upgrades. In addition, SPP proposes to</p>

amend the provisions relating to the treatment of upgrades that result in the deferral or displacement of other upgrades. SPP requests an effective date of October 17, 2008 for these Tariff modifications.

Several parties filed Motions to Intervene. Four parties filed Comments, all of which expressed support for the balanced portfolio initiative. No parties filed to protest.

On September 22, 2008, Southwest Power Pool, Inc. submitted to FERC an Answer To Intervenor's Comments in Docket No. ER08-1419-000. Specifically, SPP states it initially proposes to use an adjusted production cost metric to determine the benefits of a potential balanced portfolio. SPP has also committed to "continue to evaluate and explore with the stakeholders via the transmission planning process any additional metrics and criteria which have quantifiable economic effects" and to amend the Tariff to include those metrics as appropriate. SPP states that ITC Great Plains suggestion that "at least some of these additional benefit measures should be incorporated into this proposal by a date certain so that these additional metrics will be used for the balanced portfolios after the first balanced portfolio planned by SPP for January 2009" might hinder the opportunity for stakeholder input into the determination of the additional benefit metrics that should be included in the balanced portfolio benefit analysis. SPP also states that evaluating costs and benefits of a potential Balanced Portfolio over a ten-year period is just and reasonable. In addition, SPP states the proposal is consistent with the transparency principle of Order No. 890 and does not involve arbitrary decision-making by SPP, issues regarding trapped generation are properly addressed in the Stakeholder Process, and the development of Seams Agreements between SPP and its neighbors and Third-Party impacts are beyond the scope of this proceeding. SPP also addressed ITC Great Plains' request for confirmation as to whether two of its projects (Kansas V-Plan and The KETA Project) are eligible for inclusion in a balanced portfolio.

On September 29, 2008, SPP submitted an Errata Answer to Intervenor's Comments under the SPP "Balanced Portfolio" filing in order to correct the sentence beginning on page 13 and continuing to page 14 of the answer filed on September 22, 2008.

On October 14, 2008, Southwest Power Pool, Inc. submitted to FERC a supplemental answer to Intervenor's comments in Docket No. ER08-1419-000.

On October 16, 2008, FERC issued an Order Accepting Tariff Revisions, as Modified.

SPP is directed to make a compliance filing by December 15, 2008, with provisions ensuring that system design software results needed for stakeholders to verify the application of the assumptions in creating the adjusted production cost-benefit metrics will be made available, and clarifying that costs incurred by transmission owners or zones due to third-party impacts are included among the factors affecting the revenue requirement associated with the economic upgrade, as discussed in the body of this order.

On November 17, 2008, SPP filed a Request for Clarification or, in the Alternative, Request for Rehearing, asking that the Commission clarify that the existing Tariff provisions – Sections IV.3(g), IV.6(b) and X.7 of Attachment O – already comply with its directive in the October 16 Order to provide a mechanism that allows for market participants to review the analysis of balanced portfolios and that no further modifications to the Tariff are necessary.

On December 15, 2008, SPP submitted a compliance filing pursuant to the October 16 Order. Attachments J and O are

revised.

On December 17, 2008, FERC issued an Order Granting Rehearing for Further Consideration.

On January 5, 2009, the TDU Intervenors filed a Protest. The filing states, "TDU Intervenors do not contest the basic premise that costs of third-party upgrades legitimately and unavoidably caused by a proposed balanced portfolio must be taken into account in determining the relative costs and benefits thereof. However, it must be recognized that including these third-party costs in the calculation will make it more difficult to produce a portfolio of economic upgrades that produces benefits to (or at least imposes no costs on) each and every zone within SPP."

On January 5, 2009, Xcel Energy Services, Inc. filed a Protest on behalf of Southwestern Public Service Company. The filing states, "XES respectfully requests the Commission direct SPP to modify its December 15 Compliance Filing and direct SPP to further modify Attachment O of the SPP OATT to prescribe in more detail the mechanism for providing access to underlying transmission planning study data and to set forth specific timeframes in which SPP will provide the underlying assumptions and data to stakeholders after the posting of the Balanced Portfolio analysis, and a 90 day period for stakeholder review, so stakeholders have adequate time to review (and if necessary challenge) such information and materials in advance of any SPP committee or SPP Board of Directors action."

On January 5, 2009, Occidental Permian LTD and Occidental Power Marketing, LP filed a Motion to Intervene and Protest. Occidental requests that the Commission reject the December 15 compliance filing and convene a technical conference at which the parties can explore with SPP the issues concerning the verification of system design software results.

On January 5, 2009, Golden Spread Electric Cooperative, Inc. filed a Protest. GSEC urges the Commission to reject the December 15 compliance filing and require SPP to comply with the October 16 Order by submitting Tariff revisions that will provide customers and other stakeholders with the ability to duplicate and verify SPP's calculations of costs and benefits, and the assumptions behind those calculations. GSEC also suggests a technical conference be held.

On January 21, 2009, SPP filed an Answer to protests stating: 1) the existing tariff and compliance amendments satisfy the Commission's mandate to ensure that system design software results needed to verify the application of the assumptions used in the Balanced Portfolio production cost-benefit metrics are available; 2) the compliance filing tariff provisions are not deficient because they contain no specific timeframes for review of Balanced Portfolio study information; 3) a technical conference is unnecessary; and 4) the December 15 Filing complies with the Commission's directives regarding including third party impacts in the Balanced Portfolio Cost-Benefit Analysis.

On June 18, 2009, FERC issued an Order on Rehearing and Compliance Filing. SPP's request for clarification or rehearing is denied. SPP's tariff revisions are accepted for filing, effective October 17, 2008, subject to a compliance filing due on August 17, 2009. SPP is directed to include tariff language ensuring that system design software results are made available in the balanced portfolio process, revising section IX.7 of Attachment O of its OATT, and clarifying that costs incurred by transmission owners or zones resulting from third party impacts included in the balanced portfolio cost-benefit analysis will be net of any reimbursements resulting from such third-party impacts, as discussed in the body of the order.

39.	AD09-4	Notice of Technical Conference – Integrating Renewable Resources into the Wholesale Electric Grid	<p>On February 5, 2009, FERC issued a notice of technical conference to be held on March 2, 2009 regarding integrating renewable resources into the wholesale electric grid.</p> <p>On March 2, 2009, Nick Brown spoke at the technical conference on SPP’s behalf.</p> <p>On April 30, 2009, numerous parties filed post-technical conference comments.</p>
40.	EL09-40	Section 206 Proceeding to Determine the Justness and Reasonableness of Certain Language in Section 2.2 of SPP’s Existing OATT	<p>On March 19, 2009, FERC issued an Order on Compliance Filing in OA08-5 and instituted a Section 206 Proceeding in order to determine the justness and reasonableness of certain language in section 2.2 of SPP’s existing OATT, establishes a refund effective date, and directs SPP and interested parties to file comments on this matter by April 20, 2009. Reply comments are due May 18, 2009.</p> <p>The refund effective date in Docket No. EL09-40-000, established pursuant to section 206(b) of the Federal Power Act, shall be the date of publication in the <i>Federal Register</i> of the notice, which was March 27, 2009.</p> <p>On April 20, 2009, SPP submitted Comments Regarding Rollover Provisions in Docket Nos. OA08-5 and EL09-40, which states: 1) the requirement that incumbent firm service customers match the longest competing request is just and reasonable as it is clear and unambiguous and is not unduly discriminatory; 2) the requirement that incumbent firm service customers match the longest competing request is just and reasonable as it promotes Order No. 890 policy goals regarding competition and transmission planning.</p> <p>On April 20, 2009, Golden Spread Electric Cooperative, Inc. filed comments, requesting that the Commission order SPP to revise section 2.2 of its Tariff so than an existing firm service customer is required to only match the competing offer of the first Eligible Customer in the queue requesting competing service.</p> <p>On April 20, 2009, Tenaska Power Services Co. filed a Motion to Intervene and Comments, asking that the Commission direct SPP to revise section 2.2 of its Tariff to conform to language in section 2.2 of the Order No. 890 pro forma OATT, as revised in Order No. 890-B.</p> <p>On April 20, 2009, TDU Intervenors filed comments, asking that the Commission require SPP to revise section 2.2 to require that the existing customer exercising its rollover right match only the term of the first-in-line competing request, to be consistent with the pro forma tariff provision as recently reconfirmed in Order 890-B.</p> <p>On April 20, 2009, Cargill Power Markets, LLC filed a Motion to Intervene and Comments, asking that the Commission direct SPP to conform the language of section 2.2 with the “equal to a competing request” language of FERC’s pro forma OATT section 2.2.</p> <p>On May 20, 2009, SPP filed Reply Comments Regarding Rollover Provisions. SPP states: 1) SPP’s requirement that incumbent firm service customers match the longest competing request is consistent with and superior to the Commission’s pro forma rollover provision; 2) SPP’s rollover policy is presumptively consistent with or superior to the Commission’s pro forma provisions; 3) the Commission has never determined that requiring incumbent firm service customers to match the longest competing request is unreasonable; 4) there is no evidence that SPP’s rollover provision provides opportunities for gaming or collusion.</p>

			<p>On June 10, 2009, Cargill Power Markets, LLC filed a Motion for Leave to Respond and Response. Cargill responds to SPP's Reply Comments by stating that SPP's approach in section 2.2 disregards the "first come, first served" principle embodied in FERC's open access transmission policy.</p>
41.	ER09-12	<p>Compliance Filing of American Electric Power Service Corporation ("AEP"), on behalf of Public Service Company of Oklahoma ("PSO") and Southwestern Electric Power Company ("SWEPCO"), Reclassification of Transmission Facilities</p>	<p>On October 1, 2008, American Electric Power Service Corporation, on behalf of Public Service Company of Oklahoma and Southwestern Electric Power Company, submitted its Compliance Filing supporting changes in its accounting for transmission and distribution plant-in-service to conform the facilities that, after the effective date approved in this proceeding, will be reflected in the revenue requirements for transmission service of PSO and SWEPCO under SPP's OATT consistent with Attachment AI of the SPP OATT (pursuant to the Commission's September 30, 2005 Order in Docket No. ER05-1285).</p> <p>On October 22, 2008, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative, Inc. filed a joint Motion to Intervene and Protest. Also on October 22, the East Texas Cooperatives filed a Motion to Intervene and Protest.</p> <p>On November 20, 2008, AEP filed a clarification of requested effective date. AEP clarifies it seeks an effective date of January 1, 2009.</p> <p>On December 18, 2008, FERC issued an Order Accepting and Suspending Filing and Establishing Hearing and Settlement Judge Procedures. The Commission finds that AEP's compliance filing adopting the definition of "Transmission Facilities" under Attachment AI of the SPP Tariff raises issues of material fact that cannot be resolved based on the record before us, and is more appropriately addressed in the hearing and settlement judge procedures. The Commission accepts and suspends AEP's filing for a nominal period, subject to refund, effective January 1, 2009.</p> <p>On December 29, 2008, an Order of Chief Judge Designating Settlement Judge and Scheduling Settlement Conference was issued.</p> <p>A Settlement Conference was held on January 22, 2009. A technical conference via webinar was held on February 2, 2009.</p> <p>On March 3, 2009, FERC issued an order cancelling the settlement conference scheduled for March 4, 2009.</p> <p>On April 9, 2009, Central Valley Electric Cooperative, Inc., Farmers' Electric Cooperative, Inc., Lea County Electric Cooperative, Inc., and Roosevelt County Electric Cooperative, Inc. ("NM Coops"), filed a Motion to Intervene Out of Time, for Severance and Consolidation of Common Issues, and for Issuance of Show Cause Order to Westar Energy, Inc. The Coops ask the Commission to issue a show cause order to Westar requiring them to show cause why it should not be found in violation of the requirements of SPP OATT, Attachment AI at Part IV. They also ask that common issues in ER08-281, ER08-313, and ER09-12, be severed and consolidated into a single proceeding.</p> <p>On April 23, 2009, Westar Energy filed a Response to Motion for Issuance of Show Cause, in response to the New Mexico Cooperatives' April 9 motion, stating that Westar has made a filing under Attachment AI with the Kansas</p>

Corporation Commission seeking a determination as to which of its facilities are Transmission Facilities.

On April 24, 2009, SPP filed a Motion to Intervene Out of Time (Docket No. ER09-12) and an Answer (Docket Nos. ER08-313 and ER08-923; ER08-1307, ER08-1308, ER08-1357, ER08-1358 and ER08-1359; ER09-12; ER08-281). SPP states that it has satisfied its obligation to establish a uniform, consistent definition for transmission facilities under its Tariff.

On April 24, 2009, Cap Rock Energy Corporation filed an Answer in Opposition to Motions for Severance, Consolidation and Intervention Out of Time, in response to the New Mexico Cooperatives' April 9 motion.

On April 24, 2009, Oklahoma Municipal Power Authority filed an Answer Opposing Motion of the New Mexico Cooperatives.

On April 24, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative filed an answer, stating that they share the New Mexico Cooperatives' concern regarding an uncoordinated approach to implementing Attachment AI of the SPP Tariff and that "[s]uch lack of uniformity and consistency, in turn, is highly likely to result in unjust, arbitrary and potentially anti-competitive rate disparities applicable to entities taking transmission service under the SPP Regional Tariff or connecting generation facilities to transmission facilities within SPP."

On April 24, 2009, the East Texas Cooperatives and American Electric Power Service Corporation filed a Joint Answer to the Motions of the New Mexico Cooperatives. The answer addresses only the motions to intervene out of time and for consolidation of common issues as they pertain to Docket No. ER09-12. They ask that the Commission deny the motions with respect to AEP Attachment AI Proceeding.

On April 24, 2009, Xcel Energy Services, Inc. filed an Answer in Opposition to the New Mexico Cooperatives' Motion to Sever and Consolidate Issues.

On April 24, 2009, Oklahoma Gas and Electric Company filed an Answer in Opposition to Motions to Intervene Out of Time and for Severance and Consolidation.

On April 24, 2009, Occidental Permian LTD and Occidental Power Marketing, LP to Motions to Intervene Out of Time, for Severance and Consolidation of Common Issues, and for Issuance of Show Cause Order.

On April 27, 2009, Kansas Electric Power Company filed a Conditional Motion to Intervene Out of Time, asking for the motion to intervene to be granted if Westar is made a party to this proceeding.

On May 6, 2009, FERC issued an Order of Chief Judge Denying Motions to Intervene Out of Time and for Severance and Consolidation, and Continuing Settlement Judge Procedures. The Chief Judge also denied SPP's Motion to Intervene Out of Time.

On May 11, 2009, the NM Coops filed a Motion for Leave to File Answer and Answer to Response of Westar Energy, Inc.

			<p>On May 14, 2009, SPP filed a Motion for Reconsideration, which asks reconsideration of the Chief ALJ's rejection of SPP's motion to intervene out of time in this proceeding.</p> <p>On May 21, 2009, FERC issued an Order of Chief Judge Granting Reconsideration and Granting SPP's Motion to Intervene Out of Time.</p> <p>On May 29, 2009, FERC issued a Report of Settlement Judge stating that the parties are in process of drafting settlement documents.</p>
42.	ER09-35	Tallgrass Transmission, LLC ("Tallgrass") Formula and Incentive Rate Case	<p>On October 3, 2008, Tallgrass Transmission, LLC submits a request for acceptance of a formula rate and rate incentives for its investment in a major 765 kV transmission project (the "Tallgrass Project") that Tallgrass intends to build in SPP's region.</p> <p>On October 24, 2008, SPP, the Kansas Corporation Commission, and Western Farmers Electric Cooperative filed Motions to Intervene.</p> <p>On October 24, 2008, the Missouri Joint Municipal Electric Utility Commission filed a Motion to Intervene, Protest and Conditional Motion to Consolidate Docket Nos. ER09-35 and ER09-36.</p> <p>On October 24, 2008, the East Texas Cooperatives filed a Motion to Intervene, Protest and Motion to Consolidate Docket Nos. ER09-35 and ER09-36.</p> <p>On October 24, 2008, ITC Great Plains filed a Motion to Intervene and Limited Protest.</p> <p>On October 29, 2008, ITC Great Plains filed a Motion to Intervene Out-of-Time and to Accept Limited Protest for Filing. ITC states there were problems with the electronic submittal they previously filed.</p> <p>On October 29, 2008, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative filed a Motion to Intervene Out-of-Time and Protest.</p> <p>On November 10, 2008, Tallgrass filed a Motion for Leave to Respond and Response.</p> <p>On December 2, 2008, FERC issued an Order Consolidating Docket Nos. ER09-35 and ER09-36, Granting Rate Incentives, Conditionally Accepting Tariff Revisions, and Establishing Hearing and Settlement Judge Procedures.</p> <p>On December 10, 2008, FERC issued an Order of Chief Judge designating David H. Coffman as the Settlement Judge, and scheduling the first Settlement Conference on January 6, 2009.</p> <p>On December 18, 2008, FERC issued an order rescheduling the January 6 settlement conference. It will now be held on January 8, 2009.</p> <p>On January 2, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative, Inc. filed a Request for Rehearing of the December 2 Order.</p>

			<p>A Settlement Conference was held on January 8, 2009.</p> <p>On January 9, 2009, FERC issued an Order Scheduling Settlement Conferences. Settlement conferences will be held on February 4, February 24, and March 10, 2009.</p> <p>On February 2, 2009, FERC issued an Order Granting Rehearing for Further Consideration of its December 2 Order.</p> <p>On March 6, 2009, FERC issued an Order Cancelling Settlement Conference to be held on March 10, 2009.</p> <p>A settlement conference was held on May 4, 2009.</p> <p>A settlement conference was held on June 9, 2009.</p> <p>On June 10, 2009, FERC issued an Order Scheduling Settlement Conference. The next conference will be July 10, 2009.</p>
43.	ER09-36	Prairie Wind Transmission, LLC ("Prairie Wind") Formula and Incentive Rate Case	<p>On October 3, 2008, Prairie Wind Transmission, LLC submits a request for acceptance of a formula rate and rate incentives for its investment in a major 765 kV transmission project (the "Prairie Wind Project") that Prairie Wind intends to build in SPP's region.</p> <p>On October 24, 2008, SPP, Tallgrass Transmission, LLC, and Western Farmers Electric Cooperative filed Motions to Intervene.</p> <p>On October 24, 2008, the Missouri Joint Municipal Electric Utility Commission filed a Motion to Intervene, Protest and Conditional Motion to Consolidate Docket Nos. ER09-35 and ER09-36.</p> <p>On October 24, 2008, the East Texas Cooperatives filed a Motion to Intervene, Protest and Motion to Consolidate Docket Nos. ER09-35 and ER09-36.</p> <p>On October 24, 2008, Arkansas Electric Cooperative Corporation, Golden Spread Electric Cooperative, and the Kansas Corporation Commission filed Motions to Intervene and Protest.</p> <p>On October 24, 2008, ITC Great Plains, LLC, Sunflower Electric Power Corporation, and Mid-Kansas Electric Company, LLC filed Joint Motion for Leave to Intervene and Limited Protest.</p> <p>On November 10, 2008, Prairie Wind filed a Motion for Leave to Respond and Response.</p> <p>On December 2, 2008, FERC issued an Order Consolidating Docket Nos. ER09-35 and ER09-36, Granting Rate Incentives, Conditionally Accepting Tariff Revisions, and Establishing Hearing and Settlement Judge Procedures.</p> <p>On December 10, 2008, FERC issued an Order of Chief Judge designating David H. Coffman as the Settlement Judge, and scheduling the first Settlement Conference on January 6, 2009.</p>

			<p>On December 18, 2008, FERC issued an order rescheduling the January 6 settlement conference. It will now be held on January 8, 2009.</p> <p>On January 2, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative, Inc. filed a Request for Rehearing of the December 2 Order.</p> <p>A Settlement Conference was held on January 8, 2009.</p> <p>On January 9, 2009, FERC issued an Order Scheduling Settlement Conferences. Settlement conferences will be held on February 4, February 24, and March 10, 2009.</p> <p>On February 2, 2009, FERC issued an Order Granting Rehearing for Further Consideration of its December 2 Order.</p> <p>On March 6, 2009, FERC issued an Order Cancelling Settlement Conference to be held on March 10, 2009.</p> <p>A settlement conference was held on May 4, 2009.</p> <p>A settlement conference was held on June 9, 2009.</p> <p>On June 10, 2009, FERC issued an Order Scheduling Settlement Conference. The next conference will be July 10, 2009.</p>
<p>44.</p>	<p>ER09-149</p>	<p>SPP Tariff Revisions – Various Improvements to Energy Imbalance Service Market (“EIS Market”)</p>	<p>On October 28, 2008, Southwest Power Pool, Inc. submitted to FERC revisions to its tariff to improve its real-time energy imbalance service market. This includes six revisions to Attachment AE.</p> <p>An effective date of December 27, 2008 is requested.</p> <p>On November 10, 2008, Calpine Corporation filed a Motion to Intervene.</p> <p>On November 17, 2008, Babcock & Brown Renewable Holdings, Inc. filed a Motion to Intervene.</p> <p>On November 18, 2008, Golden Spread Electric Cooperative, Inc and Dogwood Energy, LLC filed Motions to Intervene.</p> <p>On November 18, 2008, Covanta Energy Corporation and Xcel Energy Services, Inc. filed Motions to Intervene and Comments.</p> <p>On November 18, 2008, John Deere Renewables, LLC filed a Motion to Intervene and Protest.</p> <p>On November 19, 2008, Sunflower Electric Power Corporation filed a Motion to Intervene.</p> <p>On December 3, 2008, SPP filed an Answer to Protests, Comments and Requests for Modification.</p> <p>On December 3, 2008, Xcel Energy Services, Inc. filed a Motion for Leave to Answer and Answer. Xcel states that it</p>

believes JD Wind is attempting, through its proposed modifications to the October 28 filing, to undo its commitments accepted as part of the resolution reached in FERC Docket No. EL07-87-000.

On December 15, 2008, John Deere Renewables, LLC filed a Motion for Leave to Answer and Answer. John Deere states the Commission should either confirm John Deere's interpretation of the Tariff and SPP and Xcel's commitments, or in the alternative acknowledge that there are genuine issues of material fact that need to be resolved in a hearing and settlement procedures, and possibly a Technical Conference with SPP.

On December 18, 2008, FERC issued a letter order conditionally accepting the tariff revisions, effective December 27, 2008. A compliance filing is due **January 21, 2009** (proposal must be consistent with the rights of qualifying facilities (QFs) under PURPA.

On January 21, 2009, SPP filed a Request for Clarification of the December 18 Order. SPP states that: "...as a result of two Commission orders, including the December 18 Order, the Commission has created uncertainty regarding SPP's ability to address imbalance charges arising from the operations of a Qualifying Facility ("QF") selling its output under the Public Utility Regulatory Policies Act of 1978 ("PURPA") to another Market Participant." SPP also states: "...the Commission should clarify that the December 18 Order permits SPP to amend its Tariff to allocate any imbalance charges associated with the QF generation to the utility purchasing the QF generation under PURPA."

On January 21, 2009, SPP submitted a compliance filing pursuant to the December 18 Order. Specifically, SPP is incorporating provisions clarifying that a Qualifying Facility ("QF") under PURPA that SPP registers as a Market Participant in SPP's real-time energy imbalance services market will not be required to participate in the EIS Market or subjected to any charges related to the EIS Market. An effective date of December 27, 2008 is requested.

On February 11, 2009, Xcel Energy Services, Inc. submitted a protest regarding SPP's January 21 compliance filing.

On February 12, 2009, AEP filed a Motion to Intervene Out-Of-Time and Protest and Motion to Deny request for Clarification.

On February 19, 2009, FERC issued an Order Denying Clarification of the December 18 Order.

On February 26, 2009, John Deere Renewables, LLC submitted an Answer to Protest of Xcel Energy Services, Inc.

On February 27, 2009, SPP filed an Answer to Protest and Request for Rejection of American Electric Power Service Corporation. The answer states that AEP misinterpreted SPP's Clarification Request. The purpose of SPP's Clarification Request was to ensure that the December 18 Order did not prohibit SPP from developing Tariff provisions through its stakeholder process that would allocate any imbalance charges associated with the QF generation to the utility purchasing the QF generation under PURPA.

On April 16, 2009, FERC accepted SPP's January 21 Compliance Filing made pursuant to the December 18 Order, effective December 27, 2008.

<p>45.</p>	<p>ER09-162</p>	<p>SPP Filing of Pricing Zone and Base Plan Rates for Southwestern Public Service Company (“SPS”)</p>	<p>On October 29, 2008, SPP submitted an Amendment to Pricing Zone and Base Plan Rates intended to amend the rate charges for SPS that were accepted by FERC in Docket No. ER08-472 on March 21, 2008. An effective date of July 6, 2008 is requested.</p> <p>On November 19, 2008, West Texas Municipal Power Agency filed a Motion to Intervene and Limited Protest.</p> <p>On November 19, 2008, Farmers’ Electric Cooperative, Lea County Electric Cooperative, Central Valley Electric Cooperative, and Roosevelt County Electric Cooperative filed a joint Motion to Intervene, Protest and Request for Condition.</p> <p>On November 19, 2008, Golden Spread Electric Cooperative filed a Motion to Intervene, Protest, Motion to Reject, or, in the Alternative, Motion to Consolidate Docket Nos. ER09-162 and ER08-313.</p> <p>On November 24, 2008, Xcel Energy Services, Inc. filed a Motion to Intervene Out of Time and Comments.</p> <p>On November 25, 2008, SPP filed an Answer to Protests and Requests for Rejection.</p> <p>On December 22, 2008, FERC issued an order conditionally accepting and nominally suspending the filing to be effective July 6, 2008, subject to refund and to the outcome of Docket No. ER08-313-000, et al. SPP must submit a compliance filing by January 21, 2009 which includes SPS’ formula rate template and removes the data populating that formula.</p> <p>On January 16, 2009, SPP submitted its compliance filing pursuant to the December 22, 2008 Order.</p> <p>On April 30, 2009, FERC issued a letter order accepting the January 16 Compliance Filing, effective July 6, 2008 as requested.</p> <p>On May 1, 2009, FERC issued an Errata to letter order issued April 30, 2009. The April 30 Order inadvertently granted an effective date of July 6, 2009. The correct effective date is July 6, 2008.</p>
<p>46.</p>	<p>ER09-175</p>	<p>SPP Filing of an Executed Network Integration Transmission Service Agreement (“NITSA”) between SPP and City of Augusta, Kansas, as well as a Network Operating Agreement (“NOA”)</p>	<p>On October 30, 2008, Southwest Power Pool, Inc. submitted to FERC an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and the City of Augusta, Kansas as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider, Augusta as Network Customer and Westar as the Host Transmission Owner. SPP Service Agreement No. First Revised 1051. An effective date of October 1, 2008 is requested.</p> <p>These agreements modify the currently effective Service Agreement No. 1051, filed by Electronic Quarterly Report only.</p> <p>On December 9, 2008, FERC issued a letter order accepting the agreement, effective October 1, 2008 as requested.</p> <p>This order constitutes final agency action.</p> <p>A cancellation of this agreement was filed in ER09-1397, effective June 1, 2009.</p>

47.	ER09-262	SPP Filing of GI Clustering Waiver Petition	<p>On November 10, 2008, SPP submitted a Petition for Waiver of Tariff Provisions regarding certain provisions of its Large Generator Interconnection Procedures (“LGIP”) set forth in Attachment V of the Open Access Transmission Tariff to enable more efficient processing of pending requests in the SPP interconnection queue and to provide a smoother transition to its reformed queuing procedures that it plans to file by March 1, 2009. The waiver will allow SPP, prior to its planned interconnection queue reform filing, to study pending interconnection requests in clusters rather than serially, which will reduce the number of interconnection requests for which studies are still in process, when the planned, reformed queuing procedures become effective.</p> <p>SPP requested that the Commission act on the petition within 45 days and moves to shorten the comment period to accommodate expedited action. An effective date of November 11, 2008 is requested. Comments were due December 1, 2008.</p> <p>On December 1, 2008, Dogwood Energy, LLC and Sunflower Electric Power Corporation filed Motions to Intervene.</p> <p>On December 1, 2008, CPV Renewable Energy Company, LLC filed a Motion to Intervene and Comments.</p> <p>On December 1, 2008, Western Farmers Electric Cooperative and Golden Spread Electric Cooperative filed Motions to Intervene and Protests.</p> <p>On December 3, 2008, Oklahoma Gas and Electric Company filed a Motion to Intervene Two Days Out-of-Time, Comments and Conditional Protest. OG&E conditionally protested SPP’s petition for a waiver of certain provisions of SPP’s Large Generator Interconnection Procedures (“LGIP”). OG&E asks that the Commission require SPP to take steps to ensure that already-delayed projects are not delayed further as a result of the requested waivers.</p> <p>On December 16, 2008, SPP submitted an Answer stating: 1) Specific deadlines for completion of transition cluster studies are unnecessary and will not advance the interconnection study process; 2) SPP’s transition cluster approach is reasonable, will result in non-discriminatory treatment, more efficient system-wide upgrades, and superior cost allocation; 3) exemption of load serving entity-designed network resources queued after June 17, 2008 from the transition cluster study procedures is unnecessary; 4) interconnection customers at the feasibility study stage should not be able to “opt out” of the cluster process; 5) comprehensive LGIP reform and the transition to new interconnection procedures will be addressed in a future filing.</p> <p>On December 22, 2008, CPV Renewable Energy Company, LLC filed a Motion for Leave to File Answer and Answer.</p> <p>On December 23, 2008, Oklahoma Gas and Electric Company filed a Motion for Leave to File Answer and Answer.</p> <p>On December 31, 2008, Golden Spread Electric Cooperative, Inc. filed a Motion for Leave to Answer and Answer.</p>

On January 5, 2009, Western Farmers Electric Cooperative filed a Request for Leave to Reply and Reply.

On January 7, 2009, SPP filed an Answer stating that 1) the Commission should not condition the waiver with OG&E's "Expedited Cluster" Proposal; 2) the purpose of SPP's waiver request is only to enable SPP to study interconnection requests queued between February 5, 2007 and June 17, 2008 through the two proposed transitional clusters.

On January 9, 2009, FERC issued a letter order conditionally granting the waiver in part and denying in part. The petition is granted in part and FERC permits SPP to temporarily waive section 4.2 of its Interconnection Procedures, which provides for clustering for study purposes based on a 180 calendar-day submission window. SPP is granted permission to cluster pending interconnection requests into the two transitional 15,000 MW clusters as described by SPP. FERC declines to waive the prescribed time frames for studies in sections 6.3, 7.4 and 8.3 of the Interconnection Procedures. FERC also grants waiver of sections 6.4, 7.6 and 8.5, which set forth parameters for restudies.

SPP is ordered to make a compliance filing by February 9, 2009 which identifies its timeline for completing the cluster interconnection studies.

On February 9, 2009, SPP submitted the compliance filing pursuant to the January 9 Order. SPP submitted the timeline for the completion of the study process for the transitional clusters. It is anticipated that the Final Interconnection Facilities Study Report and Draft Interconnection Agreements will be completed by March 24, 2010 for the first transitional cluster, and by September 16, 2010 for the second transitional cluster.

Also on February 9, 2009, SPP submitted a Motion for Clarification or, in the Alternative, for Modification of Waiver. SPP requests that the Commission clarify that, if SPP has not filed its reformed interconnection procedures by March 1, 2009, the expiration of the waiver will not affect the two existing 15,000 megawatt transitional clusters already established under the waiver. If clarification is not granted, SPP respectfully moves to modify the waiver.

On February 24, 2009, Novus Windpower, LLC submitted a Motion to Intervene and Protest in ER09-262-000. On March 2, 2009, Novus submitted another Motion to Intervene, this time in ER09-262-001.

On March 2, 2009, CPV Renewable Energy Company, LLC filed a Protest and Request for Expedited Action. They state the Commission should direct SPP: 1) to adopt a 90 day schedule to complete Facilities Studies for the transition clusters; 2) clarify that Interim IAs are available to projects in both transition clusters; and 3) submit a compliance filing within 30 days establishing an Interim IA and related implementing procedures.

On March 10, 2009, FERC issued an Order on Request for Rehearing. First, the Commission clarified that the Waiver Order permits all interconnection requests queued between February 5, 2007 and October 2, 2007, that have a feasibility study posted -- including those for which a system impact study agreement has been executed -- but for which no system impact study has been posted to be included in the first transitional cluster. The Commission also rejected Novus's pleading. Second, the Commission extended the waiver granted in the Waiver Order until a date specified by the Commission in an order on SPP's planned queue reform filing, or June 1, 2009, if SPP has not make a filing by that date. It denied, however, SPP's request to provide clarification that the transitional clusters remain intact after the expiration of the waiver. Additionally, because the Commission has clarified that (i) the waiver will expire on

			<p>June 1, 2009 unless SPP makes its queue reform filing by that date; and (ii) upon expiration of the waiver the transitional clusters will not remain intact (i.e. will be dissolved); to keep the transitional clusters in place, SPP needs to make its queue reform filing by June 1, 2009.</p> <p>On March 17, 2009, SPP submitted an Answer to Protest, which states: 1) allowing 180 calendar days for completion of the interconnection facilities studies in the cluster study timelines is appropriate; 2) SPP's process for offering interim interconnection agreements to interconnection customers prior to completion of the interconnection study process is outside the scope of this proceeding; a compliance filing regarding interim interconnection procedures is inappropriate and in any event unnecessary.</p> <p>On May 18, 2009, FERC issued a letter order accepting SPP's February 9 Compliance Filing. The Commission accepted SPP's timelines for both transitional clusters and advised that SPP should seek to include as part of its OATT a provision for use of interim interconnection agreements if it chooses to provide such interim interconnection service.</p> <p>On June 17, 2009, CPV Renewable Energy Company, LLC filed a Request for Rehearing of Order on Compliance.</p> <p>On July 2, 2009, SPP filed an answer to address issues raised by CPV Renewable Energy Company, LLC in its request for rehearing. SPP states, 1) the Commission did not err in ruling that the interim interconnection agreement issue is outside the scope of this proceeding; and 2) the Commission did not err in accepting the 180-day option for processing interconnection facilities studies for the transitional clusters.</p>
48.	ER09-342	<p>SPP Filing of an Executed Network Integration Transmission Service Agreement (“NITSA”) between SPP and American Electric Power Service Corporation (“AEP”), as well as a Network Operating Agreement (“NOA”)</p>	<p>On November 25, 2008, SPP submitted a partially executed service agreement for Network Integration Transmission Service between SPP as Transmission Provider and American Electric Power Service Corporation, as Agent for Public Service Company of Oklahoma and Southwestern Electric Power Company, as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider, AEP as Network Customer, and both AEP and AEP Texas North Company as Host Transmission Owner. The NITSA is submitted on a partially executed basis because of a dispute between AEP and SPP concerning assignment of costs of a particular network upgrade.</p> <p>SPP Service Agreement Number Eighth Revised 1148.</p> <p>These agreements replace Seventh Revised 1148, filed in Docket No. ER08-1306.</p> <p>An effective date of November 1, 2008 is requested.</p> <p>On December 16, 2008, Oklahoma Municipal Power Authority submitted a Motion to Intervene and Protest. OMPA contests the provision in Section 8.9 (Southwestern Power Administration's Clarksville-Dardanelle upgrade).</p> <p>On December 16, 2008, American Electric Service Power Corporation submitted a Motion to Intervene and Protest. AEP states 1) the network upgrade has been identified in SPP Aggregate Study results as necessary for reliability independent of the transmission service requests; 2) studies indicate the assigned facility is already at emergency rating in 2012; 3) the network upgrade costs should not be directly assigned to AEP; 4) additional redispatch options may need exploration.</p> <p>On December 17, 2008, Southwestern Power Administration filed a Motion to Intervene Out of Time.</p>

On December 31, 2008, SPP filed an Answer to Protests and Requests for Rejection. SPP states that 1) SPP properly assigned to AEP a portion of the costs of the SPA network upgrade, 2) SPP's processing of the service agreement was consistent with Attachment AD of its tariff, 3) the requirements of SPP's cost allocation methodology do not apply to network upgrades on SPA's transmission system, 4) conditioning AEP's service request upon completion of the network upgrade is consistent with SPP's Tariff and Commission precedent, and 5) AEP may not rely upon redispatch service as a permanent alternative to the network upgrade.

On January 7, 2009, OMPA filed a Motion for Leave to Answer and Reply.

On January 15, 2009, AEP filed a Motion for Leave to Respond and Response and Motion to Consolidate Proceedings. AEP asks that the Commission to consolidate the cost allocation issues raised in this proceeding with those raised in Docket No. ER08-1206.

On January 21, 2009, Western Farmers Electric Cooperative filed a Motion for Leave to File Answer, and Answer.

On January 22, 2009, SPP submitted a Motion for Leave to Respond and Answer. SPP stated that AEP's and OMPA's responses to SPP's December 31 Answer are improper and asked that they be rejected. In the event that the Commission accepts the responses, SPP requested that it be permitted to incorporate by reference its answer submitted in Docket No. ER08-1206-001.

On January 23, 2009, FERC issued a deficiency letter requesting information to be submitted by February 23, 2009. The requested information includes all study results as well as any relevant data and power flow files on CD ROM that SPP used to conduct the Aggregate Facility Study SPP-2006-AG3-AFS-11.

On February 23, 2009, SPP submitted a response to the request for additional information issued by FERC on January 23.

On March 6, 2009, Associated Electric Cooperative, Inc. filed a Motion to Intervene Out-of-Time.

On March 11, 2009, East Texas Cooperatives filed a Motion for Leave to Intervene Out-of-Time.

On March 20, 2009, AEP and OMPA filed Comments regarding SPP's February 23 Filing.

On April 6, 2009, SPP filed an Answer to Protests and Requests for Rejection stating the following: 1) SPP's Tariff prohibits it from sharing non-public information with AEP and OMPA; 2) it is appropriate for SPP to treat SPA's transmission system as part of SPP's transmission system for transmission planning and expansion.

On April 14, 2009, Oklahoma Municipal Power Authority filed a Motion for Leave to Answer and Answer, concerning the confidentiality of the power flow materials in SPP's deficiency response.

On April 24, 2009, FERC issued an Order Accepting and Suspending Proposed Service Agreements, Consolidating Proceedings, and Establishing Hearing and Settlement Judge Procedures. FERC consolidated Docket Nos. ER08-1206

			<p>and ER09-342. Settlement judge procedures are established regarding the costs associated with a proposed network upgrade on the Southwestern Power Administration’s system. SPP is to revise the OMPA Service Agreement from an effective date of December 1, 2008 to June 1, 2008 by May 26, 2009.</p> <p>On May 1, 2009, FERC issued an Order of Chief Judge Designating Settlement Judge and Scheduling Settlement Conference. Judge David H. Coffman is appointed. A settlement conference will be held on May 12, 2009.</p> <p>On May 11, 2009, SPP filed a Motion for Clarification and Request for Expedited Action. SPP seeks a single clarification of the April 24 Order to grant a waiver of all the relevant confidentiality provisions of Attachment AE of SPP’s OATT in order to enable SPP to share confidential information with the other parties in this proceeding during settlement negotiations.</p> <p>On May 13, 2009, FERC issued an Order Scheduling Settlement Conference. The next settlement conference is scheduled for July 14, 2009.</p> <p>On May 26, 2009, SPP filed a Request for Rehearing and Suspension. SPP requests rehearing of the April 24 Order. SPP also requests that the Commission suspend the effectiveness of certain aspects of the filed amendments to the two Service Agreements for Network Integration Transmission Service at issue, which the Commission accepted and set for hearing and settlement procedures in Docket Nos. ER08-1206 and ER09-342, pending the resolution of the issues set for hearing. Since the Commission has set for hearing and settlement discussions whether and to what extent transmission customers should be responsible for the costs of the Network Upgrade and has accepted the Service Agreements subject to refund, SPA is unwilling to commence construction. Therefore, the obligations of the transmission customers to make the payments and the obligation of SPP to make the contractual arrangements with SPA should be suspended.</p> <p>On June 5, 2009, FERC issued an Order of Chief Judge Continuing Settlement Judge Procedures in ER08-1206 and ER09-342.</p> <p>On June 9, 2009, FERC granted clarification in response to SPP’s May 11 Motion for Clarification. The Commission grants SPP’s motion for clarification. Accordingly, SPP is granted a waiver of section 7.1.4(b) of Attachment AE.</p> <p>On June 12, 2009, SPP submitted a Motion for Adoption of Protective Order.</p> <p>On June 15, 2009, FERC issued an Order of Chief Judge Adopting Protective Order.</p> <p>On June 25, 2009, FERC issued an Order Granting Rehearing for Further Consideration regarding the April 24 Order.</p>
<p>49.</p>	<p>ER09-414</p>	<p>Aquila, Inc. (“Aquila”) Withdraw from Midwest Independent Transmission System Operator, Inc. (“MISO”)</p>	<p>On December 15, 2008, Aquila, Inc. submitted a filing requesting acceptance of, and authorization for, Aquila’s withdrawal from the MISO TOA. An effective date of November 8, 2008 is requested. Aquila is to transition to full participation in SPP.</p> <p>On December 23, 2008, MISO submitted a Motion to Intervene and a Motion to Extend the Comment Date to January 12, 2009.</p>

			<p>On December 24, 2008, Aquila filed an Answer in Support of Motion to Extend the Comment Date.</p> <p>On December 30, 2008, FERC issued a Notice of Extension of Time, granting an extension to and including January 12, 2009.</p> <p>On January 5, 2009, the Coalition of Midwest Transmission Customers and Consumers Energy Company filed Motions to Intervene.</p> <p>On January 6, 2009, American Municipal Power – Ohio, Inc. filed a Motion to Intervene.</p> <p>On January 12, 2009, SPP and Midwest ISO Transmission Owners filed Motions to Intervene.</p> <p>Also on January 12, the Midwest Independent Transmission System Operator, Inc. filed a Protest. The Protest states, “WHEREFORE, the Midwest Independent Transmission System Operator, Inc., respectfully requests that the Commission: (1) determine that Aquila’s withdrawal request is subject to the requirements of Article Five, Section II of the TOA or, alternatively, determine that Article Seven requires Aquila’s financial obligations to the Midwest ISO to be established as a pre-condition for its withdrawal from the TOA; (2) establish a process for determining Aquila’s exit fee, as set forth in Section III.C of this Protest; and (3) grant all other relief that may be appropriate or necessary.”</p> <p>On January 30, 2009, Aquila and MISO notified the Commission that as of January 21, they reached an agreement in principle resolving all outstanding issues raised in MISO’s January 12 protest.</p> <p>On March 4, 2009, Aquila and MISO submitted a supplement to Aquila’s December 15, 2008 request to withdraw from the MISO Transmission Owners Agreement. This supplement consists of an executed settlement agreement between the Parties to resolve the issues raised by the MISO protest and request for relief submitted by MISO on January 12, 2009.</p> <p>On May 1, 2009, FERC issued an Order Granting Proposed Withdrawal from Midwest ISO Transmission Owners’ Agreement. An effective date of November 8, 2008 was granted.</p>
50.	ER09-439	<p>Executed Network Integration Transmission Service Agreement (“NITSA”) between SPP, Arkansas Electric Cooperative Corporation (“AECC”) as Network Customer, and American Electric Power Service Corporation (“AEP”) as Host</p>	<p>On December 22, 2008, SPP filed an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Arkansas Electric Cooperative Corporation as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider, AECC as Network Customer, and American Electric Power Service Corporation, as agent for Southwestern Electric Power Company, as Host Transmission Owner. SPP Service Agreement No. First Revised 1518.</p> <p>An effective date of December 1, 2008 is requested.</p> <p>These agreements replace Original Service Agreement No. 1518 filed in ER08-60.</p> <p>On January 12, 2009, AECC filed a Motion to Intervene.</p> <p>On January 28, 2009, American Electric Power Service Corporation filed a Motion to Intervene Out of Time.</p>

		Transmission Owner, as well as a Network Operating Agreement (“NOA”)	<p>On February 12, 2009, FERC issued a letter order accepting the agreement, effective December 1, 2008 as requested.</p> <p>On February 13, 2009, FERC issued an Errata to the February 12 Letter Order, correcting the notice date to December 29, 2008.</p> <p>This order constitutes final agency action.</p> <p>This agreement was replaced by Second Revised 1518 filed in ER09-1380.</p>
51.	ER09-444	SPP Credit Policy Revisions	<p>On December 22, 2008, SPP submitted tariff revisions in order to adopt changes in its Credit Policy. In this filing, SPP proposed to modify various aspects of its Tariff and Credit Policy to enhance protections for SPP and market participants against risk of loss arising from customer defaults and to improve the process for customers to obtain credit for transactions under the Tariff.</p> <p>An effective date of February 20, 2009 is requested.</p> <p>On January 7, 2009, Calpine Corporation filed a Motion to Intervene.</p> <p>On January 12, 2009, the East Texas Cooperatives filed a Motion to Intervene.</p> <p>Also on January 12, Oklahoma Municipal Power Authority and Missouri Joint Municipal Electric Utility Commission filed a Motion to Intervene and Protest. They asked that the Commission reject the proposed change to Section 7.3 of the Tariff creating an automatic default under the Tariff in the event of a missed payment.</p> <p>On January 27, 2009, SPP filed an Answer to the comments stating that: 1) SPP’s proposed credit policy revisions are superior to the <i>Pro Forma</i> OATT; 2) the proposed revisions protect customers and other Market Participants from unnecessary risks; 3) the proposed revisions provide sufficient flexibility for customer delinquencies resulting from minor administrative errors; and 4) the revisions are designed to benefit all stakeholders and cannot be tailored to protect a subset of customers from their own business decisions.</p> <p>On February 11, 2009, TDU Intervenors filed a Motion for Leave to Answer and Reply to SPP’s Answer to Protests, in which they ask that the Commission reject as unjust and unreasonable SPP’s proposal to create an automatic event of default in Section 7.3 of its Tariff.</p> <p>On February 20, 2009, FERC issued an Order Accepting in Part and Rejecting in Part. SPP’s proposed tariff revisions are accepted for filing to become effective February 20, 2009, with the exception of SPP’s proposed revision to section 7.3 of its Tariff. SPP is directed to make a compliance filing by March 23, 2009. The Commission has ordered SPP to file revisions to the tariff "to clarify that a default occurs only after a customer fails to make payment by the end of the cure period."</p> <p>On March 23, 2009, SPP filed its compliance filing pursuant to the February 20 Order. SPP submitted the requested changes in compliance with the February 20 Order, and added one modification to its Credit Policy contained in Attachment X of its Tariff to correct a discrepancy between the Tariff billing payment provisions. An effective date of February 20, 2009 is requested.</p>

			<p>On May 5, 2009, FERC issued a letter order accepting our March 23 Compliance Filing.</p> <p>This order constitutes final agency action.</p>
52.	ER09-548	<p>ITC Great Plains, LLC's Application for Acceptance of a Formula Rate to Establish a Revenue Requirement for Transmission Service Over Facilities that ITC Will Own in the SPP Region</p>	<p>On January 15, 2009, ITC Great Plains, LLC submitted its application for acceptance of a formula rate to establish a revenue requirement for transmission service over facilities that ITC will own in the SPP region. The formula rate will be used to recover the revenue requirement associated with the company's initial assets: the Elm Creek and Flat Ridge Substations. An effective date of 60 days after filing, or upon the closing of the acquisition of the Elm Creek and Flat Ridge Substations by ITC Great Plains, whichever occurs later, is requested.</p> <p>On February 4, 2009, Xcel Energy Services, Inc. filed a Motion to Intervene.</p> <p>On February 5, 2009, SPP, Occidental Chemical Company, and Western Farmers Electric Cooperative filed Motions to Intervene.</p> <p>On February 5, 2009, Kansas Corporation Commission, Arkansas Electric Cooperative Corporation, Golden Spread Electric Cooperative, East Texas Electric Cooperative, Northeast Texas Electric Cooperative, and Tex-La Electric Cooperative of Texas filed Motions to Intervene and Protests.</p> <p>On February 19, 2009, Sunflower Electric Power Corporation and Mid-Kansas Electric Company filed a Joint Motion to Intervene Out-of-Time.</p> <p>On February 20, 2009, ITC Great Plains filed a Motion for Leave to Answer and Answer.</p> <p>On March 6, 2009, Occidental submitted a request for the Commission to deny the February 19 Motion to Intervene Out-of-Time. Occidental states that the Movants have failed to demonstrate good cause for their late intervention, and their Motion contains an unauthorized answer.</p> <p>On March 6, 2009, Occidental filed an Answer in Opposition to Motion for Leave to Answer and Answer of ITC Great Plains, LLC or, Alternatively, Motion for Leave to Reply and Reply of Occidental Permian LTD., Occidental Power Marketing, L.P. and Occidental Chemical Corporation.</p> <p>On March 9, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative, Inc. filed a Motion for Leave to Answer and Answer, asking for an evidentiary hearing and for settlement procedures to be instituted.</p> <p>On March 16, 2009, FERC issued an Order Granting In Part and Denying In Part Rate Incentives, Conditionally Accepting Tariff Revisions, and Establishing Hearing And Settlement Procedures.</p> <p>A settlement conference was held on April 2, 2009.</p>

			<p>A settlement conference is scheduled for May 11, 2009.</p> <p>On April 6, 2009, ITC Great Plains, LLC filed a Motion for Adoption of Protective Order.</p> <p>On April 7, 2009, FERC issued an Order of Chief Judge Adopting Protective Order.</p> <p>On April 15, 2009, Xcel Energy Services, Inc. filed a Request for Clarification, or in the Alternative Rehearing. Specifically, XES requests that the Commission: (1) clarify from whom costs associated with ITC Great Plains' abandonment and regulatory asset incentives may be recovered; and (2) identify the burden of proof and procedural requirements for establishing the future recovery of those costs.</p> <p>On April 15, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative, Inc. filed a Motion for Clarification and Request for Rehearing.</p> <p>On May 15, 2009, FERC issued an Order Granting Rehearing for Further Consideration.</p> <p>On June 2, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative, Inc. filed a joint Motion to Intervene, Limited Protest, and Motion for Clarification in Docket No. ER09-1130 and ER09-548. WFEC has assigned ITC its responsibility to build the projects as directed by the Notification to Construct in relation to Docket No. ER09-1130. AECC and Golden Spread object to granting any SPP Transmission Owner unconditional relief from its obligation under the Membership Agreement and Attachment O of the Tariff based simply upon a third party's agreement to fulfill that obligation in the future. AECC and Golden Spread also seek clarification that costs related to these facilities will not be recovered through the formula rate that is at issue in Docket No. ER09-548, absent a filing with FERC seeking such recovery.</p>
53.	ER09-555	<p>Energy Services, Inc. Filing of Proposed Revisions to Attachment V of Entergy's Open Access Transmission Tariff ("OATT")</p>	<p>On January 16, 2009, Entergy Services, Inc. submitted proposed revisions to Attachment V of Entergy's OATT. Attachment V includes the terms and conditions that will apply to the Weekly Procurement Process ("WPP") being implemented as part of the package of changes establishing SPP as the ICT for the Entergy system. In this filing, Entergy proposes to amend Attachment V to (a) limit supplier offers in the WPP to on-peak period and (b) eliminate WPP point-to-point transmission service. Entergy also is proposing conforming changes to Attachment S, Attachment T, and Parts I, II, and III of its OATT.</p> <p>On February 23, 2009, SPP filed a Motion for Leave to File Answer and Answer to the comments and protests regarding the January 16 compliance filing. SPP states: 1) the Commission should reject the calls to re-evaluate the ICT arrangement and the requests to deny the proposed structural changes to the WPP; 2) the Commission should approve the ICT's planned approach for calculating savings resulting from the WPP; 3) the Commission should deny the request to delay WPP implementation, consolidate Entergy's Attachment V Filings, and set this case for hearing.</p> <p>On March 17, 2009, FERC issued an Order Conditionally Accepting Weekly Procurement Process Amendments and Ordering Further Compliance Filings. Energy is directed to make compliance filings on April 16 (informational filing detailing WPP start-up costs incurred) and May 1, 2009 (providing information with regard to the specific problems that prevent it from accommodating off-peak bids and point-to-point transmission). ICT is ordered to file its first quarterly report on WPP operation and savings as an informational filing no later than June 15, 2009, and</p>

each subsequent quarterly report every three months thereafter. In addition, Entergy is required to file a compliance filing one year prior to the expiration of the ICT agreement (November 17, 2009), detailing its intentions of a replacement arrangement or a continuation of the ICT arrangement.

On April 13, 2009, Electric Power Supply Association filed a Motion to Intervene Out of Time.

On April 16, 2009, Entergy Services, Inc. filed a Request for Clarification.

On April 16, 2009, SPP filed a Motion for Clarification or, in the Alternative, Rehearing.

On April 16, 2009, Entergy made an Informational Filing pursuant to the March 17 Order.

On April 17, 2009, FERC issued a Notice of Conference to be held on June 24, 2009. The purpose of the conference is for the commissions, Entergy, SPP, and stakeholders to discuss the ICT arrangement and transmission access issues on Entergy's transmission system. The conference will be held at Charleston Place Hotel, in Charleston, SC, from 9 AM to 3 PM.

On April 30, 2009, FERC issued a Supplemental Notice of Conference. Panelists are asked to file their written remarks in these dockets (ER05-1065 and ER09-555) on or before Friday, June 12, 2009.

On May 18, 2009, FERC issued an Order Granting Rehearing for Further Consideration of the March 17 Order.

On June 5, 2009, FERC issued an Order on Clarification and Rehearing of the March 17 Order. The Commission grants Entergy's request for clarification that parties, including the ICT, will not be precluded from providing additional data or explanation regarding the baseline study of historical data that the Commission has required. The Commission also grants SPP's request for clarification that transactions that are included for analysis in the baseline study should be of the same duration as transactions that are arranged through the WPP. The Commission denied SPP's request for clarification and request for rehearing that it may exclude Entergy's other network customers from baseline study.

On June 12, 2009, SPP submitted written comments of Nick Brown and Bruce Rew in preparation for the June 24 Conference.

On June 12, 2009, Entergy submitted its written remarks in preparation for the June 24 Conference.

On June 12, 2009, GDF SUEZ Energy Marketing North America, Inc. filed written comments of Michael Sparks, East Texas Electric Cooperative, Inc. filed written comments of Seth Brown, Entegra Power Group, LLC filed written comments of Rebecca Turner, and Lafayette Utilities System filed written comments of Terry Huval for the June 24 Conference.

On June 15, 2009, SPP submitted the ICT's First WPP Quarterly Report under ER09-555 and ER05-1065. This covers the time period of March 2009 to May 2009.

On June 18, 2009, AEP filed the presentation to be made by Kip Fox at the June 24 Conference.

			<p>On June 25, 2009, the Louisiana Energy Users Group filed its presentation materials from the June 24 Conference.</p> <p>On June 26, 2009, Arkansas Public Service Commission submitted the Comment of Chairman Paul Suskie regarding the June 24 Conference.</p> <p>On June 29, 2009, Union Power Partners, L.P. filed presentation materials of Rebecca E Turner, Vice President of Regulatory and Market Design at Entegra Power Group, LLC.</p>
54.	ER09-659	SPP Filing of an Executed Letter Agreement Regarding Inter-Regional Planning between SPP and Entergy Services, Inc. (Entergy Seams Agreement)	<p>On February 6, 2009, SPP submitted an executed Letter Agreement Regarding Inter-Regional Planning between SPP and Entergy Services, Inc. Under the Letter Agreement, the Parties will form a Joint Planning Committee comprised of representatives from the Parties to oversee the transmission planning activities set forth in the Principles Governing Regional Planning that are attached to the Letter Agreement.</p> <p>An effective date of April 8, 2009 is requested.</p> <p>On February 9, 2009, SPP filed an Amendatory Filing correction two inadvertent errors in the February 6 Filing: 1) The Letter Agreement should have been designated “Original Rate Schedule FERC No. 11”, instead of “FERC Electric Tariff, Rate Schedule No. 11”; 2) Section 1.5.3.2 of the “Principles Governing Regional Planning” contained an inadvertent reference to “Regional Participants” that should have read “stakeholders.”</p> <p>On February 13, 2009, Entergy Services, Inc. filed a Motion to Intervene.</p> <p>On February 18, 2009, Arkansas Public Service Commission filed a Motion to Intervene.</p> <p>On February 27, 2009, American Electric Power Service Corporation, et al., filed a Motion to Intervene and Comments. The parties state: 1) a comprehensive seams agreement is needed; 2) SPP’s and Entergy’s Planning Criteria and Construction Procedures should be coordinated; 3) the Commission should establish a timeline for completion of a comprehensive seams agreement between SPP and Entergy.</p> <p>Also on February 27, Union Power Partners, L.P. filed a Motion to Intervene and Protest, Lafayette Utilities System filed a Motion to Intervene, and Lafayette Utilities System and Arkansas Electric Cooperative Corporation filed Joint Comments.</p> <p>Also on February 27, East Texas Electric Cooperative, Sam Rayburn G&T Electric Cooperative, and Tex-La Electric Cooperative of Texas filed a Joint Motion to Intervene and Comments.</p> <p>On March 2, 2009, Arkansas Public Service Commission submitted Comments. The Commission states that the February 6 filing is a step forward, but falls short in adequately responding to Commission directives regarding regional planning.</p> <p>On April 10, 2009, FERC issued an Order Accepting and Suspending Tariff Revision, Subject to Refund. FERC accepts the agreement for filing, suspended it for a nominal period and make it effective April 8, 2009, subject to</p>

		<p>refund and to the outcome of SPP's Order No. 890 compliance filing proceeding in Docket No. OA08-61 and Entergy's Order No. 890 compliance filing proceeding in Docket No. OA08-59.</p> <p>On June 18, 2009, in Docket No. OA08-59, FERC issued an Order Accepting Compliance Filings, as Modified. Entergy's December 17, 2008 and February 6, 2009 filings are accepted, subject to a further compliance filing due on August 17, 2009. Because the Commission's acceptance of the SPP-Entergy Agreement filed in ER09-659 was made subject to the outcome of FERC's findings in this proceeding, SPP must revise the SPP-Entergy Agreement to comply with directives discussed in the June 18 Order under Docket No. OA08-59. SPP's filing is also due August 17, 2009.</p>
55.	ER09-748	<p>SPP Filing of Revisions to OATT to Modify Energy Imbalance Service Market (Attachment AE Revisions)</p> <p>On February 24, 2009, SPP submitted revisions to its OATT proposing various improvements to its real-time energy imbalance service market. SPP proposed refinements to the EIS Market Tariff sheets in Attachment AE, including SPP's demand response proposal.</p> <p>An effective date of April 25, 2009 is requested.</p> <p>On March 13, 2009, Constellation Energy Commodities Group, Inc. and Constellation NewEnergy, Inc. filed a Motion to Intervene.</p> <p>On March 17, 2009, Xcel Energy Services, Inc., American Electric Power Service Corporation, and the East Texas Cooperatives filed Motions to Intervene.</p> <p>On March 17, 2009, Southwest Industrial Customer Coalition filed a Motion to Intervene and Limited Protest, which requests that the Commission add to the proposed Tariff provisions certain language that SPP proposes to include in its Market Protocols.</p> <p>On March 18, 2009, Westar Energy, Inc. and Kansas Gas and Electric Company filed a Motion to Intervene, Comment, and Protest, which protests SPP's revisions that intend to 1) incorporate demand response into the EIS Market and 2) remove one of two existing penalties for not following dispatch instructions.</p> <p>On April 1, 2009, SPP filed an Answer to Comments, Protests and Requests for Modification stating: 1) SPP's Demand Response Tariff Revisions are consistent with the Commission's rule of reason; 2) SPP's proposal to remove the language requiring that it remove from EIS Market Operations Resources failing to follow dispatch instructions will reduce reliability problems within the EIS Market.</p> <p>On April 14, 2009, Westar Energy, Inc. and Kansas Gas and Electric Company filed a Motion for Leave to Answer and Answer.</p> <p>On April 24, 2009, FERC issued a Deficiency Letter requiring SPP to address and provide narrative answers and/or clarifications to several items regarding its demand response proposal. SPP's response is due by May 15, 2009.</p> <p>On May 14, 2009, SPP submitted a Response to Request for Additional Information and Clarifications, stating that SPP seeks permission to file its response 30 rather than 21 days after the April 24 Letter. SPP requests any necessary waivers or extensions to make its submission on May 26, 2009.</p>

			<p>On May 26, 2009, SPP submitted a Response to Request for Additional Information pursuant to the April 24 Deficiency Letter. The response included a written response as well as a CD which contains information regarding 1) all instances where SPP removed resources from the EIS Market dispatch during 2008; 2) the duration of time that each such resource remained ineligible to participate in the Market; 3) the uninstructed deviation charges (the amount of penalty charges) issued to resource owners and their resource capacity level.</p> <p>On June 17, 2009, Westar Energy, Inc. and Kansas Gas and Electric Company filed Comments with respect to SPP's May 26 Response to the Commission's Deficiency Letter and Request for Additional Information. Westar states, 1) SPP has failed to provide a default standard for determining a demand response resource's baseline, actual net generation, and compliance with dispatch instructions; 2) SPP's proposal lacks clarity and reciprocity with respect to the ability of parties to dispute the amount of net generation reported to SPP for a demand response resource; and 3) the information provided by SPP regarding the uninstructed deviation policy does not support the proposed tariff revisions.</p> <p>On July 1, 2009, SPP filed an answer in response to comments submitted by Westar regarding SPP's response to the FERC Staff deficiency letter. SPP states, 1) SPP's proposed methodology for calculating net generation provides flexibility and is consistent with stakeholder preferences; 2) SPP's proposal is sufficiently clear regarding meter agent responsibilities and ability to contest reported demand response values; and 3) the data provided by SPP was directly responsive to the Commission's request and supports the proposed elimination of dispatch deviation penalties.</p>
56.	ER09-758	SPP Filing of Several Proposed Amendments to its Membership Agreement	<p>On February 25, 2009, SPP submitted proposed amendments to its Membership Agreement. Specifically, SPP proposes to modify the Membership Agreement to state expressly that Members who are not otherwise subject to Commission jurisdiction as a public utility will not become subject to the Commission's jurisdiction by their membership in SPP. Likewise, Members will not be required by the Membership Agreement to take any action that would trigger Commission jurisdiction that does not otherwise exist, and non-jurisdictional Members may terminate the Membership Agreement if the Commission does not accept their revenue requirements or rates.</p> <p>An effective date of April 27, 2009 is requested.</p> <p>On March 17, 2009, American Electric Power Service Corporation filed a Motion to Intervene.</p> <p>On March 18, 2009, Golden Spread Electric Cooperative filed a Motion to Intervene and Conditional Protest. Golden Spread protests proposed section 3.0(h).</p> <p>On March 18, 2009, Western Farmers Electric Cooperative filed a Motion to Intervene and Comments. WFEC states that section 3.11 on waiver of jurisdictional immunity and section 3.12 on compliance with state law require changes in order to be just and reasonable.</p> <p>On March 18, 2009, the East Texas Cooperatives filed a Motion to Intervene and Request for Clarification, which requests clarification of Section 3.10 addressing the rights of a non-jurisdictional Transmission Owner to file its revenue requirements with the Commission. They suggest that SPP should clarify that non-jurisdictional transmission owners retain the unilateral right to file rates with the commission without first having to submit the rates to SPP.</p> <p>On March 18, 2009, Dogwood Energy, LLC filed a Motion to Intervene and Comments, which asks that Section 3.12</p>

			<p>be modified to state that it applies to only non-jurisdictional utilities.</p> <p>On April 2, 2009, SPP filed an Answer to Comments stating: 1) Golden Spread protested language already accepted by the Commission; 2) the proposed revisions adequately protect the status of non-jurisdictional members; 3) the proposed revisions to the Membership Agreement are not intended to limit the rights of non-jurisdictional utilities; 4) the proposed amendments are not intended to confer rights or immunities that do not otherwise exist.</p> <p>On April 17, 2009, Western Farmers Electric Cooperative filed a Motion for Leave to File Reply and Reply stating that 1) the proposed changes to the SPP Membership Agreement require the Commission's independent review and analysis in this proceeding; 2) WFEC's revisions to the new section 3.11 proposed by SPP for the Membership Agreement are necessary to make section 3.11 just and reasonable; 3) WFEC's revisions to the new section 3.12 are necessary because section 3.12 as filed is unduly discriminatory; 4) SPP's clarification of the scope of section 3.12 is new, unnecessary and unduly discriminatory restriction on SPP's original proposal.</p> <p>On April 24, 2009, FERC issued an Order Conditionally Accepting Tariff Revisions, to be effective April 27, 2009, subject to SPP filing revisions within 30 days (May 26, 2009). Specifically, the compliance filing must address the following:</p> <ul style="list-style-type: none"> • Revise Section 3.10 (Pricing) to clarify that non-jurisdictional members have the option of submitting their transmission service rates to SPP for filing with the Commission or continuing to file them directly with the Commission (SPP had offered this clarification in its Answer); • Revise Section 3.11 (No Waiver of Jurisdictional Immunity) to clarify that "<u>Except as otherwise provided in the Federal Power Act</u>, a non-jurisdictional Member shall not be bound or obligated by any FERC order, decision, rule or regulation..." • Revise Section 3.12 (Compliance with State Law) to clarify that it applies to non-jurisdictional members only (SPP had offered this clarification in its Answer) <p>On May 8, 2009, SPP filed a Motion for Extension of Time to file its Compliance Filing pursuant to the April 24 Order. An extension to July 29, 2009 is requested, so that the Board of Directors may review the revisions at their July 28, 2009 meeting.</p> <p>On May 15, 2009, FERC issued a Notice of Extension of Time, granting the extension requested by SPP. SPP's Compliance Filing is now due July 29, 2009.</p>
57.	ER09-778	SPP Filing of Revisions to the External Market Advisor Services Agreement for 2009	<p>On February 27, 2009, SPP filed revisions to the External Market Advisor Services Agreement for 2009. This is the agreement with Boston Pacific Company, Inc. contained in Attachment AJ of the SPP Tariff.</p> <p>An effective date of January 1, 2009 is requested.</p> <p>On April 24, 2009, FERC issued a letter order accepting the agreement, effective January 1, 2009 as requested.</p>

			This order constitutes final agency action.
58.	ER09-790	SPP Submits an Executed Network Integration Transmission Service Agreement (“NITSA”) and Network Operating Agreement (“NOA”) between SPP and The Empire District Electric Company (“Empire”)	<p>On March 3, 2009, SPP filed an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Empire District Electric Company as Network Customer, as well as an executed Network Operating Agreement between SPP and Empire as both the Network Customer and the Host Transmission Owner. These agreements replace the currently effective agreements that were accepted by FERC on May 30, 2008 in Docket No. ER08-903. SPP Service Agreement No. First Revised 1630.</p> <p>An effective date of February 1, 2009 is requested.</p> <p>On April 14, 2009, FERC issued a letter order accepting the agreement, effective February 1, 2009 as requested.</p> <p>This order constitutes final agency action.</p>
59.	ER09-791	SPP Filing of Revisions to OATT to Implement Changes to the Formula Rate Template for Westar Energy, Inc.	<p>On March 3, 2009, SPP filed revised pages to its OATT to implement changes to the formula rate template for Westar Energy, Inc., which is a transmission owner and pricing zone under the SPP Tariff. SPP submitted this filing to track the rate changes filed by Westar on April 1, 2008, June 13, 2008, and February 12, 2009, and requests an effective date of June 1, 2008. The rates submitted in this filing are intended to be effective from June 1, 2008, per Westar’s April 1 Filing, until December 31, 2008.</p> <p>On April 14, 2009, FERC issued a letter order accepting the Tariff revisions, effective June 1, 2008 as requested.</p> <p>This order constitutes final agency action.</p>
60.	ER09-801	SPP Filing of Revision to Attachment AD of Tariff to Extend and Modify Tariff Administration Agreement between SPP and Southwestern Power Administration (“SWPA”)	<p>On March 5, 2009, SPP submitted revisions to Attachment AD of its OATT to modify the Tariff Administration Agreement governing its relationship with the Southwestern Power Administration.</p> <p>An effective date of February 1, 2009 is requested.</p> <p>On April 30, 2009, FERC issued a letter order accepting the March 5 Filing, effective February 1, 2009 as requested.</p>
61.	ER09-883	Meter Agent Services Agreement between The Energy Authority and Westar Energy, Inc.	<p>On March 23, 2009, SPP submitted an executed Meter Agent Services Agreement between The Energy Authority and Westar Energy, Inc. SPP Service Agreement No. 1763.</p> <p>An effective date of March 1, 2009 is requested.</p>

			<p>On April 29, 2009, SPP submitted an Amendment to Initial Filing. This contained a new Exhibit A which was revised to reflect the resource name in effect until May 31, 2009, and shows the change in name that will go into effect on June 1, 2009.</p> <p>On June 25, 2009, FERC issued a letter order accepting the agreement, effective March 1, 2009.</p> <p>This order constitutes final agency action.</p>
62.	ER09-915	<p>SPP Submits an Executed Network Integration Transmission Service Agreement (“NITSA”) and Network Operating Agreement (“NOA”) between SPP and Kansas Electric Power Cooperative, Inc. (“KEPCO”) as Network Customer and Westar Energy, Inc. (“Westar”) as Host Transmission Owner</p>	<p>On March 30, 2009, SPP filed an executed Network Integration Transmission Service Agreement between Kansas Electric Power Cooperative, Inc. as Network Customer, as well as an executed Network Operating Agreement with KEPCO as Network Customer and Westar Energy, Inc. as Host Transmission Owner. SPP Service Agreement No. First Revised 1636.</p> <p>An effective date of March 1, 2009 is requested.</p> <p>On April 20, 2009, Dogwood Energy, LLC filed a Motion to Intervene.</p> <p>On May 15, 2009, FERC issued a letter order accepting the agreement, effective March 1, 2009 as requested.</p> <p>This order constitutes final agency action.</p>
63.	ER09-916	<p>SPP Submits an Executed Agreement Establishing External Generation Non-Physical Electrical Interconnection Point between SPP, KCP&L Greater Missouri Operations Company (“KCP&L GMO”) as the Source Balancing Authority, Westar Energy, Inc. (“Westar”) as the Sink Balancing Authority, and Dogwood Energy, LLC (“Dogwood”) as Market Participant</p>	<p>On March 30, 2009, SPP filed an executed Agreement Establishing External Generation Non-Physical Electrical Interconnection Point between SPP, KCP&L Greater Missouri Operations Company (“KCP&L GMO”) as the Source Balancing Authority, Westar Energy, Inc. (“Westar”) as the Sink Balancing Authority, and Dogwood Energy, LLC (“Dogwood”) as Market Participant. SPP Service Agreement No. 1774.</p> <p>An effective date of June 1, 2009 is requested.</p> <p>On May 20, 2009, FERC issued a letter order accepting the agreement, effective June 1, 2009 as requested.</p>

64.	ER09-928	SPP Submits an Executed Agreement for Sponsored Upgrade between SPP and Oklahoma Gas and Electric Company (“OG&E”)	<p>On March 31, 2009, SPP filed an executed Agreement for Sponsored Upgrade between SPP and Oklahoma Gas and Electric Company. SPP Service Agreement No. 1764.</p> <p>This upgrade includes approximately 120 miles of 345 kV line consisting of bundled 1590 ACSR conductor on steel poles from the OG&E Northwest 345 kV substation located northwest Oklahoma City to a new 345 kV section of the OG&E Woodward District EHV substation near Woodward, Oklahoma. Additionally, a 3-breaker switching station is to be installed at approximately one-half of the distance between Oklahoma City and Woodward, Oklahoma.</p> <p>An effective date of March 1, 2009 is requested.</p> <p>On May 20, 2009, FERC issued a letter order accepting the agreement, effective March 1, 2009 as requested.</p> <p>This order constitutes final agency action.</p>
65.	ER09-943	SPP Submits Revised Pages to OATT to Correct an Administrative Error Resulting in Improper Designation of Certain Tariff Sheets Filed with the Commission in ER09-254	<p>On April 1, 2009, SPP filed revised pages to its OATT to correct an administrative error resulting in improper designation of certain Tariff sheets previously filed with and accepted by the Commission in ER09-254 (Tariff revisions to implement three new pricing zones, filed on November 7, 2008).</p> <p>An effective date of April 1, 2009 is requested.</p> <p>On May 19, 2009, FERC issued a letter order accepting the April 1 filing.</p> <p>This order constitutes final agency action.</p>
66.	ER09-992	Large Generator Interconnection Agreement (“LGIA”) between Occidental Chemical Corporation as Interconnection Customer (“Occidental”) and Westar Energy, Inc. (“Westar”) as Transmission Owner	<p>On April 14, 2009, SPP submitted a Large Generator Interconnection Agreement between SPP as Transmission Provider, Occidental Chemical Corporation as Interconnection Customer, and Westar Energy, Inc. as Transmission Owner. SPP Service Agreement No. 1790.</p> <p>An effective date of March 15, 2009 is requested.</p> <p>On June 10, 2009, FERC issued a letter order accepting the agreement, effective March 15, 2009.</p> <p>This order constitutes final agency action.</p>
67.	ER09-1004	SPP Submits an Agreement for the Provision of Transmission Service to Missouri Bundled Retail Load, an Executed Network Integration	<p>On April 15, 2009, SPP submitted an Agreement for the Provision of Transmission Service to Missouri Bundled Retail Load (“Missouri Agreement”), Network Operating Agreement, Network Integration Transmission Service Agreement, and Network Operating Agreement, between SPP as Transmission Provider and KCP&L Greater Missouri Operations Company as Transmission Customer and Host Transmission Owner. SPP Service Agreement No. 1765.</p> <p>SPP submits the Missouri Agreement as a result of a settlement reached in Missouri Public Service Commission Docket No. EO-2009-0179.</p>

		Transmission Service Agreement (“NITSA”), and Network Operating Agreement (“NOA”) between SPP and KCP&L Greater Missouri Operations Company (“KCPL-GMO”) as Network Customer and Host Transmission Owner	<p>On April 22, 2009, SPP submitted an Errata Filing, correcting the requested effective date to April 15, 2009.</p> <p>On May 6, 2009, the Missouri Joint Municipal Electric Utility Commission (“MJMEUC”) filed a Motion to Intervene and Protest. MJMEUC urges the Commission to ensure that the Missouri Agreement will not result in undue discrimination against wholesale users of the SPP transmission system in the KCPL-GMO rate zone.</p> <p>On June 18, 2009, FERC issued a letter order accepting the agreements, effective April 15, 2009.</p> <p>This order constitutes final agency action.</p>
68.	ER09-1008	Large Generator Interconnection Agreement (“LGIA”) between Western Farmers Electric Cooperative (“WFEC”) as Interconnection Customer and Transmission Owner	<p>On April 16, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider and Western Farmers Electric Cooperative as both Interconnection Customer and Transmission Owner. SPP Service Agreement No. 1766.</p> <p>An effective date of March 17, 2009 is requested.</p> <p>On May 7, 2009, WFEC filed a Motion to Intervene.</p> <p>On June 10, 2009, FERC issued a letter order accepting the agreement, effective March 17, 2009.</p> <p>This order constitutes final agency action.</p>
69.	ER09-1011	SPP Submits an Executed Network Integration Transmission Service Agreement (“NITSA”), and Network Operating Agreement (“NOA”) between SPP and City of Minden, LA (“Minden”) as Network Customer and American Electric Power Service Corporation (“AEP”) as Host Transmission Owner	<p>On April 17, 2009, SPP submitted an executed Network Integration Transmission Service Agreement and Network Operating Agreement between SPP as Transmission Provider, City of Minden, Louisiana, as Network Customer, and American Electric Power Service Corporation, as agent for Public Service Company of Oklahoma and Southwestern Electric Power Company, as Host Transmission Owner. SPP Service Agreement No. 1768. The Agreements reflect the separation of network service for Minden from its previous incorporation in Service Agreement between SPP and AEP filed on November 25, 2008 in Docket No. ER09-342.</p> <p>An effective date of March 18, 2009 is requested.</p> <p>On June 10, 2009, FERC issued a letter order accepting the agreement, effective March 18, 2009.</p> <p>This order constitutes final agency action.</p>

70.	ER09-1012	SPP Submits an Unexecuted Network Integration Transmission Service Agreement (“NITSA”), and Executed Network Operating Agreement (“NOA”) between SPP and American Electric Power Service Corporation (“AEP”) as Network Customer and Host Transmission Owner	<p>On April 17, 2009, SPP submitted an unexecuted Network Integration Transmission Service Agreement between SPP as Transmission Provider and American Electric Power Service Corporation, as agent for Public Service Company of Oklahoma and Southwestern Electric Power Company, as the Network Customer. SPP also submits an executed Network Operating Agreement between SPP as Transmission Provider and AEP as the Network Customer and Host Transmission Owner. SPP Service Agreement No. Ninth Revised 1148. These Agreements modify the Agreements currently pending before the Commission in Docket No. ER09-342. The NITSA is being submitted on an unexecuted basis because of a dispute between AEP and SPP in Docket ER09-342 concerning the assignment of the costs of a particular network upgrade.</p> <p>An effective date of March 18, 2009 is requested.</p> <p>On June 10, 2009, FERC issued a letter order conditionally accepting the agreement effective March 18, 2009, subject to the outcome of Docket No. ER09-342.</p> <p>This order constitutes final agency action.</p>
71.	ER09-1039	SPP Submission of Revisions to Open Access Transmission Tariff to Modify Regional Transmission Cost Allocation Methodology (“Wind Cost Allocation Filing”)	<p>On April 24, 2009, SPP submitted revisions to its OATT to modify regional transmission cost methodology (“Wind Cost Allocation Filing”). Specifically, SPP proposes to modify its regional transmission cost methodology for new transmission upgrades (“Cost Allocation Plan”) by incorporating provisions addressing network upgrades made necessary by transmission customers’ designation of wind generation resources.</p> <p>An effective date of April 25, 2009 is requested.</p> <p>On May 15, 2009, Western Farmers Electric Cooperative filed a Motion to Intervene and Comments in support of the April 24 Filing.</p> <p>On May 15, 2009, Arkansas Electric Cooperative Corporation, Constellation Energy Commodities Group, Inc., CPV Renewable Energy Company, LLC, Dogwood Energy, LLC, the East Texas Cooperatives, Golden Spread Electric Cooperative, Inc., and the National Rural Electric Cooperative Association filed Motions to Intervene.</p> <p>On May 15, 2009, Acciona Wind Energy USA LLC filed a Motion to Intervene and Protest. Acciona states that the proposed provisions are unjust, unreasonable and unduly discriminatory, because SPP’s proposal discriminates against wind generation and against those who desire to purchase power from a wind generator located in a different SPP zone.</p> <p>On May 19, 2009, the Arkansas Public Service Commission filed a Motion for Late Intervention.</p> <p>On May 26, 2009, the American Wind Energy Association (“AWEA”) and the Wind Coalition filed a Motion to Intervene Out-of-Time.</p> <p>On June 1, 2009, SPP filed an Answer to Protest and Request for Rejection of Acciona Wind Energy USA LLC. SPP states that its Cost Allocation Methodology for Network Upgrades associated with wind resources is just and reasonable and asks that the Commission dismiss Acciona’s protest.</p> <p>On June 18, 2009, FERC issued an Order Conditionally Accepting Tariff Revisions. SPP’s proposal for filing is</p>

			<p>accepted effective April 25, 2009, subject to conditions. Specifically, in Paragraph 30, FERC does accept SPP’s proposal to limit base plan funding eligibility to network upgrade costs associated with wind resources with reserved capacity up to 20 percent of the customer’s system peak responsibility. However, FERC notes that SPP provided no study or evidence supporting its choice of this particular percentage. In addition, FERC is concerned that SPP’s proposed limit could place transmission customers serving smaller loads at a disadvantage relative to transmission customers serving larger loads. Accordingly, FERC directs SPP to study (1) the operational challenges it identifies due to the integration of wind generating resources into its system, and (2) whether the 20 percent limit places transmission customers with smaller loads at a competitive disadvantage with customers serving larger loads with dedicated wind resources. SPP must report the results of this study to FERC within one year. Based on results of the study and other evidence, FERC will reevaluate whether the 20 percent threshold continues to be just and reasonable or should be modified. The study results are to be submitted to FERC by June 18, 2010.</p> <p>On June 16, 2009, Acciona Wind Energy USA LLC filed a Motion for Leave to Answer and Answer and Request for Rejection. Acciona states, 1) the Commission should reject the cost allocation filing because SPP has not met its burden of showing that its methodology is just and reasonable and not unduly discriminatory; 2) in the alternative, the Commission should set the cost allocation filing for technical conference</p>
72.	ER09-1042	SPP Submission of Tariff Revisions to Modify Transmission Study Process (“Aggregate Study Revisions”)	<p>On April 24, 2009, SPP submitted revisions to its OATT in order to modify its transmission study process.</p> <p>SPP proposes several revisions to its Tariff to refine the ATSS process to reduce the number of studies it must conduct and reflect the policy recommendations of the ASITF.</p> <p>SPP is proposing to eliminate the System Impact Study for Long-Term Service requests, the first study that is conducted in the ATSS process. SPP will instead provide in the Aggregate Facilities Study all of the information currently provided by the System Impact Study, with additional information such as the actual revenue rate for the requested service, to assist customers in choosing whether to continue with the ATSS process or withdraw their request. The Aggregate Facilities Study will also indicate whether sufficient ATC is available to accommodate all or part of a Transmission Service request, similar to the ATC information provided by the current System Impact Study. Under the existing System Impact Study process, SPP has typically found that insufficient ATC is in place to accommodate even the smallest requests for Long-Term Service, meaning that the System Impact Study is providing little useful information to SPP and Transmission Customers.</p> <p>SPP is also proposing to adopt on a permanent basis Attachment AC of the Tariff outlining the procedure for processing Short-Term Service requests.</p> <p>An effective date of April 25, 2009 is requested.</p> <p>On May 15, 2009, Constellation Energy Commodities Group, Inc., CPV Renewable Energy Company, LLC, Dogwood Energy, LLC, the East Texas Cooperatives, Golden Spread Electric Cooperative, and Western Farmers Electric Cooperative filed Motions to Intervene.</p> <p>On June 16, 2009, FERC issued an order accepting the tariff revisions, effective April 25, 2009.</p>

			This order constitutes final agency action.
73.	ER09-1050	SPP Order 719 Compliance Filing	<p>On April 28, 2009, SPP submitted revisions to its OATT in order to comply with the Commission’s requirements established in Order No. 719 which was issued on October 17, 2008.</p> <p>An effective date of June 28, 2009 is requested.</p> <p>Comments are due May 26, 2009.</p> <p>On May 8, 2009, the Southwest Industrial Customer Coalition filed a Motion to Intervene.</p> <p>On May 11, 2009, EnerNOC, Inc. filed a Motion to Intervene.</p> <p>On May 14, 2009, Arkansas Public Service Commission filed a Motion to Intervene.</p> <p>On May 21, 2009, CPower, Inc. and Exelon Corporation filed Motions to Intervene.</p> <p>On May 26, 2009, Calpine Corporation filed a Motion to Intervene.</p> <p>On May 26, 2009, Lincoln Electric System, Missouri Joint Municipal Electric Utility Commission, and West Texas Municipal Power Agency (“TDU Intervenors”) filed a joint Motion to Intervene and Comments. They state that SPP’s filing, as construed by TDU Intervenors, is compliant with Order 719’s ARC and scarcity pricing requirements. They also ask that the Commission require SPP to move Attachment AF Sections 4 and 5 to Attachment AG, to avoid weakening market monitoring.</p> <p>On May 26, 2009, Arkansas Electric Cooperative Corporation filed a Motion to Intervene and Comments in Support of SPP’s April 28 Filing.</p> <p>On May 26, 2009, the Electric Power Supply Association (“EPSA”) filed a Motion for Leave to Intervene and Comment. EPSA is concerned about a provision that can remove a stakeholder for absenteeism, and that non-Board level groups only count official group member votes. They also asked that the Commission require SPP to propose tariff language including provisions for allowing affected market participants to contextualize tailored requests for information from the Market Monitoring Unit (“MMU”) and to include a direct reference that all information is subject to redaction of commercially sensitive information.</p> <p>On May 26, 2009, Walmart Stores, Inc. filed a Motion to Intervene and Comments.</p> <p>On May 26, 2009, the Electricity Consumers Resource Council (“ELCON”) filed a Motion to Intervene and Comments. ELCON requests that the Commission conduct an independent and detail review of the ISO/RTO Order 719</p>

			<p>compliance filings and take the steps necessary to ensure that the ISOs and RTOs come into compliance with the requirements of Order 719, particularly respecting the comparability of access for demand response providers and the need for national uniformity.</p> <p>On May 26, 2009, Occidental filed a Motion to Intervene and Protest. Occidental states: 1) SPP’s proposal to require a potential DRR to obtain regulatory declarations violates Order No. 719; 2) SPP’s proposal would erect a substantial barrier to DRR; 3) the Commission should unequivocally affirm its policy that demand and generation resources be treated comparably.</p> <p>On May 26, 2009, Golden Spread Electric Cooperative, Inc., Oklahoma Gas & Electric Company, Southwest Industrial Customer Coalition, and Xcel Energy Services, Inc. filed Motions to Intervene.</p> <p>On May 27, 2009, Western Farmers Electric Cooperative filed a Motion to Intervene.</p> <p>On June 10, 2009, SPP filed an answer to comments and protests. SPP states, 1) SPP’s tariff revisions provide comparable market access to demand response resources while addressing retail regulatory concerns; 2) SPP’s tariff contains sufficient provisions addressing market monitoring and mitigation; 3) SPP’s tariff accomplishes the Commission’s goal of broadening access to market information while protecting confidentiality; and 4) SPP’s governance structure provides ample opportunity for stakeholder participation to ensure responsiveness.</p> <p>On June 29, 2009, Portland Cement Association Arcelormittal USA, Inc. filed a Motion to Intervene and Protest in CAISO’s, ISO-NE’s, MISO’s, New York ISO’s, PJM’s and SPP’s Order 719 Compliance dockets.</p>
74.	ER09-1055	SPP Filing of an Executed Meter Agent Services Agreement between Omaha Public Power District (“OPPD”) as both the Market Participant and Meter Agent	<p>On April 28, 2009, Southwest Power Pool, Inc. submitted an executed Meter Agent Services Agreement between Omaha Public Power District as both the Market Participant and the Meter Agent. SPP Service Agreement No. 1782.</p> <p>An effective date of April 1, 2009 is requested.</p> <p>On June 25, 2009, FERC issued a letter order accepting the agreement, effective April 1, 2009.</p> <p>This order constitutes final agency action.</p>
75.	ER09-1056	SPP Filing of an Executed Meter Agent Services Agreement between The Energy Authority (“TEA”) as Market Participant and Nebraska Public Power District (“NPPD”) as Meter Agent	<p>On April 28, 2009, Southwest Power Pool, Inc. submitted an executed Meter Agent Services Agreement between The Energy Authority, Inc. as the Market Participant and Nebraska Public Power District as the Meter Agent. SPP Service Agreement No. 1784.</p> <p>An effective date of April 1, 2009 is requested.</p> <p>On June 25, 2009, FERC issued a letter order accepting the agreement, effective April 1, 2009.</p> <p>This order constitutes final agency action.</p>

76.	ER09-1057	Large Generator Interconnection Agreement (“LGIA”) between Blue Canyon Windpower V LLC (“Blue Canyon”) as Interconnection Customer and Western Farmers Electric Cooperative (“WFEC”) as Transmission Owner	<p>On April 27, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Blue Canyon Windpower V LLC as Interconnection Customer, and Western Farmers Electric Cooperative as Transmission Owner. SPP Service Agreement No. First Revised 1255.</p> <p>An effective date of March 27, 2009 is requested.</p> <p>On May 18, 2009, Western Farmers Electric Cooperative filed a Motion to Intervene.</p> <p>On June 10, 2009, FERC issued a letter order accepting the agreement effective May 27, 2009.</p> <p>On June 12, 2009, FERC issued an Errata to the June 10 Letter Order. The correct effective date is March 27, 2009.</p> <p>This order constitutes final agency action.</p>
77.	ER09-1068	SPP Filing of an Executed Meter Agent Services Agreement between Dogwood Energy, LLC (“Dogwood”) as Market Participant and KCP&L Greater Missouri Operations Company (“KCPL-GMO”) as Meter Agent	<p>On April 29, 2009, SPP submitted an executed Meter Agent Services Agreement between Dogwood Energy, LLC as the Market Participant and KCP&L Greater Missouri Operations Company as the Meter Agent. SPP Service Agreement No. 1780.</p> <p>An effective date of June 1, 2009 is requested.</p> <p>On May 20, 2009, Dogwood Energy LLC filed a Motion to Intervene.</p> <p>On June 25, 2009, FERC issued a letter order accepting the agreement, effective June 1, 2009.</p> <p>This order constitutes final agency action.</p>
78.	ER09-1069	SPP Filing of an Executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Omaha Public Power District (“OPPD”) as both Network Customer and Host Transmission Owner	<p>On April 30, 2009, SPP submitted an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Omaha Public Power District as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider and OPPD as both Network Customer and Host Transmission Owner. SPP Service Agreement No. 1772.</p> <p>An effective date of April 1, 2009 is requested.</p> <p>On June 25, 2009, FERC issued a letter order accepting the agreement, effective April 1, 2009.</p> <p>This order constitutes final agency action.</p>

79.	ER09-1070	SPP Filing of an Executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Nebraska Public Power District (“NPPD”) as both Network Customer and Host Transmission Owner	<p>On April 30, 2009, SPP submitted an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Nebraska Public Power District as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider and NPPD as both Network Customer and Host Transmission Owner. SPP Service Agreement No. 1771.</p> <p>An effective date of April 1, 2009 is requested.</p> <p>On June 25, 2009, FERC issued a letter order accepting the agreement, effective April 1, 2009.</p> <p>This order constitutes final agency action.</p>
80.	ER09-1080	SPP Filing of an Executed Meter Agent Services Agreement between Lincoln Electric System (“LES”) as Market Participant and Meter Agent	<p>On May 1, 2009, SPP submitted an executed Meter Agent Services Agreement between Lincoln Electric System as both Market Participant and Meter Agent. SPP Service Agreement No. 1779.</p> <p>An effective date of April 1, 2009 is requested.</p> <p>On May 22, 2009, Lincoln Electric System filed a Motion to Intervene.</p> <p>On June 25, 2009, FERC issued a letter order accepting the agreement, effective April 1, 2009.</p> <p>This order constitutes final agency action.</p>
81.	ER09-1081	SPP Filing of an Executed Second Amended Agreement for Interchange of Power and Interconnected Operation between Associated Electric Cooperative, Inc. (“AECI”) and the Empire District Electric Company (“EDE”)	<p>On May 1, 2009, SPP submitted an executed Second Amended Agreement for Interchange of Power and Interconnected Operation between Associated Electric Cooperative, Inc. and the Empire District Electric Company, with SPP as signatory. The Second Amended Agreement is intended to amend and restate the Amended Interchange Agreement that the Parties entered into on June 1, 1998. SPP Service Agreement No. 1770.</p> <p>An effective date of April 1, 2009 is requested.</p> <p>On May 6, 2009, Associated Electric Cooperative, Inc. filed a Motion to Intervene.</p> <p>On June 16, 2009, FERC issued a letter order accepting the agreement, effective April 1, 2009.</p> <p>This order constitutes final agency action.</p>
82.	ER09-1086	SPP Submits an Executed Network Integration Transmission Service Agreement (“NITSA”), and	<p>On May 1, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider and Lincoln Electric System as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider and Lincoln Electric System as both Network Customer and Host Transmission Owner. SPP Service Agreement No. 1767.</p> <p>An effective date of April 1, 2009 is requested.</p>

		Network Operating Agreement (“NOA”) between SPP and Lincoln Electric System (“LES”) as Network Customer and Host Transmission Owner	<p>On May 22, 2009, Lincoln Electric System filed a Motion to Intervene.</p> <p>On June 25, 2009, FERC issued a letter order accepting the agreement, effective April 1, 2009.</p> <p>This order constitutes final agency action.</p>
83.	ER09-1130	SPP Filing of a Designee Qualification and Novation Agreement between SPP, ITC Great Plains, LLC, and Western Farmers Electric Cooperative	<p>On May 12, 2009, SPP submitted an Designee Qualification and Novation Agreement between SPP, Western Farmers Electric Cooperative, and ITC Great Plains, LLC. SPP Service Agreement No. 1814.</p> <p>An effective date of April 29, 2009 is requested.</p> <p>On June 2, 2009, ITC Great Plains, LLC filed a Motion to Intervene and Comments.</p> <p>On June 2, 2009, Western Farmers Electric Cooperative and Oklahoma Gas and Electric Company filed Motions to Intervene.</p> <p>On June 2, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative, Inc. filed a joint Motion to Intervene, Limited Protest, and Motion for Clarification in Docket No. ER09-1130 and ER09-548. WFEC has assigned ITC its responsibility to build the projects as directed by the Notification to Construct in relation to Docket No. ER09-1130. AECC and Golden Spread object to granting any SPP Transmission Owner unconditional relief from its obligation under the Membership Agreement and Attachment O of the Tariff based simply upon a third party’s agreement to fulfill that obligation in the future. AECC and Golden Spread also seek clarification that costs related to these facilities will not be recovered through the formula rate that is at issue in Docket No. ER09-548, absent a filing with FERC seeking such recovery.</p> <p>On June 16, 2009, ICT Great Plains, LLC filed an Answer to the June 2 Motion for Clarification. ITC states, 1) ICT’s existing formula rate applies o the transmission to be constructed for WFEC pursuant to the novation agreement; 2) the costs of the Hugo to Valliant project will be recovered through a combination of direct and base plan funding, in accordance with prior SPP determinations; and 3) AECC and Golden Spread’s concerns about ITC’s recovery of payments made to WFEC for the rights to construct the WFEC project are baseless because no such payments are being made.</p> <p>On June 17, 2009, WFEC filed a Motion for Leave to File Answer to Protest, Answer, and Answer to Motion of Clarification in response to the June 2 Filing. WFEC states the agreement is in accordance with SPP’s authority, ensures that the projects will be constructed, was adopted following SPP’s duly constituted procures (including approval by MOPC and the Board of Directors), and will serve in the best interests of SPP’s customers.</p> <p>On June 17, 2009, SPP filed an answer in response to the June 2 limited protest, in which SPP states: 1) the agreement enables SPP to hold ITC-GP accountable to construct needed upgrades; and 2) the agreement facilitates timely construction of needed upgrades.</p>

			<p>On July 1, 2009, AECC and Golden Spread filed a Motion for Leave to Answer, Answer and Conditional Motion to Consolidate. In the event that the Commission agrees with ITC that costs related to the WFEC facilities may be recovered through the formula rate issue in ER09-548, then AECC and Golden Spread request that the Commission consolidate docket nos. ER09-548 and ER09-1130.</p> <p>On July 6, 2009, ITC Great Plains, LLC filed an Answer to “Conditional Motion to Consolidate”, which asks that AECC’s and Golden Spread’s motion be rejected.</p>
84.	ER09-1139	SPP Filing of an Executed Meter Agent Services Agreement between Tenaska Power Services Company (“Tenaska”) as the Market Participant and Westar Energy, Inc. (“Westar”) as the Meter Agent	<p>On May 14, 2009, Southwest Power Pool, Inc. submitted an executed Meter Agent Services Agreement between Tenaska Power Services Company as the Market Participant and Westar Energy, Inc. as the Meter Agent. SPP Service Agreement No. 1783.</p> <p>An effective date of May 1, 2009 is requested.</p> <p>On July 2, 2009, FERC issued a letter order accepting the agreement, effective May 1, 2009.</p> <p>This order constitutes final agency action.</p>
85.	ER09-1140	SPP Filing of an Executed Service Agreement for Firm Point-to-Point Transmission Service between SPP as Transmission Provider and KCP&L Greater Missouri Operations Company (“KCPL- GMO”) as Transmission Customer	<p>On May 14, 2009, Southwest Power Pool, Inc. submitted an executed service agreement for Firm Point-To-Point Transmission Service between SPP as Transmission Provider and KCP&L Greater Missouri Operations Company as Transmission Customer. SPP Service Agreement No. 1804.</p> <p>An effective date of July 13, 2009 is requested. Transmission service is to begin on June 1, 2011.</p> <p>On July 1, 2009, FERC issued a letter order accepting the agreement, effective July 13, 2009.</p> <p>This order constitutes final agency action.</p>
86.	ER09-1152	SPP Filing of a Partially Executed Large Generator Interconnection Agreement (“LGIA”) between Solomon Forks Wind, LLC (“Solomon Forks”) as Interconnection Customer and Sunflower Electric	<p>On May 15, 2009, SPP submitted a partially executed LGIA between SPP as Transmission Provider, Solomon Forks Wind, LLC as Interconnection Customer, and Sunflower Electric Power Corporation as Transmission Owner. SPP Service Agreement No. 1803.</p> <p>The agreement was submitted partially executed basis because Sunflower has not signed the agreement due to a dispute between Sunflower and SPP concerning whether Solomon Forks is required to take transmission service in order to participate in SPP’s real-time energy imbalance service market (“EIS Market”).</p> <p>An effective date of May 8, 2009 is requested.</p> <p>On June 5, 2009, Solomon Forks Wind Farm, LLC filed a Motion to Intervene.</p>

		Power Corporation (“Sunflower”) as Transmission Owner	<p>On June 5, 2009, Sunflower Electric Power Corporation and Mid-Kansas Electric Company, LLC filed a joint Motion to Intervene and Protest. The parties ask that FERC declare that a generator may not participate in the EIS market without, 1) SPP study of the networks upgrades required to deliver the output to load; and 2) a contract for delivery service that makes the generator also liable for ancillary services, including balancing services; or, in the alternative, set this matter for hearing to determine whether the LGIA imposes unjust, unreasonable, and unduly discriminatory costs on the Sunflower BA’s customers, given Solomon Forks’ assertion that even without delivery service, it may participate in the SPP EIS market.</p> <p>On June 22, 2009, SPP filed an Answer in response to the June 5 Protest of Sunflower and MKEC. SPP states: 1) the Solomon Forks LGIA is consistent with the provisions of SPP’s Tariff; 2) Sunflower’s and MKEC’s challenge to the Commission-approved tariff provisions not at issue in this proceeding should be rejected.</p>
87.	ER09-1172	SPP Filing of an Executed Service Agreement for Firm Point-to-Point Transmission Service between SPP as Transmission Provider and Kansas City Board of Public Utilities (“KCBPU”) as Transmission Customer	<p>On May 19, 2009, Southwest Power Pool, Inc. submitted an executed service agreement for Firm Point-To-Point Transmission Service between SPP as Transmission Provider and Kansas City Board of Public Utilities as Transmission Customer. SPP Service Agreement No. 1799.</p> <p>An effective date of May 1, 2009 is requested.</p> <p>On July 1, 2009, FERC issued a letter order accepting the agreement, effective May 1, 2009.</p> <p>This order constitutes final agency action.</p>
88.	ER09-1174	SPP Filing of an Executed Service Agreement for Firm Point-to-Point Transmission Service between SPP as Transmission Provider and Kansas City Board of Public Utilities (“KCBPU”) as Transmission Customer	<p>On May 19, 2009, Southwest Power Pool, Inc. submitted an executed service agreement for Firm Point-To-Point Transmission Service between SPP as Transmission Provider and Kansas City Board of Public Utilities as Transmission Customer. SPP Service Agreement No. 1800.</p> <p>An effective date of July 18, 2009 is requested. Transmission service is to begin on July 1, 2010.</p> <p>On July 1, 2009, FERC issued a letter order accepting the agreement, effective July 18, 2009.</p> <p>This order constitutes final agency action.</p>
89.	ER09-1177	Large Generator Interconnection Agreement (“LGIA”) between Rock Creek Wind Project, LLC (“Rock Creek”) as Interconnection	<p>On May 20, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Rock Creek Wind Project, LLC as Interconnection Customer, and KCP&L Greater Missouri Operations Company as Transmission Owner. SPP Service Agreement No. 1792.</p> <p>An effective date of April 20, 2009 is requested.</p> <p>On July 2, 2009, FERC issued a letter order accepting the agreement, effective April 20, 2009.</p>

		Customer and KCP&L Greater Missouri Operations Company (“KCPL-GMO”) as Transmission Owner	This order constitutes final agency action.
90.	ER09-1192	SPP Submission of Revisions to Bylaws	<p>On May 22, 2009, SPP submitted revisions to its Bylaws. In this filing, SPP proposes several revisions to its Bylaws related to its status as a NERC Regional Entity that also are considered “Regional Entity Rules” under the Commission’s regulations and therefore also must be approved by NERC and filed with the Commission. These revisions were approved by NERC on May 12, 2009 and filed with the Commission by NERC on May 21, 2009 in Docket No. RR09-4. In addition, SPP proposes several revisions to its Bylaws that do not relate to the SPP RE function.</p> <p>An effective date of July 22, 2009 is requested.</p> <p>On June 10, 2009, Xcel Energy Services, Inc. filed a Motion to Intervene.</p> <p>On June 12, 2009, the East Texas Cooperatives filed a Motion to Intervene.</p>
91.	ER09-1202	Large Generator Interconnection Agreement (“LGIA”) between Ninnescah Wind, LLC (“Ninnescah”) as Interconnection Customer and Mid Kansas Electric Power Company (“MKEC”) as Transmission Owner	<p>On May 27, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Ninnescah Wind, LLC as Interconnection customer, and Mid Kansas Electric Power Company as Transmission Owner. SPP Service Agreement No. 1809.</p> <p>An effective date of May 14, 2009 is requested.</p>
92.	ER09-1212	Large Generator Interconnection Agreement (“LGIA”) between Happy Whiteface Wind, LLC (“Happy Whiteface”) as Interconnection Customer and Southwestern Public Service Company (“SPS”) as Transmission Owner	<p>On May 29, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Happy Whiteface Wind, LLC as Interconnection customer, and Southwestern Public Service Company as Transmission Owner. SPP Service Agreement No. 1811.</p> <p>An effective date of May 29, 2009 is requested.</p>

93.	ER09-1213	SPP Filing of an Executed Meter Agent Services Agreement between Southwestern Electric Power Company ("SWEPCO") as the Market Participant and Southwestern Public Service Company ("SPS") as the Meter Agent	<p>On May 28, 2009, Southwest Power Pool, Inc. submitted an executed Meter Agent Services Agreement between Southwestern Electric Power Company as the Market Participant and Southwestern Public Service Company as the Meter Agent. SPP Service Agreement No. 1793.</p> <p>An effective date of May 1, 2009 is requested.</p> <p>On July 2, 2009, FERC issued a letter order accepting the agreement, effective May 1, 2009.</p> <p>This order constitutes final agency action.</p>
94.	ER09-1219	Large Generator Interconnection Agreement ("LGIA") between Heartland Wind, LLC ("Heartland Wind") as Interconnection Customer and Oklahoma Gas and Electric Company ("OG&E") as Transmission Owner	<p>On May 29, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Heartland Wind, LLC as Interconnection customer, and Oklahoma Gas and Electric Company as Transmission Owner. SPP Service Agreement No. 1813.</p> <p>An effective date of May 29, 2009 is requested.</p> <p>On June 10, 2009, Iberdrola Renewables, Inc. filed a Motion to Intervene.</p>
95.	ER09-1223	SPP Filing of an Executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Kansas City Power & Light Company ("KCPL") as both Network Customer and Host Transmission Owner	<p>On May 29, 2009, SPP submitted an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Kansas City Power & Light Company as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider and KCPL as both Network Customer and Host Transmission Owner. SPP Service Agreement No. Third Revised 1276.</p> <p>An effective date of May 29, 2009 is requested.</p>
96.	ER09-1230	SPP Filing of an Executed Service Agreement for Firm Point-to-Point Transmission Service between SPP as	<p>On May 29, 2009, Southwest Power Pool, Inc. submitted an executed service agreement for Firm Point-To-Point Transmission Service between SPP as Transmission Provider and Kansas City Power & Light Company as Transmission Customer. SPP Service Agreement No. 1796.</p> <p>An effective date of May 1, 2009 is requested.</p>

		Transmission Provider and Kansas City Power & Light Company (“KCPL”) as Transmission Customer	
97.	ER09-1231	SPP Filing of an Executed Service Agreement for Firm Point-to-Point Transmission Service between SPP as Transmission Provider and KCP&L Greater Missouri Operations Company (“KCPL-GMO”) as Transmission Customer	<p>On May 29, 2009, Southwest Power Pool, Inc. submitted an executed service agreement for Firm Point-To-Point Transmission Service between SPP as Transmission Provider and KCP&L Greater Missouri Operations Company as Transmission Customer. SPP Service Agreement No. 1797.</p> <p>An effective date of May 1, 2009 is requested.</p>
98.	ER09-1234	Large Generator Interconnection Agreement (“LGIA”) between Hays Wind, LLC (“Hays Wind”) as Interconnection Customer and Midwest Energy, Inc. (“Midwest Energy”) as Transmission Owner	<p>On June 1, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Hays Wind, LLC as Interconnection customer, and Midwest Energy, Inc. as Transmission Owner. SPP Service Agreement No. 1816.</p> <p>An effective date of May 29, 2009 is requested.</p> <p>On June 10, 2009, Iberdrola Renewables, Inc. filed a Motion to Intervene.</p> <p>On July 1, 2009, Midwest Energy, Inc. filed a Motion to Intervene Out of Time.</p>
99.	ER09-1236	Large Generator Interconnection Agreement (“LGIA”) between Pampa Energy Center LLC (“Pampa”) as Interconnection Customer and Southwestern Public Service Company (“SPS”) as Transmission Owner	<p>On May 29, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Pampa Energy Center LLC as Interconnection customer, and Southwestern Public Service Company as Transmission Owner. SPP Service Agreement No. 1812.</p> <p>An effective date of May 29, 2009 is requested.</p>

100.	ER09-1238	SPP Filing of an Executed Service Agreement for Firm Point-to-Point Transmission Service between SPP as Transmission Provider and Westar Energy, Inc. (“Westar”) as Transmission Customer	<p>On June 1, 2009, Southwest Power Pool, Inc. submitted an executed service agreement for Firm Point-To-Point Transmission Service between SPP as Transmission Provider and Westar Energy, Inc. as Transmission Customer. SPP Service Agreement No. 1798.</p> <p>An effective date of May 1, 2009 is requested.</p>
101.	ER09-1242	Large Generator Interconnection Agreement (“LGIA”) between Dempsey Ridge Wind Farm, LLC (“Dempsey Ridge”) as Interconnection Customer and Public Service Company of Oklahoma (“PSO”) as Transmission Owner	<p>On June 1, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Dempsey Ridge Wind Farm, LLC as Interconnection customer, and Public Service Company of Oklahoma as Transmission Owner. SPP Service Agreement No. 1810.</p> <p>An effective date of May 26, 2009 is requested.</p> <p>On June 3, 2009, Dempsey Ridge filed a Motion to Intervene.</p>
102.	ER09-1245	Large Generator Interconnection Agreement (“LGIA”) between Nodaway Wind Energy, LLC (“Nodaway”) as Interconnection Customer and KCP&L Greater Missouri Operations Company (“KCP&L-GMO”) as Transmission Owner	<p>On June 1, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Nodaway Wind Energy, LLC as Interconnection customer, and KCP&L Greater Missouri Operations Company as Transmission Owner. SPP Service Agreement No. 1808.</p> <p>An effective date of May 21, 2009 is requested.</p>

103.	ER09-1249	Large Generator Interconnection Agreement (“LGIA”) between Happy Whiteface Wind, LLC (“Happy Whiteface II”) as Interconnection Customer and Southwestern Public Service Company (“SPS”) as Transmission Owner	<p>On June 1, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Happy Whiteface Wind, LLC as Interconnection customer, and Southwestern Public Service Company as Transmission Owner. SPP Service Agreement No. 1819.</p> <p>An effective date of May 29, 2009 is requested.</p>
104.	ER09-1250	Large Generator Interconnection Agreement (“LGIA”) between Elk Falls Wind, LLC (“Elk Falls”) as Interconnection Customer and Kansas Gas and Electric Company (“KG&E”) as Transmission Owner	<p>On June 1, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Elk Falls Wind, LLC as Interconnection customer, and Kansas Gas and Electric Company as Transmission Owner. SPP Service Agreement No. First Revised 1603.</p> <p>An effective date of May 7, 2009 is requested.</p>
105.	ER09-1254	SPP Submission of Revisions to Open Access Transmission Tariff to Reform Generation Interconnection Procedures (“Queue Reform Filing”)	<p>On June 1, 2009, SPP filed proposed revisions to its OATT in order to reform its generation interconnection procedures. SPP seeks to increase the efficiency of the generation interconnection process, decrease future queue backlogs, and promote the interconnection of viable generation projects to the grid.</p> <p>An effective date of June 2, 2009 is requested.</p> <p>On June 22, 2009, Dogwood Energy, LLC, East Texas Cooperatives, Inc., Golden Spread Electric Cooperative, Inc., and Western Farmers Electric Cooperative filed Motions to Intervene.</p> <p>On June 22, 2009, the American Wind Energy Association filed a Motion to Intervene and Comments, which states that they believe that SPP’s current interconnection queuing practices inhibit the entry of new generation, especially the development of wind powered generating facilities.</p> <p>On June 22, 2009, CPV Renewable Energy Company, LLC filed a Motion to Intervene and Protest, which states: 1) SPP should be directed to amend its tariff to offer interim interconnection service on a non-discriminatory basis; 2) the Commission should direct that SPP immediately refund the security deposit based on plant size when the interconnection customer has satisfied an alternative milestone.</p>

On June 22, 2009, E.ON Climate and Renewables North America, Inc. filed a Motion to Intervene and Limited Comments, which states that SPP's filing will improve the efficiency of the interconnection queuing process, but suggests the following modifications: 1) Preliminary Interconnection System Impact Studies ("PISIS") Phase : A cure period for filing deficiencies is necessary; 2) PISIS Phase: Reduction in length of queue cluster window is necessary; 3) Definitive Interconnection System Impact Studies ("DISIS") Phase: Cure period for filing deficiency is necessary; 4) DISIS Phase: Reduction in length of queue cluster window is necessary; 5) Definition of "sufficient size" necessary for site control; 6) Impact of force majeure and order of governmental authority on timing of suspension needs clarification; 7) Proposed Article 5.16.1(ii) suspension security payments should be reduced or eliminated; 8) Revise Article 5.16.1(iii) suspension security payments; 9) Clarify Article 13.3 Forfeiture of study deposits for suspension.

On June 22, 2009, Novus Windpower, LLC filed a Motion to Intervene and Protest, which states many of SPP's proposed tariff changes are not just and reasonable under the Commission's independent entity variation standard of review and that SPP's transition procedures are unjust and unreasonable.

On June 22, 2009, Oklahoma Gas and Electric Company filed a Motion to Intervene and Comments. OG&E supports the core elements of SPP's new interconnection rules, but suggests the following modifications: 1) SPP should conduct PISIS and DISIS studies every 120 days; 2) SPP should be required to comply with the Tariff's deadlines (instead of "Reasonable Efforts"); and 3) SPP should issue study results upon completion.

On June 22, 2009, Renewable Energy Systems Americas Inc. filed a Motion to Intervene and Protest, which requests the procedures for adding requests to transitional cluster should be revised to ensure that later queued projects ready to move forward are studied as soon as possible.

On June 22, 2009, Xcel Energy Services, Inc. filed a Motion to Intervene and Comments, which states Xcel supports SPP's filing and believes the proposed tariff changes will result in significant improvements in SPP's queue processing procedures. Xcel adds that SPP and FERC should maintain a focus on the need for more transmission in the SPP region, which will still be needed to accommodate the significant amount of generation seeking to interconnect to the SPP grid.

On June 24, 2009, Iberdrola Renewables, Inc. filed a Motion to Intervene Out of Time.

On July 2, 2009, Acciona Wind Energy USA LLC filed a Motion to Intervene Out of Time and Comments. Acciona requests that the Commission delay the effective date by 90 days. They also commended regarding Site Control, cure period for data deficiencies, and milestones for entering DISIS.

On July 7, 2009, SPP filed its Answer to various comments and protests. SPP states: 1) the lengths of the Interconnection Study Queue Window and study periods are reasonable and should not be changed; 2) status reports concerning interconnection studies should not be required; 3) the revised Site Control requirements in the reformed Interconnection Procedures are reasonable; 4) the elimination of cure periods for requests to enter the PISIS Queue and DISIS Queue is appropriate and will reduce delays; 5) interconnection customers with projects that fail to achieve commercial operation will be compensated for costs incurred for Network Upgrades through Attachments Z1 and Z2 of the SPP Tariff; 6) SPP's proposed suspension provisions provide certainty to all interconnection customers while retaining necessary flexibility; 7) SPP's proposed transition procedures are just and reasonable and are consistent with

			<p>similar Commission-approved procedures; 8) provision of Network Resource Interconnection Service (“NRIS”) is not at issue in this proceeding; 9) Interim interconnection service should not be addressed in this proceeding; and 10) good cause exists for waiver of the Commission’s notice requirements and to permit a June 2, 2009 effective date</p>
106.	ER09-1255	<p>Large Generator Interconnection Agreement (“LGIA”) between Wind Farm Bear Creek, LLC (“Bear Creek”) as Interconnection Customer and Sunflower Electric Power Corporation (“Sunflower”) as Transmission Owner</p>	<p>On June 1, 2009, SPP submitted an unexecuted LGIA between SPP as Transmission Provider, Wind Farm Bear Creek, LLC as Interconnection customer, and Sunflower Electric Power Corporation as Transmission Owner. SPP Service Agreement No. 1818.</p> <p>The agreement was submitted on an unexecuted basis because Sunflower nor Bear Creek signed the agreement due to disputes with SPP concerning: (a) whether Sunflower has any mechanism to mitigate the effects and recover any costs due to increase imbalance and scheduling charges resulting from Bear Creek’s participation in SPP’s EIS Market; and (b) whether Bear Creek has followed the correct procedure to receive Network Resource Interconnection Service in accordance with SPP’s OATT.</p> <p>An effective date of May 29, 2009 is requested.</p> <p>On June 22, 2009, Wind Farm Bear Creek, LLC filed a Motion to Intervene and Protest, which asks that FERC accept the unexecuted LGIA as filed, with a requirement that SPP allow Bear Creek to apply for NRIS consistent with Order No. 2003.</p> <p>On June 22, 2009, Sunflower and Mid-Kansas Electric Company (“KS G&T TOs”) filed a Motion to Intervene and Protest regarding the dispute concerning participation of Bear Creek in SPP’s EIS Market. Sunflower and MKEC ask the Commission to declare that a generator may not participate in the SPP EIS Market without 1) SPP study of the network upgrades required to deliver the output load; and 2) a contract for delivery service that makes the generator also liable for ancillary services, including balancing services; or ,in the alternative, set this matter for hearing to determine whether the LGIA imposes unjust, unreasonable, and unduly discriminatory costs on Sunflower BA’s customers, given Bear Creek assertion that even without delivery service, it may participate in the SPP EIS Market.</p> <p>On July 7, 2009, SPP submitted its answer to protests and requests for modifications. SPP states: 1) Interconnection Customers are not required to take transmission service to participate in SPP’s EIS Market; 2) the KS G&T TOs’ challenge to Commission-approved tariff provisions not at issue in this proceeding should be rejected; and 3) requiring Interconnection Customers seeking NRIS to submit a request for Network Service is consistent with SPP’s Tariff and Commission Policy.</p>
107.	ER09-1258	<p>Large Generator Interconnection Agreement (“LGIA”) between Novus Wind I, LLC (“Novus”) as Interconnection Customer and Southwestern Public</p>	<p>On June 1, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Novus Wind I, LLC as Interconnection customer, and Southwestern Public Service Company as Transmission Owner. SPP Service Agreement No. 1815.</p> <p>An effective date of May 29, 2009 is requested.</p>

		Service Company (“SPS”) as Transmission Owner	
108.	ER09-1338	SPP Submission of Revisions to its OATT to Modify Energy Imbalance Service Market	<p>On June 22, 2009, SPP submitted tariff revisions to revise section 4.6 of Attachment AE of its OATT. SPP proposes to clarify SPP’s application of Violation Relaxation Limits (“VRL”) in its real-time energy imbalance service market (“EIS Market”) and to provide greater transparency in the determination of VRLs.</p> <p>An effective date of August 21, 2009 is requested.</p>
109.	ER09-1343	SPP Submission of Changes to Pricing Zones for Westar Energy, Inc. (“Westar”) and Oklahoma Gas & Electric Company (“OG&E”)	<p>On June 23, 2009, SPP submitted revised pages to its OATT intended to implement rate changes for Westar Energy, Inc. and Oklahoma Gas & Electric Company. Westar has requested SPP to correct the previously filed rates as to stop collecting the revenue requirement for Spring Creek facilities, and to submit to FERC the filing necessary to update SPP’s Tariff to reflect the sale of the Spring Creek facilities to OG&E.</p> <p>An effective date of January 1, 2009 is requested.</p>
110.	ER09-1352	SPP Submission of Revisions to its OATT to Reflect Revenue Requirements on Certain SPP Transmission Owners and to Update the list of Grandfathered Agreements in Attachment W	<p>On June 25, 2009, SPP submitted revisions to its OATT to reflect the revenue requirements of certain SPP Transmission Owners to reflect the revenue requirements of Nebraska Public Power District (“NPPD”), Omaha Public Power District (“OPPD”), and Lincoln Electric System (“LES”) into Addendum 1 to Schedule 1 of the SPP Tariff, governing revenue distribution of through and out service. This filing also updates the list of Grandfathered Agreements for NPPD and LES contained in Attachment W of the SPP Tariff.</p> <p>An effective date of April 1, 2009 is requested.</p>
111.	ER09-1370	Interim Large Generator Interconnection Agreement (“LGIA”) between Oklahoma Gas and Electric Company (OG&E) as Interconnection Customer and Transmission Owner	<p>On June 29, 2009, SPP submitted an executed Interim Large Generator Interconnection Agreement between SPP as Transmission Provider, and Oklahoma Gas and Electric Company as Interconnection Customer and Transmission Owner. SPP Service Agreement No. 1821.</p> <p>An effective date of May 30, 2009 is requested.</p>

112.	ER09-1380	Executed Network Integration Transmission Service Agreement (“NITSA”) between SPP, Arkansas Electric Cooperative Corporation (“AECC”) as Network Customer, and American Electric Power Service Corporation (“AEP”) as Host Transmission Owner, as well as a Network Operating Agreement (“NOA”)	<p>On June 30, 2009, SPP filed an executed Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Arkansas Electric Cooperative Corporation as Network Customer, as well as an executed Network Operating Agreement between SPP as Transmission Provider, AECC as Network Customer, and American Electric Power Service Corporation, as agent for Southwestern Electric Power Company, as Host Transmission Owner. SPP Service Agreement No. Second Revised 1518.</p> <p>Section 8.9 of Attachment 1 to the Service Agreement has been modified to provide that SPP will make contractual arrangements for the construction of the Network Upgrade on the SPA system, but that AECC’s obligation to make payments pursuant to the specified schedule is suspended until SPP has made contractual arrangements with SPA for the construction of the Network Upgrade.</p> <p>An effective date of December 1, 2008 is requested.</p> <p>These agreements replace Service Agreement No. First Revised 1518 filed in ER09-439.</p>
113.	ER09-1386	SPP Filing of an Executed Service Agreement for Firm Point-to-Point Transmission Service between SPP as Transmission Provider and Kansas Municipal Energy Agency (“KMEA”) as Transmission Customer	<p>On July 1, 2009, Southwest Power Pool, Inc. submitted two executed service agreements for Firm Point-To-Point Transmission Service between SPP as Transmission Provider and Kansas Municipal Energy Agency as Transmission Customer. SPP Service Agreement Nos. 1824 and 1825. These agreements replace Service Agreement No. 1271 filed in ER06-1349, and therefore, SPP submitted a notice of cancellation of SA 1271 in this filing.</p> <p>An effective date of June 1, 2009 is requested.</p>
114.	ER09-1397	Unexecuted Network Integration Transmission Service Agreement (“NITSA”) between SPP, Kansas Power Pool (“KPP”) as Network Customer, and Midwest Energy, Inc. (“Midwest Energy) and Westar Energy, Inc. (“Westar”) as Host	<p>On July 1, 2009, Southwest Power Pool, Inc. submitted to FERC an unexecuted Service Agreement for Network Integration Transmission Service between SPP as Transmission Provider and Kansas Power Pool as Network Customer. In addition, SPP submitted the following two unexecuted Network Operating Agreements: 1) a NOA among SPP as the Transmission Provider, KPP as the Network Customer, and Westar Energy, Inc. as the Host Transmission Owner; and 2) a NOA among SPP as the Transmission Provider, KPP as the Network Customer, and Midwest Energy, Inc. as the Host Transmission Owner. SPP Service Agreement No. 1822.</p> <p>SPP also submitted notices of cancellation for four Network Service Agreements: 1) SA First Revised 1311, filed in ER08-1324; 2) SA 1632, filed in ER08-1054; 3) SA 1633, filed in ER08-1045; 4) SA First Revised 1051, filed in ER09-175. These agreements are replaced by SA 1822.</p> <p>An effective date of June 1, 2009 is requested.</p>

		Transmission Owners, as well as a Network Operating Agreement (“NOA”)	
115.	ES09-25	Application of SPP Under Section 204 of the Federal Power Act for an Order Authorizing the Issuance of Securities	<p>On April 10, 2009, SPP filed an Application Under Section 204 of the Federal Power Act for an Order Authorizing the Issuance of Securities. SPP seeks authorization to issue up to \$30,000,000 in non-secured Promissory Notes. The Notes will be used for general corporate purposes, including funding of various capital projects scheduled for 2009, 2010, and 2011. SPP requests that the Commission approve this application by May 8, 2009, so that SPP may conclude the issuance of securities.</p> <p>On April 17, 2009, SPP submitted a Supplemental Filing to provide a Computation of Interest coverage based on the expected rates for the Notes.</p> <p>On April 21, 2009, SPP submitted a Supplemental Filing to revise the Computation of Interest Coverage submitted in the April 17 Filing to remove certain components of the calculation at the Commission’s request.</p> <p>On May 6, 2009, FERC issued a letter order granting the request to for authorization to issue unsecured promissory notes in an aggregate principal amount not to exceed \$30 million. Authorization expires on May 6, 2011. SPP is to file a Report of Securities Issued no later than 30 days after the sale or placement of long-term debt or equity securities.</p> <p>On June 10, 2009, SPP filed an Amendment to the April 10 Filing. SPP incorrectly indicated the Notes would mature in 2015. However, the Notes will mature in 2016. SPP requests approval of this amendment.</p> <p>On June 22, 2009, FERC issued a letter order accepting the June 10 amendment to reflect that the notes will mature in 2016, not 2015.</p> <p>This order constitutes final agency action.</p>
116.	None	SPP Filing of FERC-582 (Year 2008) for Computation of FERC Electric Annual Charges Assessed to Public Utilities	<p>On April 27, 2009, SPP submitted its FERC Reporting Requirement No. 582 for the year 2008, indicating transmission service of 201,114,192 MWh. Link to filing: http://elibrary.ferc.gov/idmws/File_list.asp?document_id=13711732</p>
117.	PL09-4	Smart Grid Policy - Proposed Policy Statement and Action Plan	<p>On March 19, 2009, FERC issued a Proposed Policy Statement and Action Plan on the Smart Grid Policy. Comments are due May 11, 2009.</p> <p>This proposed policy statement and action plan provides guidance to inform the development of a smarter grid for the Nation’s electric transmission system focusing on the development of key standards to achieve interoperability of smart grid devices and systems. The Commission also proposes a rate policy for the interim period until interoperability standards are adopted. Smart grid investments that demonstrate system security and compliance with Commission-</p>

			<p>approved Reliability Standards, the ability to be upgraded, and other specified criteria will be eligible for timely rate recovery and other rate treatments. This rate policy will encourage development of smart grid systems.</p> <p>On May 19, 2009, the Commission issued a notice seeking supplemental comments regarding rate recovery for certain grid investments. In the May 21, 2009 Notice of Extension of Time, the comment deadline was extended to and including June 2, 2009.</p>
118.	OA09-23	SPP filing of a waiver request of certain posting requirements set forth in Order No. 890 (890 AFC-ATC Waiver Request)	<p>On March 26, 2009, SPP filed a waiver request, to the extent that such waiver is needed, of certain posting requirements set forth in Order No. 890. As detailed in the filing, SPP makes available to its customers a query software tool called a "Scenario Analyzer" enabling customers to convert Available Flowgate Capacity ("AFC") into Available Transfer Capability ("ATC") for a specified transmission path. Until recently, SPP believed that the availability of its Scenario Analyzer satisfied the requirement to make ATC values available to its customers. However, action in a recent Commission proceeding suggests that SPP may require a waiver from the Commission in order to rely upon the Scenario Analyzer. Accordingly, SPP is requesting a waiver, to the extent necessary, until June 30, 2009, to enable it to continue to rely on its Scenario Analyzer to provide a means for customers to convert AFC into ATC rather than posting ATC and related Total Transmission Capacity ("TTC"), Capacity Benefit Margin ("CBM") and Transmission Reliability Margin ("TRM") values on its Open Access Same-Time Information System ("OASIS").</p> <p>On May 29, 2009, FERC issued an Order Granting Waiver of Conversion and Posting Requirements. The limited waiver is granted until June 30, 2009. SPP is implementing a new OASIS site on June 30 that will automatically convert Available Flowgate Capacity to Available Transfer Capability values. SPP will post such values after June 30.</p>
119.	RR09-4	NERC Petition for Approval of Proposed Revisions to Bylaws of SPP	<p>On May 21, 2009, NERC submitted a Petition for Approval of Proposed Revisions to Bylaws of Southwest Power Pool, Inc.</p> <p>Please see Docket No. ER09-1192 for the related SPP filing.</p>
120.	ZZ09-1	SPP's CPA Certification Statement for 2008 Form 1	<p>On May 15, 2009, SPP's CPA Certification Statement for the 2008 Form 1 was filed in Docket No. ZZ09-1.</p>
121.	CE08-88	Ching Yee Janny Chen-Read's Request for Critical Energy Infrastructure Information ("CEII") – Siemens PTI	<p>On February 19, 2008, Ching Yee Janny Chen-Read and twenty-eight other employees of Siemens PTI filed a CEII request with FERC to obtain a copy of Parts 1 through 6 of the FERC Form No. 715 filed by SPP in 2007.</p> <p>SPP submitted comments on March 21, 2008.</p> <p>FERC granted this request on May 27, 2008.</p> <p>On April 20, 2009, Janny J. Chen-Read provided a notice by email that Siemens PTS is seeking to add the following requesters to their group request in this docket: Sanket Adhikari, Ken Audet, Alison Coleman, Renee Devine, Brian Gemmell, Geraldine Hoffman, Tom Imel, Biju Mohan, Nancy Pfuntner, Kavita Sheno, Margherite Williams, Yaming</p>

			<p>Zhu, Aty Edris, Armando Ferreira, David Lovelady, Gregory Mahlum, Hari Singh, Rahua You, and George Zhou.</p> <p>SPP submitted comments on this request April 27, 2009.</p>
122.	CE08-189	<p>Matthew Tate's Group Request for Critical Energy Infrastructure Information ("CEII") – DC Energy Holdings, LLC</p>	<p>On June 18, 2008, Matthew Tate and forty-nine additional employees of DC Energy Holder, LLC filed a group CEII request to obtain FERC Form No. 715 data for all of North America.</p> <p>Comments on this request were submitted July 14, 2008.</p> <p>FERC granted this request on August 28, 2009.</p> <p>On October 29, 2008, Adam Lutz of DC Energy provided notice pursuant to 18 C.F.R. § 388.113(d)(4)(vi) (2008) that the following employees seek addition to the previously approved group request in this docket: Caroline Furman, Roxanna Ward, Ben Warren, Hyungjun Lee, Jonathan Halpert, Refik Dula, Max Rausch, Rahul Singh, Chloe Kim, Minggang Guo, Konstantinos Rokas, Scott Stern, Pares Jain, Taylor Moulton, Christopher Pallotta, and Martina Hayes.</p> <p>SPP submitted comments on October 31, 2008.</p> <p>On June 19, 2009, Adam Lutz of DC Energy provided notice pursuant to 18 C.F.R. § 388.113(d)(4)(vi) (2008) that DC Energy is seeking to add the following employees to the previously approved group request in this docket: Tal Levy, Mike Rossi, Lori Simpson, and Peter Zhang.</p> <p>SPP submitted comments on this request June 22, 2009.</p>
123.	CE08-283	<p>Judah Rose, et al.'s Request for Critical Energy Infrastructure Information – ICF International, Inc.</p>	<p>On September 15, 2008, Judah Rose filed a FERC CEII request, on behalf of himself and nine additional ICF International, Inc. employees, to obtain a copy of all FERC Form 715 data, as noticed November 17, 2008.</p> <p>SPP submitted comments on this request November 21, 2008.</p> <p>FERC granted this request on February 10, 2009.</p> <p>On October 22, 2008, Judah Rose submitted a request to add Yasir Altaf to the ICF group request, as noticed April 3, 2009; this addition was inadvertently admitted from consideration by Commission staff.</p> <p>SPP submitted comments on this request April 8, 2009.</p>
124.	CE09-28	<p>Michael Taylor's Request for Critical Energy Infrastructure Information – ITC Holdings Corporation</p>	<p>On November 19, 2008, Michael Taylor of ITC Holdings Corporation filed a FERC CEII request to obtain information related to powerflows and other related data pertaining to the MISO-PJM Joint Coordinated System Plan, as noticed December 29, 2008.</p> <p>SPP submitted comments on this request January 6, 2009.</p> <p>FERC granted this request on February 25, 2009.</p> <p>On April 13, 2009, Henry Schwab submitted a request to be added to the ITC Holdings request submitted in this docket</p>

			<p>on November 19, 2008 and approved by the Commission on February 25, 2009.</p> <p>SPP submitted comments on this request April 13, 2009.</p> <p>FERC approved these additional requesters May 13, 2009.</p>
125.	CE09-59	David Jones's Request for Critical Energy Infrastructure Information – BP Wind Energy North America, Inc.	<p>On February 11, 2009, David Jones of BP Wind Energy North America, Inc. filed a FERC CEII request to obtain the Joint Coordinated System Planning (“JCSP”) Reliability Model, as noticed March 18, 2009.</p> <p>SPP submitted comments on this request March 25, 2009.</p> <p>FERC granted this request on May 21, 2009.</p>
126.	CE09-60	Gary Moland, et al.'s Request for Critical Energy Infrastructure Information – Ventyx	<p>On February 10, 2009, Gary Moland and twenty additional employees of Ventyx filed a FERC CEII request to obtain FERC Form No. 715 data for SPP, PJM, and MISO, as noticed March 18, 2009.</p> <p>SPP submitted comments on this request March 25, 2009.</p> <p>FERC issued a Notice of Intent to Release on June 9, 2009.</p>
127.	CE09-62	James Bingaman, et al.'s Request for Critical Energy Infrastructure Information – EPIS, Inc.	<p>On February 4, 2009, James Bingaman filed a FERC CEII request to obtain a copy of SPP's FERC Form No. 715 data, as noticed March 6, 2009.</p> <p>SPP submitted comments on this request March 16, 2009.</p> <p>FERC granted this request on April 23, 2009.</p>
128.	CE09-68	Greg Riblett, et al.'s Request for Critical Energy Infrastructure Information – Energy Endeavors, LLC	<p>On February 23, 2009, Greg Riblett filed a FERC CEII request on behalf of himself and twelve additional employees of Energy Endeavors, LLC (Peter Jones, Shawn Sheehan, John Charette, Gary Wrinn, William Rogers, Jack Wells, Robert Jones, Nicole Simpson, Jeffrey Miller, Adam Hughes, Moussa Kourouma, and Daniel Jones) to obtain a copy of SPP's FERC Form No. 715 data, as noticed March 4, 2009.</p> <p>SPP's comments on this request are due March 11, 2009.</p> <p>SPP submitted comments on this request March 11, 2009.</p> <p>FERC granted this request on April 2, 2009.</p>
129.	CE09-69	Thomas Nieder's Request for Critical Energy Infrastructure Information – Homeland Energy Systems, LLC	<p>On January 5, 2009, Thomas Nieder of Homeland Energy Systems, LLC filed a FERC CEII request to obtain detailed maps of electric lines in Northwestern and Southwestern Missouri, Iowa, Kansas, and Nebraska, as noticed March 18, 2009.</p> <p>SPP submitted comments on this request March 25, 2009.</p> <p>FERC granted this request on April 8, 2009.</p>
130.	CE09-70	Samuel Enfield's Request for Critical	<p>On March 2, 2009, Samuel Enfield of SEE 3 LTD filed a FERC CEII request to obtain transmission system diagrams for WECC, MISO, and SPP, as noticed March 18, 2009.</p>

		Energy Infrastructure Information – SEE 3 LTD	SPP submitted comments on this request March 25, 2009. FERC granted this request on April 9, 2009.
131.	CE09-75	Bradley Schwarz' Request for Critical Energy Infrastructure Information – E.ON Climate and Renewables North America, Inc.	On March 4, 2009, Bradley Schwarz of E.ON Climate Renewables North America, Inc. filed a FERC CEII request to obtain a copy of SPP's FERC Form No. 715 data and the SPP Transmission Map, as noticed March 18, 2009. SPP submitted comments on this request March 25, 2009. FERC granted this request on April 9, 2009.
132.	CE09-76	Manos Obessis' Request for Critical Energy Infrastructure Information – PowerGEM, LLC	On March 4, 2009, Emmanouil "Manos" Obessis, Vice President, PowerGEM, LLC, filed a FERC CEII request to obtain the FERC Form No. 715 filings for 2007 and 2008, Parts 2 (load flow cases), 3 (maps and diagrams), and 6 (evaluation of system performance), as noticed April 29, 2009. SPP submitted comments on this request May 5, 2009.
133.	CE09-77	Steven Quoy's Request for Critical Energy Infrastructure Information – Alta Wind Energy Corp.	On March 4, 2009, Steven Quoy of Alta Wind Energy Corp. filed a FERC CEII request to obtain a copy of the SPP Transmission Map, as noticed March 18, 2009. SPP submitted comments on this request March 25, 2009. FERC granted this request on April 9, 2009.
134.	CE09-81	Monique Rowtham-Kennedy's Request for Critical Energy Infrastructure Information – AEP	On March 9, 2009, Monique Rowtham-Kennedy, Senior Counsel for AEP, filed a FERC CEII request to obtain a copy of the "geographical maps and associated information showing the Lamar Stall and John W. Turk generation facilities relative to the Clarksville-Dardanelle 161 kv circuit identified as CEII in Southwest Power Pool's <i>Submission of Response to Request for Additional Information</i> ," filed in FERC Docket Nos. ER08-1026 and ER09-342, as noticed to Matt Segers of Wright & Talisman March 30, 2009. SPP submitted comments on this request April 6, 2009.
135.	CE09-83	Jennifer MacLean's Request for Critical Energy Infrastructure Information – ITC Holdings	On March 10, 2009, Jennifer MacLean of ITC Holdings filed a FERC CEII request to obtain powerflow and related data pertaining to the MISO-PJM Coordinated System Plan along with FERC Form No. 715 filings for other Transmission Owners within the Eastern Interconnection, as noticed March 30, 2009. SPP submitted comments on this request April 3, 2009. FERC issued a Notice of Intent to Release on June 11, 2009.
136.	CE09-84	Aleksandr Rudkevich's Request for Critical Energy Infrastructure Information – CRA International	On March 10, 2009, Aleksandr Rudkevich of CRA International filed a FERC CEII request to obtain SPP's most recent FERC Form No. 715 filing, as noticed March 30, 2009. SPP submitted comments on this request April 3, 2009. FERC granted this request on May 21, 2009.

137.	CE09-86	Dr. Eugene Preston's Request for Critical Energy Infrastructure Information – Transmission Adequacy Consulting	On March 6, 2009, Dr. Eugene Preston of Transmission Adequacy Consulting filed a FERC CEII request to obtain a copy of SPP load flow data, as noticed March 31, 2009. SPP submitted comments on this request March 31, 2009. FERC issued a Letter of Release April 13, 2009.
138.	CE09-88	Gregory Don Adam's Request for Critical Energy Infrastructure Information – Consultant for Chermac Energy Corporation	On March 16, 2009, Gregory Don Adams, consultant for Chermac Energy Corporation, filed a FERC CEII request to obtain a copy of SPP's FERC Form No. 715 data, as noticed April 1, 2009. SPP submitted comments on this request April 8, 2009.
139.	CE09-90	Kiran Thammineni's Request for Critical Energy Infrastructure Information – Ameren Services Company	On March 17, 2009, Kiran Thammineni of Ameren Services Company filed a FERC CEII request to obtain FERC Form No. 715 data filed by SPP in 2007 and 2008, as noticed March 31, 2009. SPP submitted comments on this request April 3, 2009. FERC granted this request on April 23, 2009.
140.	CE09-91	Neil Copeland's Request for Critical Energy Infrastructure Information – R.W. Beck, Inc.	On March 17, 2009, Neil Copeland of R.W. Beck, Inc. filed a FERC CEII request to obtain a copy of SPP's FERC Form No. 715 data, as noticed March 31, 2009. SPP submitted comments on this request April 3, 2009. FERC granted this request on May 6, 2009.
141.	CE09-96	John Cobb's Request for Critical Energy Infrastructure Information – Green Breeze Energy, Inc.	On March 23, 2009, John Cobb of Green Breeze Energy, Inc. filed a FERC CEII request to obtain a copy of the SPP Transmission Maps, as noticed April 1, 2009. SPP submitted comments on this request April 8, 2009.
142.	CE09-98	Deckonti Dennis' Request for Critical Energy Infrastructure Information – Quntum Energy, LLC	On April 1, 2009, Deckonti Dennis of Quntum Energy, LLC filed a FERC CEII request to obtain a copy of FERC's 2007 Form No. 715 data, as noticed April 3, 2009. SPP submitted comments on this request April 10, 2009.
143.	CE09-102	Martin Baughman's Request for Critical Energy Infrastructure Information – Southwest Energy Associates, Inc.	On April 1, 2009, Martin Baughman of Southwest Energy Associates, Inc. filed a FERC CEII request to obtain a copy of FERC's Form No. 715 data provided as part of the Annual Transmission Planning and Evaluation Report as of April 1, 2009, as noticed April 3, 2009. SPP submitted comments on this request April 10, 2009.
144.	CE09-104	Rodney Nefsky's	On April 2, 2009, Rodney Nefsky of National Rural Utilities Cooperative Finance Corporation filed a FERC CEII

		Request for Critical Energy Infrastructure Information – National Rural Utilities Cooperative Finance Corporation	request to obtain a copy of FERC Form No. 715 data filed in 2008, as noticed April 3, 2009. SPP submitted comments on this request April 10, 2009.
145.	CE09-108	Laura Navarette’s Request for Critical Energy Infrastructure Information – Texas Tech University	On April 6, 2009, Laura Navarette, Graduate Research Assistant, Natural Resource Management Department of Texas Tech University, filed a FERC CEII request to obtain a copy of SPP’s FERC Form No. 715 data, as noticed April 23, 2009. SPP submitted comments on this request April 29, 2009.
146.	CE09-111	Matthew J. Picardi, et al.’s Request for Critical Energy Infrastructure Information – Shell Energy North America (US), L.P.	On May 5, 2009, Matthew J. Picardi filed a FERC CEII request on behalf of himself and 18 additional employees of Shell Energy North America (US), L.P. to obtain a copy the most recent FERC Form 715 data for entities in NERC, as noticed May 22, 2009. SPP submitted comments on this request June 1, 2009. FERC issued a Notice of Intent to release on July 1, 2009.
147.	CE09-112	Jeff Roberts and Ralph Folkers’ Request for Critical Energy Infrastructure Information – Roberts & Folkers Associates, LLC	On April 28, 2009, Jeff Roberts and Ralph Folkers of Roberts and Folkers Associates, LLC filed a FERC CEII request to obtain a copy of FERC Form No. 715 data for all areas, as noticed May 26, 2009. SPP submitted comments on this request June 2, 2009.
148.	CE09-118	Hui-Fung Francis Wang, et al.’s Request for Critical Energy Infrastructure Information – Entergy Services, Inc.	On May 12, 2009, Hui-Fung Francis Wang filed a FERC CEII request on behalf of herself and three additional Entergy Services, Inc. employees (Hoa Luis Tong, Jasmine Nguyen, and Kathleen O’Brien) to obtain a copy of “transmission line information, power flow cases and maps published by transmission owners, operators and ISOs”, as noticed May 26, 2009. SPP submitted comments on this request June 2, 2009. FERC issued a Notice of Intent to Release on July 1, 2009.
149.	CE09-119	Elizabeth N. LaRose, et al.’s Request for Critical Energy Infrastructure Information – General Electric International, Inc.	On May 12, 2009, Elizabeth N. LaRose filed a group FERC CEII request on behalf of herself and 28 additional General Electric International, Inc. employees to obtain a copy of all FERC Form No. 715 data filed with FERC beginning with the entire 2008-2009 filings, as noticed May 26, 2009. SPP submitted comments on this request June 2, 2009.
150.	CE09-125	David Maehl and Mahesh Luitel’s	On May 27, 2009, David Maehl and Mahesh Luitel of Electrical Consultants, Inc. (consultants to Third Plant Wind Power, LLC) filed a FERC CEII request to obtain a copy of regional load flow models for summer/winter peaks in

		Request for Critical Energy Infrastructure Information – Electrical Consultants, Inc.	2010 and light autumn 2010, as noticed June 5, 2009. SPP submitted comments on this request June 10, 2009.
151.	CE09-126	Geoff Broglio's Request for Critical Energy Infrastructure Information – Hudson Capital Management	On May 29, 2009, Geoff Broglio, Senior Associate, of Hudson Capital Management filed a FERC CEII request to obtain a copy of FERC Form No. 715 data for the entire U.S., as noticed June 12, 2009. SPP submitted comments on this request June 17, 2009.
152.	CE09-127	Henry P. Janhsen's Request for Critical Energy Infrastructure Information – NewCorp Resources Electric Cooperative	On May 29, 2009 Henry P. Janhsen, Transmission Operations Consultant, of NewCorp Resources Electric Cooperative filed a FERC CEII request to obtain a copy of FERC Form No. 715 data for SPP and SPS, as noticed June 12, 2009. SPP submitted comments on this request June 17, 2009.
153.	CE09-130	Edward Metz' Request for Critical Energy Infrastructure Information – PennWell Corp.	On June 8, 2009, Edward Metz, Vice President of Pennwell, filed a FERC CEII request to obtain a copy of all FERC Form No. 715 data, as noticed July 1, 2009. SPP submitted comments on this request July 6, 2009.
154.	CE09-132	Greg Boggs' Request for Critical Energy Infrastructure Information – Cap Rock Energy	On June 9, 2009, Greg Boggs, Director, Resource and Regulatory Administration, of Cap Rock Energy, filed a FERC CEII request to obtain a copy of FERC Form No. 715 data for SPP and SPS, as noticed June 24, 2009. SPP submitted comments on this request June 26, 2009.
155.	CE09-134	Michael Kinsey's Request for Critical Energy Infrastructure Information – EPIC Merchant Energy, LP	On June 10, 2009, Michael Kinsey, Vice President/Partner, of EPIC Merchant Energy, LP filed a FERC CEII request to obtain a copy of FERC Form No. 715 data for all NERC regions, as noticed June 24, 2009. SPP submitted comments on this request June 26, 2009.
156.	CE09-135	Russell Laplante, et al.'s Request for Critical Energy Infrastructure Information – OwnEnergy, Inc.	On June 9, 2009, Russell Laplante, Senior Financial Analyst, of OwnEnergy, Inc. filed a group FERC CEII request on behalf of himself and eight additional OwnEnergy, Inc. employees to obtain a copy of all FERC Form No. 715 data, as noticed June 24, 2009. SPP submitted comments on this request June 26, 2009.
157.	CE09-141	William H. Quaintance's Request for Critical Energy Infrastructure	On June 22, 2009, William H. Quaintance, Principal Engineer, Excel Engineering, Inc. filed a FERC CEII request to obtain a copy of NERC MMWG power flow and dynamic models, as noticed June 26, 2009. SPP submitted comments on this request July 6, 2009.

		Information –Excel Engineering, Inc.	
158.	CE09-145	Charles A. Vogel’s Request for Critical Energy Infrastructure Information – EverPower Renewables	On June 24, 2009, Charles A. Vogel, Manager – Transmission Planning, EverPower Renewables filed a FERC CEII request to obtain a copy of the loadflow basecase information and transmission system maps from SPP, as noticed June 26, 2009. SPP submitted comments on this request July 6, 2009.
159.	CE09-146	Stephen Fernands’ Request for Critical Energy Infrastructure Information – Customized Energy Solutions, Ltd.	On June 24, 2009, Stephen Fernandson, President, Customized Energy Solutions, Ltd. filed a FERC CEII request to obtain access to RTO transmission maps and power flow models, as noticed June 26, 2009. SPP submitted comments on this request July 6, 2009.
160.	CE09-147	Ike Gibbs, et al. Request for Critical Energy Infrastructure Information – J.P. Morgan Ventures Energy Corp.	On June 25, 2009, Ike Gibbs, Executive Director, J.P. Morgan Ventures Energy Corp. filed a FERC CEII request on behalf of Thorvin Anderson and Stephen Benchluch to obtain a copy of the latest Form No. 715 data for all markets, as noticed June 26, 2009. SPP submitted comments on this request July 6, 2009.
161.	Arkansas 06-154-U	In the Matter of the Application of Southwestern Electric Power Company (“SWEPCO”) for a Certificate of Environmental Compatability and Public Need for the Construction, Ownership, Operation and Maintenance of a Coal-Fired Baseload Generating Facility in Hempstead County, Arkansas (to build a proposed Turk Coal Plant)	The Arkansas Public Service Commission (APSC) granted SWEPCO a CECPN for the Turk Plant, subject to the conditions ordered, on November 21, 2007. On January 24, 2008, the Intervenors filed a motion to consolidate in this proceeding requesting that the APSC: (1) find that both Order No. 3 in Docket No. 06-024-U and Condition No. 2 of Order No. 11 in Docket No. 06-154-U have been violated; (2) reopen Docket Nos. 06-024-U and 06-154-U and consolidate them with Docket Nos. 08-001-U and 08-002-U, and (3) stay consideration of all matters until SPP has completed the congestion study required by the Commission, and until applications for all of the electric and gas transmission lines that will serve the Turk plant are filed and consolidated. APSC Staff, the Arkansas Attorney General’s Office and SWEPCO each submitted filings in opposition of Intervenors’ Motion to Consolidate. On February 8, 2008, Intervenors requested an extension of time to file a responsive pleading to SWEPCO’s Response to Intervenors’ Motion to Consolidate <u>until 10 days after their Petition to Intervene in Docket Nos. 08-001-U and 08-002-U is acted upon by the Commission.</u> The APSC has not yet acted on this request. Monthly status reports are being filed by SWEPCO, as required by Order No. 11. SWEPCO reports that the Arkansas Pollution Control & Ecology Commission Air Permit Hearing is scheduled for June 8-19 in Little Rock. An in-service date of October 1, 2012 is currently anticipated. On February 19, 2009, Intervenors Hempstead Hunting Club, et al. filed an application for rehearing of Orders No. 16

			<p>and 17 of Docket No. 06-154-U; Orders No. 5, 10, 12, 13 and 14 of Docket No. 08-001-U; Orders No. 4, 8, 10 and 12 of Docket No. 08-002-U; Orders No. 3, 5, 7 and 8 of Docket No. 08-098-U.</p> <p>The Commission denied rehearing on March 13, 2009 per Order No. 18.</p> <p>For associated activity in Louisiana and Texas, please see LPSC Docket No. U-29702 and PUCT Docket No. 33891.</p> <p>For the associated appeal of the APSC's Order No. 11 by Intervenors, please see Arkansas Court of Appeals Case No. CA 08-128, below.</p> <p>On June 24, 2009, the Arkansas Court of Appeals rejected the permit allowing construction. The court stated that 1) the APSC erred by failing to comply with the requirements of the CECPN statute; and 2) the APSC erred by failing to resolve conflicts in the testimony, that its decision was arbitrary, and is not supported by substantial evidence.</p> <p>The APSC's decision to grant the CECPN application to build the Turk Plant is reversed. If SWEPCO chooses to reapply for a CECPN, the APSC is to conduct a single proceeding in compliance with the Utility Act, to make the statutory findings required, to resolve all matters regarding the generation plant and transmission lines and basis of need for such a facility in a single proceeding, and provide appropriate notices with adequate opportunity for interested parties to participate in the decision.</p> <p>On July 1, 2009, SWEPCO filed a petition for review with the Arkansas Supreme Court.</p>
<p>162.</p>	<p>Arkansas Court of Appeals</p> <p>Case No. CA 08-128</p>	<p><u>Hempstead County Hunting Club, Inc. and Schultz Family Management Company v. Arkansas Public Service Commission, American Electric Power Company and Southwestern Electric Power Company</u></p> <p>(Turk Power Plant Appeal)</p>	<p>On January 29, 2008, the Hempstead Hunting Club, Inc. and Schultz Family Management Company filed a Notice of Appeal to the Arkansas Court of Appeals seeking reversal of the APSC's Order No. 11, issued November 21, 2007 in Docket No. 06-154-U, granting SWEPCO's CECPN for the Turk Plant subject to the conditions ordered therein.</p> <p>Intervenors filed an Amended Notice of Appeal on February 4, 2008, adding Po-boy Land Company, Inc. and Yellow Creek Corporation as Appellants.</p> <p>On February 4, 2008, the APSC filed a motion requesting that the Court strike the Amended Notice of Appeal in this case or, in the alternative, dismiss would-be Appellants Po-boy Land Company, Inc.'s and Yellow Creek Corporation's names from the matter. A responsive pleading was filed by the Appellants on February 25, 2008.</p> <p>On March 7, 2008, SWEPCO moved to dismiss the appeal in this proceeding, and the APSC has filed a response in support of SWEPCO's motion.</p> <p>On April 9, 2008, the Arkansas Court of Appeals issued an order denying SWEPCO's motion to dismiss the appeal in this proceeding and a separate order denying SWEPCO's motion to strike the amended notice of appeal and/or motion to dismiss appeal.</p> <p>On May 30, 2008, SWEPCO filed (1) a Motion to Certify and Transfer Case to the Arkansas Supreme Court and (2) its brief and memorandum of authorities in support of its motion.</p> <p>On June 3, 2008, the Appellants moved to consolidate Appeal CA 08-128 (Turk power plant appeal) and CA 08-662 (Transmission line appeal) into one proceeding.</p>

			<p>On June 9, 2008, the APSC filed a response in support of SWEPCO’s May 30, 2008 motion to certify and transfer the case to the Arkansas Supreme Court.</p> <p>On June 13, 2008, the APSC filed an objection to the Appellants’ Motion to Consolidate Appeals filed June 3, 2008.</p> <p>The deadline for Appellants’ brief was extended to July 21, 2008.</p> <p>The APSC filed its brief on October 22, 2008. Reply briefs were filed in mid-November.</p> <p>On December 11, 2008, the Arkansas Supreme Court denied Appellees’ motion to certify and transfer case to the Arkansas Supreme Court.</p> <p>On January 14, 2009, the Arkansas Court of Appeals issued an order denying the Motion of Charles Michael Turner, Donald, R. Johnson, Mary D. Johnson, Willis B. Smith and Patty F. Smith to file amicus curiae brief in support of the appellants.</p> <p>Oral arguments were held May 13, 2009.</p> <p>On June 24, 2009, the Arkansas Court of Appeals rejected the permit allowing construction. The court stated that 1) the APSC erred by failing to comply with the requirements of the CECPN statute; and 2) the APSC erred by failing to resolve conflicts in the testimony, that its decision was arbitrary, and is not supported by substantial evidence.</p> <p>On July 1, 2009, SWEPCO filed a petition for review with the Arkansas Supreme Court.</p>
163.	Arkansas Supreme Court SC09-718	<u>Hempstead County Hunting Club, Inc., Schultz Family Management Company, Po-Boy Land Company, Inc., and Yellow Creek Corporation v. Arkansas Public Service Commission and Southwestern Electric Power Company</u> (Turk Power Plant Appeal)	<p>On July 1, 2009, SWEPCO filed a petition for review with the Arkansas Supreme Court regarding the June 24, 2009 decision made by the Arkansas Court of Appeals in CA08-128.</p>

164.	Arkansas 06-172-U	Southwestern Electric Power Company's ("SWEPCO") Application for a Certificate of Public Convenience and Necessity ("CCN") to Rebuild and Convert its Existing 69 kV Transmission Line in Washington County to 161 kV between SWEPCO's Fayetteville and North Fayetteville Substations SPP was granted intervenor status on January 12, 2007.	On October 4, 2007, the APSC issued Order No. 6 granting SWEPCO's CCN application, also granting a variance zone of a reasonable distance, not to exceed 500 feet on the east side of the center line of the approved route, to accommodate the concerns and objections of Neal and Gina Pendergraft, the Ross Pendergraft Trust and the University of Arkansas. This docket closed December 6, 2007 pursuant to APSC Order No. 7. On February 2, 2009, SWEPCO filed its final construction report.
165.	Arkansas 07-060-U	In the Matter of the Application of SPP for Authority to Issue up to \$50,000,000 in Non-Secured Promissory Notes with a Maturity Not to Exceed Eight Years	On August 23, 2007, the APSC issued Order No. 2 granting SPP's May 22, 2007 Application for Authority to Issue Indebtedness and Request for an Expedited Order. On April 22, 2009, the APSC issued Order No. 3 closing this docket.
166.	Arkansas 08-001-U	In the Matter of the Application of Southwestern Electric Power Company ("SWEPCO") for a Certificate of Environmental Capability and Public Need ("CECPN") for the Construction, Ownership, Operation and Maintenance of a 138 kV Transmission	On January 15, 2008, SWEPCO filed an application for a CECPN seeking authority to build a transmission substation at the John W. Turk, Jr. Generation Facility and a 138 kV transmission line originating at SWEPCO's existing Southeast Texarkana Station in Texarkana, Arkansas and terminating at the proposed Turk Station. This proposed 138 kV transmission line is one of two new 138 kV transmission lines that will connect the Turk Generation Facility to the existing transmission infrastructure. On July 3, 2008, the APSC issued Order Nos. 5 and 4, respectively, allowing intervention by the Hempstead County Hunting Club, Inc., the Po-Boy Land Company, Inc., the Yellow Creek Corporation, the Schultz Family Limited Partnership and its General Partner, the Schultz Family Management Company. F. Patrick Schultz and Mary O'Boyle are entitled to make a "limited appearance" pursuant to Rule 3.04(b) of the APSC's Rules of Practice and Procedure. In these orders, the Commission clarifies that, "the issue of SWEPCO's need for additional generation resources which was decided in Docket No. 06-424-U and the environmental and other matters decided in Docket No. 06-154-U will not

Line Originating at the **Southeast Texarkana Station** Located in Texarkana, Arkansas and Terminating at a Proposed Station to be Constructed at the John W. Turk, Jr. Generation Facility Located in Hempstead County, Arkansas and for the Proposed Turk Station and Related Facilities

SPP was granted intervenor status on February 5, 2008.

be relitigated in the instant Dockets.” At 12-13. The intervenors are to participate as a “single and united interest represented by common legal counsel.” At 13.

On July 9, 2008, the Parties submitted a “Joint Motion to Establish Procedural Schedules” in Docket Nos. 08-001-U, 08-002-U and 08-098-U. It is proposed that a hearing begin October 28, 2008 for Docket No. 08-002-U, with the hearing for Docket No. 08-001-U beginning immediately thereafter, followed by the hearing for Docket No. 08-098-U.

SWEPCO has agreed to waive the requirement for beginning the hearing within 180 days on the first two CECPN applications.

On August 4, 2008, the APSC established a procedural schedule in these dockets: Staff/Intervenor Rebuttal Testimony was due September 19, 2008; Company/SPP Surrebuttal Testimony was due October 17, 2008.

SPP filed Jay Caspary’s Rebuttal Testimony on October 14, 2008.

Consecutive hearings were held on October 28, 2008 for 08-002-U, 08-001-U and 08-098-U.

On November 24, 2008, the APSC General Staff filed its Post-hearing Reply Brief in which Staff requests that the Commission grant SWEPCO its three separate CECPNs for the transmission lines necessary to serve the Turk Plant for the preferred routes, subject to the conditions outlined in the testimony of Staff witness Clark D. Cotton to which SWEPCO has agreed.

The Arkansas Public Service Commission (APSC) granted SWEPCO the requested CECPNs on January 20, 2009.

On February 13, 2009, Intervenor Donald R. Johnson, Mary D. Johnson and Charles Michael Turner filed in Docket No. 08-001-U their Application for Rehearing of Orders No. 4, 9, 13 and 14 issued April 21, 2008; August 4, 2008; January 20, 2009; and January 22, 2009, respectively, in Docket No. 08-001-U.

On February 17, 2009, Intervenor Willis B. Smith and Patty F. Smith filed in Docket No. 08-001-U their Application for Rehearing of Orders No. 4, 9, 13 and 14 issued on April 21, 2008; August 4, 2008; January 20, 2009; and January 22, 2009, respectively, in Docket No. 08-001-U.

On February 19, 2009, Intervenor Hempstead Hunting Club, et al. filed an application for rehearing of Orders No. 16 and 17 of Docket No. 06-154-U; Orders No. 5, 10, 12, 13 and 14 of Docket No. 08-001-U; Orders No. 4, 8, 10 and 12 of Docket No. 08-002-U; Orders No. 3, 5, 7 and 8 of Docket No. 08-098-U.

The Commission denied these Applications for Rehearing on March 13, 2009 per Order No. 18.

On March 17, 2009, Intervenor Donald R. Johnson, Mary D. Johnson, and Charles M. Turner filed a Notice of Appeal with the Arkansas Court of Appeals (Case No. CA 09-283).

On March 24, 2009, Willis B. Smith and Patty F. Smith filed a Notice of Appeal with the Arkansas Court of Appeals (Case No. CA 09-304).

			<p>On April 13, 2009, Hempstead County Hunting Club, Inc. and Shultz Family Management Company (“HCHC Intervenor”) filed a Notice of Appeal to the Arkansas Court of Appeals (Case No. CA 09-385).</p>
167.	<p>Arkansas Court of Appeals CA 08-662</p>	<p><u>Willis B. Smith, Jr. and Patty F. Smith v. Arkansas Public Service Commission</u> (Transmission Line Appeal)</p>	<p>On June 3, 2008, Willis B. Smith and Patty Smith filed a Notice of Appeal to the Arkansas Court of Appeals, appealing the APSC’s decision as set out in Order No. 4 in APSC Docket No. 08-001-U which granted their Petition to Intervene but allegedly limited their rights pursuant to the issues.</p> <p>On June 13, 2008, the APSC filed its Motion to Dismiss Appeal and Memorandum of Authorities. Appellants filed their response to this motion on June 23, 2008. The APSC filed its reply on June 30, 2008.</p> <p>On July 3, 2008, SWEPCO filed a reply to the Smiths’ response to motion to dismiss appeal</p>
168.	<p>Arkansas Court of Appeals CA 09-283</p>	<p><u>Donald R. Johnson, Mary D. Johnson and Charles Michael Turner v. Arkansas Public Service Commission</u></p>	<p>On March 17, 2009, Donald R. Johnson, Mary D. Johnson and Charles Michael Turner filed a Notice of Appeal to the Arkansas Court of Appeals, appealing the APSC’s Order Nos. 4, 9, 13 and 14 in Docket No. 08-001-U.</p> <p>On May 5, 2009, the Appellants filed a Motion to Consolidate Appeals. The Appellants claimed issues in this appeal and CA 08-128 “are essentially identical.”</p> <p>On May 7, 2009, the Appellants filed their brief.</p> <p>On May 15, 2009, the APSC filed an Objection to Appellant’s Motion to Consolidate Appeals.</p> <p>On May 15, 2009, the APSC filed a Motion to Stay Briefing Schedule.</p> <p>On June 3, 2009, the Appellees motions to say briefing schedule are granted.</p>
169.	<p>Arkansas Court of Appeals CA 09-304</p>	<p><u>Willis B. Smith and Patty F. Smith v. Arkansas Public Service Commission</u></p>	<p>On March 24, 2009, Willis B. Smith and Patty F. Smith filed a Notice of Appeal to the Arkansas Court of Appeals, appealing the APSC’s Order Nos. 4, 9, 13 and 14 in Docket No. 08-001-U.</p> <p>On April 29, 2009, a Notice of Filing of Appeal was issued, requiring the Appellant’s brief to be filed by June 8, 2009. The Appellee’s brief is due 30 days later. Reply brief is due 15 after appellee’s brief is filed.</p> <p>On May 6, 2009, the Appellants filed a Motion to Consolidate Appeals, asking that this proceeding be consolidated with CA 09-283 and CA 08-128.</p> <p>On May 15, 2009, the APSC filed its Response to Appellants’ Motion to Consolidate Appeals, stating that the proceedings both arise from APSC Docket 08-001-U and should be consolidated. The APSC adds that a portion of Appeal CA 09-385 arises out of 08-001-U as well, and that this portion should be consolidated with CA 09-283 and CA 09-304. The APSC opposes the consolidation of CA 09-304 with Appeal 08-128, which arose from APSC Docket 06-154-U.</p> <p>On May 15, 2009, the APSC filed a Motion to Stay Briefing Schedule.</p> <p>On June 3, 2009, the Appellees motions to say briefing schedule are granted.</p>

170.	Arkansas Court of Appeals CA 09-385	<p><u>Hempstead County Hunting Club, Inc. and Shultz Family Management Company v. Arkansas Public Service Commission</u></p>	<p>On April 13, 2009, Hempstead County Hunting Club, Inc. and Shultz Family Management Company (“HCHC Intervenor”) fled a Notice of Appeal to the Arkansas Court of Appeals, asking the denial of the Applications for Rehearing be reversed, and appealing the following orders:</p> <p>Docket No. 06-154-U: Order 16, 17 Docket No. 08-001-U: Order 5, 10, 12, 13, 14 Docket No. 08-002-U: Order 4, 8, 10, 12 Docket No. 08-098-U: Order 3, 5, 7, 8</p> <p>On April 28, 2009, the APSC and SWEPCO filed a Joint Motion to Separate the APSC Dockets Filed Jointly on Appeal. The APSC did not consolidate the three transmission line dockets because they each concern a separate major utility facility.</p> <p>On May 12, 2009, the Intervenor filed a Response to Appellees’ Joint Motion to Separate Arkansas Public Service Commission Dockets Filed Jointly on Appeal.</p> <p>On May 20, 2009, the Court of Appeals issued a formal order regarding the APSC’s motion for extension of time to file record. Time to file record is stayed pending disposition of appellees’ joint motion to separate the APSC dockets filed jointly on appeal.</p>
171.	Arkansas 08-002-U	<p>In the Matter of the Application of Southwestern Electric Power Company (“SWEPCO”) for a Certificate of Environmental Capability and Public Need (“CECPN”) for the Construction, Ownership, Operation and Maintenance of a 138 kV Transmission Line Originating at the Sugar Hill Station Located Near Texarkana, Arkansas and Terminating at a Proposed Station to be Constructed at the John W. Turk, Jr. Generation Facility Located in</p>	<p>On January 15, 2008, SWEPCO filed an application for a CECPN seeking authority to construct a new transmission substation at the John W. Turk, Jr. Generation Facility and a new 138 kV transmission line originating at SWEPCO’s existing Sugar Hill Station, located near Texarkana, Arkansas, and terminating at the proposed Turk Station.</p> <p>On July 3, 2008, the APSC issued Order Nos. 5 and 4, respectively, allowing intervention by the Hempstead County Hunting Club, Inc., the Po-Boy Land Company, Inc., the Yellow Creek Corporation, the Schultz Family Limited Partnership and its General Partner, the Schultz Family Management Company. F. Patrick Schultz and Mary O’Boyle are entitled to make a “limited appearance” pursuant to Rule 3.04(b) of the APSC’s Rules of Practice and Procedure.</p> <p>In these orders, the Commission clarifies that, “the issue of SWEPCO’s need for additional generation resources which was decided in Docket No. 06-424-U and the environmental and other matters decided in Docket No. 06-154-U will not be relitigated in the instant Dockets.” At 12-13. The intervenors are to participate as a “single and united interest represented by common legal counsel.” At 13.</p> <p>On July 9, 2008, the Parties submitted a “Joint Motion to Establish Procedural Schedules” in Docket Nos. 08-001-U, 08-002-U and 08-098-U. It is proposed that a hearing begin October 28, 2008 for Docket No. 08-002-U, with the hearing for Docket No. 08-001-U beginning immediately thereafter, followed by the hearing for Docket No. 08-098-U.</p> <p>SWEPCO has agreed to waive the requirement for beginning the hearing within 180 days on the first two CECPN applications.</p> <p>On August 4, 2008, the APSC established a procedural schedule in these dockets: Staff/Intervenor Rebuttal Testimony was due September 19, 2008; Company/SPP Surrebuttal Testimony was due October 17, 2008.</p>

		<p>Hempstead County, Arkansas and for the Proposed Turk Station and Related Facilities</p> <p>SPP was granted intervenor status on February 5, 2008.</p>	<p>SPP filed Jay Caspary’s Rebuttal Testimony on October 14, 2008.</p> <p>Consecutive hearings were held on October 28, 2008 for 08-002-U, 08-001-U and 08-098-U.</p> <p>On November 24, 2008, the APSC General Staff filed its Post-hearing Reply Brief in which Staff requests that the Commission grant SWEPCO its three separate CECPNs for the transmission lines necessary to serve the Turk Plant for the preferred routes, subject to the conditions outlined in the testimony of Staff witness Clark D. Cotton to which SWEPCO has agreed.</p> <p>On January 20, 2009, APSC issued an order granting the CECPN.</p> <p>Several parties filed applications for rehearing. In Order No. 13, issued on March 13, 2009, the Commission denied the applications for rehearing.</p>
<p>172.</p>	<p>Arkansas 08-098-U</p>	<p>In the Matter of the Application of Southwestern Electric Power Company for a Certificate of Environmental Compatibility and Public Need (“CECPN”) for the Construction, Ownership, Operating and Maintenance of a 345 kV Transmission Line Originating at the NW Texarkana Station Located Near Leary, Bowie County, Texas and Terminating at a Proposed Station to be Constructed at the John W. Turk, Jr. Generation Facility Located in Hempstead County, Arkansas</p>	<p>On July 1, 2008, SWEPCO filed a CECPN Application to construct a new 345 kV transmission line originating at the existing NW Texarkana Station near the city of Leary, Bowie County, Texas, traversing approximately 30 miles through Bowie County, Texas, and Hempstead, Miller and Little River Counties, Arkansas, and terminating at the proposed Turk Station located on the premises of the John W. Turk, Jr. Generation Facility in Hempstead County, Arkansas.</p> <p>The proposed Turk Station is the subject of pending CECPN applications in APSC Docket Nos. 08-001-U and 08-002-U.</p> <p>The authorization for the construction of the Turk Generation Facility was established in Docket No. 06-154-U by Order No. 11 entered on November 21, 2007.</p> <p>Direct Testimony has been filed by SWEPCO witnesses Terri Gallup, George Carpenter, Rob Reid, and Bob Tumilty.</p> <p>SPP moved to intervene in this proceeding on July 1, 2008. SPP is prepared to file the Direct Testimony of Jay Caspary as soon as its intervention is granted.</p> <p>On July 9, 2008, the Parties submitted a “Joint Motion to Establish Procedural Schedules” in Docket Nos. 08-001-U, 08-002-U and 08-098-U. It is proposed that a hearing begin October 28, 2008 for Docket No. 08-002-U, with the hearing for Docket No. 08-001-U beginning immediately thereafter, followed by the hearing for Docket No. 08-098-U.</p> <p>SWEPCO has agreed to waive the requirement for beginning the hearing within 180 days on the first two CECPN applications.</p> <p>On August 4, 2008, the APSC established a procedural schedule in these dockets: Staff/Intervenor Rebuttal Testimony was due September 19, 2008; Company/SPP Surrebuttal Testimony was due October 17, 2008.</p> <p>SPP filed Jay Caspary’s Rebuttal Testimony on October 14, 2008.</p>

			<p>Consecutive hearings were held on October 28, 2008 for 08-002-U, 08-001-U and 08-098-U.</p> <p>On November 24, 2008, the APSC General Staff filed its Post-hearing Reply Brief in which Staff requests that the Commission grant SWEPCO its three separate CECPNs for the transmission lines necessary to serve the Turk Plant for the preferred routes, subject to the conditions outlined in the testimony of Staff witness Clark D. Cotton to which SWEPCO has agreed.</p> <p>On January 20, 2009, APSC issued an order granting the CECPN.</p> <p>Several parties filed applications for rehearing. In Order No. 9, issued on March 13, 2009, the Commission denied the applications for rehearing.</p> <p>See related appeal case CA 09-385.</p>
173.	Arkansas 08-135-R	In the Matter of Amendments to the Rules of Practice and Procedure of the Arkansas Public Service Commission	<p>On September 25, 2008, the APSC opened this docket for the purpose of amendments to the Rules of Practice and Procedure.</p> <p>The Commission will appoint as members of a Drafting Committee ("DC") certain attorneys who have regularly appeared before the Commission for many years and therefore have extensive experience with practice before the Commission under the Rules. Any attorney with such practice and experience may request appointment by filing within seven (7) days of the date of this Order a letter requesting appointment. Thereafter, the Commission will designate the specific members of the DC. The DC shall include as appropriate and needed the Secretary of the Commission and the Information Technology Director of the Commission. The Chairman of the DC shall be Ms. Valerie Boyce, General Counsel for the General Staff of the Commission. Once the members are appointed, the DC shall develop and file within seventy-five (75) days the initial draft of a proposed comprehensive rewrite of the Rules.</p> <p>Thereafter, the Commission will establish a procedural schedule for the filing of initial and reply comments and a public hearing on the proposed amended Rules.</p> <p>The Secretary of the Commission shall serve a copy of this Order on all jurisdictional public utilities, the Attorney General of the State of Arkansas, the General Staff of the Commission and upon legal counsel for the Arkansas Electric Energy Consumers, Inc. and the Arkansas Gas Consumers, Inc. Such entities may become official parties to this Docket by filing within twenty (20) days of this Order a letter stating the intent to participate as an official party. A formal petition to intervene will not be required of such entities. Other entities desiring official party status shall file a formal petition to intervene pursuant to Rule 3.04 of the Rules.</p> <p>On October 10, 2008, the Commission issued Order No. 2, appointing the members of the Draft Committee for the Rules of Practice and Procedure.</p> <p>On November 3, 2008, the Commission issued Order No. 3, extending the deadline for the filing the initial draft of the proposed comprehensive rewrite of the Rules to June 1, 2009.</p> <p>On April 7, 2009, the Rules Drafting Committee filed a Motion to Amend the Filing Deadline Established by Order No.</p>

			<p>3 and to Authorize a Pilot Electronic Filing Program. The Drafting Committee proposes that the filing date be revised from June 1, 2009 to December 1, 2009. The Drafting Committee also encourages the Commission to authorize the Secretary of the Commission, with the assistance of the Drafting Committee, to implement a pilot electronic filing program during the pendency of this docket, so that the parties may use their actual experience in electronic filing processes during the drafting process.</p> <p>On April 20, 2009, the APSC issued Order No. 1. The April 7 Rules Drafting Committee (“RDC”) motion is granted. The RDC shall file the required rewrite on or before December 1, 2009. The Secretary of the Commission, with the assistance of the RDC, is authorized to initiate a pilot electronic filing program during the pendency of this proceeding.</p> <p>SPP outside counsel, Ed Skinner of Wright, Berry, Hughes & Moore, serves on the Drafting Committee.</p>
174.	Arkansas 08-136-U	<p>In the Matter of an Inquiry into Electric Transmission Issues within the Areas Served by the Southwest Power Pool Regional Transmission Organization and the Entergy Corporation as such Issues Affect Electric Service within Arkansas</p> <p>SPP is a party sua sponte to this proceeding.</p>	<p>On September 25, 2008, the APSC opened this docket to inquire into electric transmission issues within the areas served by the Southwest Power Pool RTO and Entergy as those issues might impact the electric service within Arkansas.</p> <p>The SPP-RTO, all jurisdictional electric public utilities, the General Staff of the Commission, the Attorney General and the Arkansas Electric Energy Consumers were granted official party status.</p> <p>The SPP-RTO is to file a briefing document not less than 30 days after the filing with FERC of the next quarterly report of the SPP-RTO as the ICT (Independent Coordinator of Transmission) and should also include a briefing of the monthly activities of the SPP-RTO market monitor during 2008.</p> <p>After that filing, the Commission will establish an expanded procedural schedule allowing for reply comments and public hearings as needed.</p> <p>On October 17, 2008, APSC issued an Order of Clarification. It requires SPP Inc. to file the most recent ICT Quarterly Report and the most recent monthly Market Monitoring Report by October 30, 2008. It also requires us, from today forward, to file these reports contemporaneously with APSC as they are filed with FERC (no limit on how long we have to do this). The remainder of the briefing document would be due January 15, 2009.</p> <p>On October 30, 2008, SPP filed the ICT Quarterly Performance Report (3 Quarter 2008) and the September 2008 Market Monitoring Report.</p> <p>On November 17, 2008, SPP filed the October 2008 Market Monitoring Report.</p> <p>On December 17, 2008, SPP filed the November 2008 Market Monitoring Report.</p> <p>On December 23, 2008, SPP filed the ICT Quarterly Performance Report (4 Quarter 2008).</p> <p>On January 2, 2009, SPP filed a Motion for an Extension of Time to File Briefing Document. An extension to March 16, 2009 was requested.</p>

On January 9, 2009, APSC granted SPP's request for extension of time. The remainder of the briefing document was due March 16, 2009.

On February 12, 2009, SPP filed the ICT's Annual Performance Report for the period of November 17, 2007 through November 17, 2008.

On March 6, 2009, APSC issued order No. 7, setting an April 6, 2009 public comment hearing on the ICT's Annual Performance Report.

On March 13, 2009, Arkansas Electric Cooperative Corporation, Entegra Power Group, LLC, Entergy Arkansas, Inc., and SUEZ Energy Marketing, NA, Inc. filed comments regarding the ICT Annual Report. Southwestern Electric Power Company, Oklahoma Gas & Electric Company, and Empire District Electric Company filed joint comments.

On March 16, 2009, SPP filed the Briefing Document, as requested by the Commission. This document included a broad overview of the SPP RTO and ICT, as well as a large number of Exhibits which include the 2008 monthly market monitoring reports not previously filed with the Commission, and the ICT's Annual Performance Report for 2007.

On April 1, 2009, SPP filed the ICT's First Quarterly Performance Report for 2009.

On April 6, 2009, the APSC held a public comment hearing regarding the ICT Annual Performance Report for 2008. Bruce Rew participated as the sponsoring witness for SPP.

On April 17, 2009, the APSC issued Order No. 8, directing parties to submit post-hearing comments on the ICT's Annual Performance Report on or before noon, April 24, 2009.

On April 22, 2009, the APSC issued Order No. 9, notifying parties they may file a written response to SPP's Briefing Document on or before noon, June 12, 2009.

On April 24, 2009, SPP filed Post-Hearing Comments.

On May 29, 2009, the APSC issued Order No. 10 directing the following:

- 1) ICT to file monthly reports on the results of the WPP, including costs and benefits of the experiment as it proceeds.
- 2) Entergy should conduct a technical conference on the Construction Plan and the Base Plan to be coordinated with Entergy's annual Transmission Summit scheduled for August 11, 2009.
- 3) Commission invites parties to file comments on how the different interpretations of Note B might be resolved and how the Commission might advance the prospects of such resolution. Comments are due by Noon on July 1, 2009.
- 4) Entergy to provide the metric or metrics it uses to determine when to use Note B than to invest in the transmission facilities. Due by Noon on July 1, 2009.
- 5) SPP to conduct, with assistance of an independent third party, a comprehensive cost/benefit evaluation of full SPP membership by both EAI (as a stand alone entity) and Entergy versus the

existing ICT services arrangements. SPP to report on progress of establishing the process by July 1, 2009. Results of the study are due by December 31, 2009.

- 6) SPP to file a report by July 1, 2009, comparing and contrasting the transmission planning horizon used by the SPP as RTO with that of Entergy.
- 7) SPP RTO, SPP ICT, and parties to file recommendations and the information on existing seams agreement that SPP has currently executed. Due by July 1, 2009.

On June 12, 2009, the following parties filed comments in response to the March 16 SPP Briefing Document: Arkansas Attorney General, Arkansas Electric Cooperative Corporation, and Entergy Arkansas, Inc. Southwestern Electric Power Company, Oklahoma Gas & Electric Company, and the Empire District Electric Company filed joint comments.

On June 15, 2009, SPP filed a Motion for Clarification of Order No. 10, in which SPP requested that the Commission direct Entergy to reimburse SPP for the full costs and expenses incurred related to the cost/benefit study.

On June 22, 2009, SPP filed the first WPP Quarterly Report, pursuant to Order No. 10. This report covers the time period of March 2009 through May 2009.

On June 25, 2009, Entergy Arkansas filed its response to SPP's June 15 Motion for Clarification, requesting that any costs not funded by FERC be split 50/50 with SPP.

On June 25, 2009, SPP filed a Motion for Clarification of Order No. 10, asking the Commission to clarify that quarterly WPP reports will be acceptable in lieu of monthly reports as ordered.

On June 29, 2009, SPP filed its Reply to the Response of Entergy Arkansas, Inc., which was filed on June 25. SPP asks the Commission to reject EAI's "equal cost sharing" proposal and, instead, to grant SPP's June 15 Motion for Clarification and direct Entergy and EAI to bear the costs and expenses of completing the cost/benefit study mandated in Order No. 10.

On July 1, 2009, SPP filed the ICT's Second Quarterly Performance Report for 2009.

On July 1, 2009, SPP filed its response to Order No. 10.

In response to ordering paragraph 2 of Order No. 10, Entergy will hold a Technical Conference on **August 11, 2009**, in order to address issues raised by the parties regarding the differences between the Base Plan and Construction Plan as well as questions regarding Attachment T.

SPP continues to file the Market Monitoring Report on a monthly basis. The ICT Performance Report is filed quarterly.

175.	Arkansas 08-137-U	In the Matter of the Consideration of Innovative Approaches to Ratebase, Rate of Return Ratemaking Including, but not limited to, Annual Earnings Reviews, Formula Rates, and Incentive Rates for Jurisdictional Electric and Natural Gas Public Utilities	<p>On September 25, 2008, the APSC opened this docket for the consideration of innovative approaches to utility regulation in Arkansas to address the many challenges facing the electric and natural gas public utility industries. The Attorney General, Arkansas Electric Energy Consumers, Arkansas Gas Consumers and the General Staff of the Arkansas Public Service Commission and all jurisdictional gas and electric companies were granted party status and allowed 45 days to file comments.</p> <p>SPP filed comments on November 7, 2008.</p> <p>Reply comments were due on February 3, 2009, pursuant to Order No. 3 issued on December 2, 2008.</p> <p>SPP filed its Reply Comments on February 3, 2009.</p> <p>On February 26, 2009, APSC issued Order No. 6, stating that Final Surreply Comments are due by Noon on March 27, 2009.</p> <p>Final Surreply Comments were due March 27, 2009, and were filed by the Electric Cooperatives of Arkansas, Centerpoint Energy Resources Corp., APSC General Staff, Entergy Arkansas, Inc., the Arkansas Attorney General, and the National Audubon Society.</p> <p>A public hearing has not yet been calendared.</p>
176.	Arkansas 08-144-U	In the Matter of a Notice of Inquiry regarding the Expanded Development of Sustainable Energy Resources in Arkansas	<p>On October 7, 2008, the APSC opened this docket to explore the expanded development of Sustainable Energy Resources (SER) within the State of Arkansas with the end result being the development of a Sustainable Energy Resources Guide for this Commission to use in promoting SER initiatives.</p> <p>Parties to dockets 06-004-R, 06-028-R, 08-136-U and 08-137-U, General Staff of the Arkansas Public Service Commission and the Attorney General are invited to participate in the Collaborative and to submit comments, respond to the questions posed in this and subsequent orders and to make suggestions for the efficient and productive conduct of this inquiry by December 15, 2008.</p> <p>The first collaborative sessions will be the jointly-sponsored appearance of Duke Energy Chief Executive Officer Jim Rogers at the William Jefferson Clinton School of Public Service on October 14, 2008. This will be followed by the Commission's hosting a panel of invited utility CEOs to present company position on SER issues and respond to written and oral questions from parties and the Commission at a date to be determined. The Commission will sponsor other public forums and guest speakers to address topics of interest to the Commission and the Collaborative.</p> <p>SPP filed comments on December 15, 2008.</p> <p>On February 12, 2009, APSC issued Order No. 7, stating Reply Comments are due April 3, 2009. In addition, all Parties are directed to file a separate set of Initial Comments on the Public Utility Regulatory Polices Act of 1978 ("PURPA") ratemaking standards as described within the Order. Reply Comments on the PURPA ratemaking standards are due April 24, 2009.</p>

			<p>Pursuant to Order No. 9, issued March 24, 2009, the deadline for filing Reply Comments to the initial comments filed in this docket has been extended to April 24, 2009; initial comments on the four new ratemaking standards added to Section 111(d) of PURPA has been extended to April 24, 2009; a best estimate of the impact on customer rates and the utilities themselves of leading proposals to adopt federal Renewable Portfolio Standards and Energy Efficiency Resource Standards has been extended to April 24, 2009; and Reply Comments on the PURPA Ratemaking Standards has been extended to May 15, 2009.</p> <p>As a part of the Commission’s Sustainable Energy Resources Collaborative established in this docket, on April 7, 2009, the APSC and Clinton School of Public Service hosted Duke Energy Chairman and CEO Jim Rogers for a lecture on energy efficiency.</p> <p>On April 24, 2009, SPP filed Initial Comments on the EISA/PURPA Ratemaking Standards.</p> <p>On April 24, 2009, SPP filed comments in response to Order No. 8 – Estimate of the impact of proposals to adopt federal Renewable Portfolio Standards, Renewable Electricity Standards, and Energy Efficiency Resource Standards.</p> <p>On May 22, 2009, the APSC issued Order No. 10. The Commission believes that several issues of public interest in their SER inquiry are raised by FERC’s Order No. 719 and the SPP’s compliance filing in Docket No. ER09-1050, and this may warrant consideration and the opportunity for comment by parties. The APSC directs the parties to file comments in Docket No. 08-144-U within 30 days after the FERC rules on SPP’s Compliance Filing in FERC Docket No. ER09-1050.</p>
177.	Arkansas 08-168-U	In the Matter of the Application of Southwestern Electric Power Company for a Certificate of Public Convenience and Necessity to Rebuild its Patterson Station Near Ashdown, Arkansas	<p>On December 30, 2008, SWEPCO filed an Application for Certificate of Public Convenience and Necessity in order to rebuild its Patterson Station near Ashdown, Arkansas. The new facility is needed in order to interconnect the Turk Generation Facility to the electrical grid pursuant to the respective SPP Impact Study related to Generation Interconnection Request SPP GEN-2006-10.</p> <p>SPP moved to intervene on December 30, 2008, requesting expedited consideration of its Petition so that it may file supporting testimony to establish compliance with the APSC’s directives in Order Nos. 11 and 13 in Docket No. 06-154-U.</p> <p>SPP was granted intervenor status on January 9, 2009, and immediately filed the Direct Testimony of Jay Caspary and Charles Hendrix.</p> <p>On January 21, 2009, the Commission issued Order No. 2, establishing the following procedural schedule: February 12, 2009 - Staff and Intervenor Direct Testimony due by Noon February 26, 2009 - SWEPCO and SPP RTO Rebuttal Testimony due by Noon March 5, 2009 – Staff and Intervenor Surrebuttal Testimony due by Noon March 10, 2009 – Public Hearing begins 9:30 AM</p> <p>On March 6, 2009, the Parties filed a Motion to Excuse Witnesses and Waive Hearing.</p>

			<p>On March 6, 2009, the Commission issued Order No. 6, granting motion to excuse witnesses and waive hearing filed by the Parties.</p> <p>On March 18, 2009, the Commission issued Order No. 7, granting SWEPCO a CCN to rebuild, operate, and maintain a transmission substation with a 138 kV breaker and a half configuration to replace the existing 138/115 kV Patterson Station and to construct the necessary transmission lines from the existing Patterson Station to the approved rebuilt Patterson Station.</p> <p>On June 9, 2009, the Commission issued Order No. 8, closing this docket.</p>
178.	Arkansas 09-037-U	In the Matter of the Application of SPP for Authority to Issue up to \$30,000,000 in Non-Secured Promissory Notes with Maturity in 2016	<p>On April 20, 2009, SPP submitted an Application for Authority to Issue Indebtedness and Request for an Expedited Order. SPP applies for authority to issue non-secured Promissory Notes in an aggregate principal amount not to exceed \$30,000,000 with maturity in 2015. SPP requests the Commission to enter its order approving the application on or before May 22, 2009.</p> <p>On May 12, 2009, SPP filed a supplemental filing, which includes the April 21, 2009 Supplemental Filing in FERC Docket No. ES09-25, as well as the May 6, 2009 Letter Order issued by FERC granting SPP's April 10, 2009 filing.</p> <p>On May 14, 2009, Angela Sidler, Financial Analyst, filed Direct Testimony on behalf of the General Staff of the APSC.</p> <p>On May 21, 2009, the APSC issued Order No. 1 approving SPP's April 20 Application consistent with FERC's restrictions on all public utility debt issuances for a two-year period through May 6, 2011.</p> <p>On June 22, 2009, SPP filed an Amended Application for Authority to Issue Indebtedness and Request for an Expedited Order. In this filing, SPP corrects the maturity date of the promissory notes to 2016, instead of 2015.</p> <p>On June 26, 2009, the APSC issued Order No. 2, Amendment to Order No. 1, correcting the maturity date of the notes to 2016. All other provisions and requirements of Order No. 1 remain in full force and effect.</p>
179.	Kansas 08-ITCE-936-COC	In the Matter of the Application of ITC Great Plains, LLC to Amend its Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility in the State of Kansas (Ford, Kiowa, Clark and Comanche Counties) SPP moved to	<p>On April 11, 2008, ITC Great Plains filed an application to for an amendment to its Certificate of Public Convenience and Authority to construct, own, operate and manage wholesale electrical transmission facilities in portions of the Counties of Ford, Kiowa, Clark and Comanche in the State of Kansas.</p> <p>This docket pertains to the initial segment of the V-Plan (northern half or Kansas portion of the "X-Plan").</p> <p>ITC Great Plains filed two other applications to amend its certificate of public convenience for the middle and final segments of the V-Plan in Docket Nos. 08-ITCE-937-000 and 08-ITCE-937-000, respectively.</p> <p>On May 8, 2008, ITC Great Plains filed its response to Westar's April 25, 2008 motion to intervene, consolidate ITC's three applications into a single proceeding, or dismiss the applications for failing to provide a basis for the requested amendment to ITC Great Plains' certificate.</p> <p>Westar filed a Reply on May 19, 2008.</p>

intervene on April 25, 2008.

On May 27, 2008, Kansas Power Pool filed Resolution No. 2008-2 in Docket Nos. 08-ITCE-936-COC, 08-ITCE-937-COC and 08-ITCE-938-COC. The resolution, passed by the Kansas Power Pool Board of Directors on May 14, 2008, is in support of transmission line construction and expansion in Kansas.

On June 2, 2008, ITC Great Plains filed a response to Westar's May 19, 2008 Reply.

Westar filed a response to ITC Great Plains' Response on June 16, 2008.

Sunflower Electric Cooperative, Mid-Kansas Electric Co., LLC and KCPL have moved to intervene.

On September 2, 2008, an Order Granting Petitions to Intervene was issued in Dockets 08-ITCE-936-COC, 08-ITCE-937-COC, 08-ITCE-938-COC, and 08-PWTE-1022-COC. In this order, the KCC also directed Staff to file a Report and Recommendation that (1) summarizes issues the Commission will need to decide including factual questions that will need to be determined; (2) proposes procedures to address these issues; and (3) suggests a schedule for resolving these dockets. Comments from parties regarding the Report and Recommendation are due 15 days after the report is filed.

On October 2, 2008, Staff issued the Report and Recommendation. Comments on this report were due October 20, 2008.

In the October 2, 2008 recommendation, KCC Staff recommends that these three dockets and the Prairie Wind Docket (08-PWTE-1022-COC) move forward in three phases:

- a. Phase 1a – Resolving the issues of Prairie Wind's Application for a Limited Certificate
- b. Phase 1b – Resolving the issues of consolidating the ITC dockets
- c. Phase 2 – Resolving the issue of who should receive a certificate for the proposed Wichita to Spearville Electric Circuit

SPP filed comments on October 20, 2008.

On December 18, 2008, KCC issued an Order setting the following Procedural Schedule. Hearings will be in two phases:

Phase 1: *Are these applicants qualified to receive certificates that allow them to build an EHV transmission line in Kansas?*

Schedule for ITC Great Plains:

Jan. 15-16 - Parties to meet to evaluate possible settlement.

Jan. 28 – Intervenors and Staff file Direct Testimony

Feb. 18 – Intervenors and Staff file testimony responding to their direct testimony

Mar. 10 – ITC Great Plains file Rebuttal Testimony

Mar. 24-27 – Settlement Conference (begins 9 AM)

Mar. 31 – Prehearing Conference (begins 9 AM)

Apr. 6-8 – Hearing before Commission (begins 9 AM)

Apr. 20 – ITC Great Plains Post Hearing Brief Due
May 1 – Intervenors and Staff Post Hearing Brief Due
May 15 – ITC Great Plains Reply Brief Due
Mid-June – Commission Order expected

Phase 2: *Which Applicant is best qualified to build this EHV line in Kansas?*
Schedule for both ITC Great Plains and Prairie Wind:

Jul. 8 – ITC and Prairie Wind file Direct Testimony
Aug. 4-6 – Parties meet to evaluate possible settlement (begins 9 AM)
Aug. 19 – Direct Testimony Due of “all other parties” responding to ITC’s and Prairie Wind’s Direct
Aug. 28 – Responding Testimony Due of “all other parties” to their Direct
Sep. 10 – ITC Great Plains and Prairie Wind Rebuttal Testimony Due
Sep. 21-23 – Settlement Conference (begins 9 AM)
Sep. 23 – Prehearing Conference (begins 9 AM)
Sep. 28-Oct. 2 – Hearing before Commission (begins 9 AM)
Oct. 16 – ITC and Prairie Wind Post Hearing Briefs Due
Oct. 30 – Responsive Post Hearing Briefs Due
Nov. 6 – ITC and Prairie Wind Reply Briefs Due
Dec. – Commission Order expected

On December 18, 2008, the KCC issued a Discovery Order in this case.

On December 24, 2008, the KCC issued a Protective Order in this case.

On January 5, 2009, a Petition for Reconsideration of the December 18, 2008 Order and Petition for Reconsideration and Motion of Clarification were filed by ITC Great Plains, Mid-Kansas Electric Co., LLC and Sunflower, respectively.

Discovery is ongoing.

The parties met to evaluate possible settlement on January 15-16, 2009, as directed by the KCC in its December 18, 2008 procedural order.

On January 27, 2009, Jaime Lyle McAlpine filed testimony on behalf of Chermac Energy Corporation.

On January 29, 2009, ITC Great Plains, LLC, Mid-Kansas Electric Company, LLC, and Sunflower Electric Power Corporation filed a Joint Motion to Stay and Motion for Extension of Time, asking that an extension be granted to February 6, 2009 for their privilege logs to be filed.

On February 2, 2009, Staff filed a Motion to File Amended Testimony With Exhibits. The amended testimony of Mr. Holloway is necessary to lift the confidentiality on recitations involving Article 9.4 of Exhibit D and Exhibit H of ITC’s Designation Agreement (DA) with MKEC, and allow the DAs to be filed. In light of the additional public data

contained in the DAs, it is necessary for Staff to supplement its direct testimony and exhibits.

On February 4, 2009, KCC issued an Order Denying Petitions for Reconsideration and Clarifying the December 18, 2008 Order.

On February 5, 2009, Larry Holloway filed Direct Testimony on behalf of KCC Staff.

On February 18, 2009, Jay Caspary filed Rebuttal Testimony on behalf of SPP.

On March 17, 2009, ITC Great Plains and Prairie Wind Transmission filed a Joint Motion to Modify Procedural Schedule.

On March 20, 2009, the Commission issued the Presiding Officer's Order Granting Joint Motion to Modify Procedural Schedule. The March 24-27, 2009 settlement dates have been vacated to allow the parties to conduct further mediation on March 24-25.

On March 25, 2009, the Parties filed a Joint Motion to Approve Stipulation and Agreement, along with the proposed Stipulation and Agreement. The proposed stipulation and agreement reflects an agreement by the Parties that both ITC Great Plains and Prairie Wind are qualified to build, negating the need for hearings on the issue in Phase 1 of these proceedings.

A prehearing conference was held on March 31, 2009.

On April 1, 2009, the Prehearing Officer issued an order cancelling the Phase 1 Hearings and scheduling an evidentiary hearing for April 13 to address the Joint Motion to Approve Stipulation and Agreement.

On April 13, 2009, a hearing on the Joint Motion to Approve Stipulation and Agreement was held at the KCC in Topeka, Kansas. Les Dillahunty participated by phone, answering Commissioner questions on how Phase 2 of these proceedings fit into the SPP process, as discussed in his prior-filed testimony. Phase 2 will address which of the two applicants is best qualified to build.

On May 22, 2009, the KCC issued an Order Granting Joint Motion to Approve Stipulation and Agreement, which will conclude Phase 1 of the proceedings.

On June 1, 2009, the parties filed a Joint Motion to Approve Stipulation and Agreement. The parties have continued to work to resolve the Phase 2 issues and have reached an agreement set forth in the Stipulation that would resolve all remaining issues. The PWT Segment will be designed, constructed, owned and operated by Prairie Wind. The ITC Segment will be designed, constructed, owned and operated by ITC Great Plains.

A pre-hearing conference was held on June 4, 2009.

On June 15, 2009, the Citizens' Utility Ratepayer Board ("CURB") filed a Notice of Objection to Phase 2 Settlement Agreement.

			<p>On June 17, 2009, the Prehearing Officer issued an Order Modifying Procedural Schedule for Phase 2 Proceedings. The following procedural schedule was adopted: Jun. 15, 2009, 3 p.m. – CURB files Objection to Stipulation Jul. 9, 2009, 3 p.m. – Pre-filed Testimony in Support of Stipulation Jul. 13, 2009, 3 p.m. – Deadline for Discovery Requests Jul. 20, 2009, 3 p.m. – Deadline for Discovery Responses and for filing Pre-hearing Motions Jul. 20, 2009, 3 p.m. – Pre-hearing Conference Jul. 24, 2009, 9 a.m. – Evidentiary Hearing Aug. 7, 2009, 3 p.m. – Simultaneous Post-hearing Briefs (tentative) Aug. 21, 2009, 3 p.m. – Simultaneous Reply Post-hearing Briefs (tentative)</p> <p>On June 26, 2009, the Prehearing Officer issued an order correcting the Simultaneous Reply Post-hearing brief deadline from August 17, 2009 to August 21, 2009.</p>
180.	Kansas 08-ITCE-937- COC	<p>In the Matter of the Application of ITC Great Plains, LLC to Amend Its Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility in the State of Kansas. (Comanche, Clark and Barber Counties)</p> <p>SPP moved to intervene on April 25, 2008.</p>	<p>On April 11, 2008, ITC Great Plains filed for an amendment to its Certificate of Public Convenience and Authority to construct, own, operate and manage wholesale electrical transmission facilities in portions of the Counties of Comanche, Clark and Barber, in the State of Kansas.</p> <p>This docket pertains to the middle segment of the V-Plan (northern half or Kansas portion of the “X-Plan”).</p>
181.	Kansas 08-ITCE-938- COC	<p>In the Matter of the Application of ITC Great Plains, LLC to Amend Its Certificate of Public Convenience and Authority to Transact the Business of an Electric Public Utility in the State of Kansas. (Barber, Harper, Kingman,</p>	<p>On April 11, 2008, ITC Great Plains filed for an amendment to its Certificate of Public Convenience and Authority to construct, own, operate and manage wholesale electrical transmission facilities in portions of the Counties of Barber, Harper, Kingman, Sumner and Sedgwick, in the State of Kansas.</p> <p>This docket pertains to the final segment of the V-Plan (northern half or Kansas portion of the “X-Plan”).</p>

		<p>Sumner and Sedgwick Counties)</p> <p>SPP moved to intervene on April 25, 2008.</p>	
182.	Kansas 08-KMOE-028-COC	<p>In the Matter of the Application of KAMO Electric Cooperative, Inc. for a Limited Certificate of Public Convenience to Transact the Business of an Electric Public Utility in the State of Kansas</p> <p>SPP was granted intervenor status on August 21, 2007.</p>	<p>The KCC issued an order on April 11, 2008 continuing the hearing and ordering SPP to commence a cost/benefit analysis study concerning the transmission line proposed in this proceeding. SPP presented the results of its supplemental analysis at a technical conference in Little Rock, Arkansas on June 2, 2008.</p> <p>On June 3, 2008, SPP published its final report entitled, “Supplemental SPP Analysis of Blackberry – Chouteau – GRDA1 345 kV Project Per KCC Order Issued April 11, 2008”. This study was endorsed by the TWG on June 11, 2008 as providing the opportunity for potentially impacted parties/stakeholders to participate.</p> <p>On June 20, 2008, SPP published an additional report entitled, “Alternative Solutions for AECEI and KAMO: Supplemental SPP Analysis of Blackberry – Chouteau – GRDA1 345 kV Project Per KCC Order Issued April 11, 2008”.</p> <p>On June 23, 2008, SPP filed the Supplemental Testimony of Keith Tynes and the Direct Testimony of Pat Bourne.</p> <p>Supplemental testimony has also been filed by Larry Holloway of KCC Staff, Tom Stuchlik of Westar, Chris Bolick of AECEI, and Chris Cariker and Ted Hilmes of KAMO.</p> <p>On July 9, 2008, the parties met at the Commission’s offices in Topeka, Kansas for a settlement conference. As a result of those efforts and subsequent discussions, a settlement was reached on July 14, 2008.</p> <p>On July 14, 2008, AECEI, KAMO, SPP, Westar, and Empire filed a Joint Motion for Continuance of the evidentiary hearing from July 15-16, 2008 until July 31, 2008 at 1:30 pm.</p> <p>KAMO/AECEI, SPP and KCC Staff Testimony in Support of Settlement were due July 28, 2008.</p> <p>A settlement hearing was held at the KCC in Topeka, Kansas on July 31, 2008.</p> <p>On August 12, 2008, the KCC issued an “Order Approving Unanimous Settlement” granting AECEI/KAMO a limited certificate of public convenience to construct, own, and operate the proposed transmission line pursuant to the terms of the Agreement.</p> <p>AECEI shall provide the KCC and the parties and update one year after the date the Order becomes final (August 12, 2009) as to the progress of further agreement between AECEI and SPP on congestion management and other issues.</p> <p>On September 10, 2008, the Joint Operating Agreement executed pursuant to the August 12, 2008 Order was filed with FERC in Docket ER08-1516. On October 20, 2008, FERC issued a letter order accepting the filing, effective August 12, 2008.</p>

<p>183.</p>	<p>Kansas 08-PWTE- 1022-COC</p>	<p>In the Matter of the Application of Prairie Wind Transmission, LLC for a Certificate of Public Convenience to Transact the Business of an Electric Public Utility in Ford, Kiowa, Clark, Comanche, Barber, Pratt, Harper, Kingman, Sumner and Sedgwick Counties, Kansas.</p>	<p>On May 19, 2008, Prairie Wind Transmission, LLC filed an application for a certificate of public convenience and authority to site, construct, own, operate and maintain bulk electric transmission facilities in the State of Kansas.</p> <p>As an initial project, Prairie Wind proposes to construct a new 765 kV transmission system comprised of two segments. Prairie Wind anticipates that one segment will run west-southwest from a new 765 kV or existing substation near Wichita, Kansas to a new 765 kV substation near Medicine Lodge, Kansas and then west-northwest to a new or existing station near Spearville, Kansas and that the other segment will run from the new Medicine Lodge 765 kV substation south-southwest to the Kansas-Oklahoma border.</p> <p>The Direct Testimony of Kelly Harrison (Westar), Lisa Barton (AEP), Mark Ruelle (Westar) and Wayne Irmiter (MidAmerican Energy Holdings Company) has been filed on behalf of Prairie Wind.</p> <p>SPP moved to intervene in this proceeding on June 6, 2008. ITC Great Plains and KCPL have also moved to Intervene.</p> <p>On September 2, 2008, an Order Granting Petitions to Intervene was issued in Dockets 08-ITCE-936-COC, 08-ITCE-937-COC, 08-ITCE-938-COC, and 08-PWTE-1022-COC. In this order, the KCC also directed Staff to file a Report and Recommendation that (1) summarizes issues the Commission will need to decide including factual questions that will need to be determined; (2) proposes procedures to address these issues; and (3) suggests a schedule for resolving these dockets. Comments from parties regarding the Report and Recommendation are due 15 days after the report is filed.</p> <p>On October 2, 2008, Staff issued the Report and Recommendation. Comments on this report were due October 20, 2008.</p> <p>In the October 2, 2008 report, KCC Staff recommends that this docket and the three ITC Great Plains dockets (08-ITCE-936-COC, 08-ITCE-937-COC, 08-ITCE-938-COC) move forward in three phases:</p> <ol style="list-style-type: none"> a. Phase 1a – Resolving the issues of Prairie Wind’s Application for a Limited Certificate b. Phase 1b – Resolving the issues of consolidating the ITC dockets c. Phase 2 – Resolving the issue of who should receive a certificate for the proposed Wichita to Spearville Electric Circuit <p>SPP filed comments on October 20, 2008.</p> <p>On December 18, 2008, KCC issued an Order setting the following Procedural Schedule. Hearings will be in two phases:</p> <p>Phase 1: <i>Are these applicants qualified to receive certificates that allow them to build an EHV transmission line in Kansas?</i></p>
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Schedule for Prairie Wind Transmission:

Jan. 15-16 - Parties to meet to evaluate possible settlement.
Feb. 4 – Intervenors and Staff file Direct Testimony
Feb. 25 – Intervenors and Staff file testimony responding to their direct testimony
Mar. 19 – ITC Great Plains file Rebuttal Testimony
Mar. 24-27 – Settlement Conference (begins 9 AM)
Apr. 9 – Prehearing Conference (begins 9 AM)
Apr. 13-15 – Hearing before Commission (begins 9 AM)
Apr. 27 – Prairie Wind Post Hearing Brief Due
May 8 – Intervenors and Staff Post Hearing Brief Due
May 22 – Prairie Wind Reply Brief Due
Mid-June – Commission Order expected

Phase 2: *Which Applicant is best qualified to build this EHV line in Kansas?*
Schedule for both ITC Great Plains and Prairie Wind:

Jul. 8 – ITC and Prairie Wind file Direct Testimony
Aug. 4-6 – Parties meet to evaluate possible settlement (begins 9 AM)
Aug. 19 – Direct Testimony Due of “all other parties” responding to ITC’s and Prairie Wind’s Direct
Aug. 28 – Responding Testimony Due of “all other parties” to their Direct
Sep. 10 – ITC Great Plains and Prairie Wind Rebuttal Testimony Due
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On December 18, 2008, the KCC issued a Discovery Order in this case.

On December 24, 2008, the KCC issued a Protective Order in this case.

On January 5, 2009, a Petition for Reconsideration of the December 18, 2008 Order and Petition for Reconsideration and Motion of Clarification were filed by ITC Great Plains, Mid-Kansas Electric Co., LLC and Sunflower, respectively.

Discovery is ongoing.

The parties met to evaluate possible settlement on January 15-16, 2009, as directed by the KCC in its December 18, 2008 procedural order.

On January 27, 2009, Jaime Lyle McAlpine filed testimony on behalf of Chermac Energy Corporation.

On January 29, 2009, ITC Great Plains, LLC, Mid-Kansas Electric Company, LLC, and Sunflower Electric Power Corporation filed a Joint Motion to Stay and Motion for Extension of Time, asking that an extension be granted to February 6, 2009 for their privilege logs to be filed.

On February 2, 2009, Staff filed a Motion to File Amended Testimony With Exhibits. The amended testimony of Mr. Holloway is necessary to lift the confidentiality on recitations involving Article 9.4 of Exhibit D and Exhibit H of ITC's Designation Agreement (DA) with MKEC, and allow the DAs to be filed. In light of the additional public data contained in the DAs, it is necessary for Staff to supplement its direct testimony and exhibits.

On February 4, 2009, KCC issued an Order Denying Petitions for Reconsideration and Clarifying the December 18, 2008 Order.

On February 4, 2009, Larry Holloway filed Direct Testimony on behalf of the KCC Staff. In addition, Jon Jipping and Carl Huslig filed Direct Testimony on behalf of ITC Great Plains, LLC.

On February 18, 2009, Jay Caspary filed Rebuttal Testimony on behalf of SPP.

On March 17, 2009, ITC Great Plains and Prairie Wind Transmission filed a Joint Motion to Modify Procedural Schedule.

On March 20, 2009, the Commission issued the Presiding Officer's Order Granting Joint Motion to Modify Procedural Schedule. The March 24-27, 2009 settlement dates have been vacated to allow the parties to conduct further mediation on March 24-25.

On March 25, 2009, the Parties filed a Joint Motion to Approve Stipulation and Agreement, along with the proposed Stipulation and Agreement. The proposed stipulation and agreement reflects an agreement by the Parties that both ITC Great Plains and Prairie Wind are qualified to build, negating the need for hearings on the issue in Phase 1 of these proceedings.

A prehearing conference was held on March 31, 2009.

On April 1, 2009, the Prehearing Officer issued an order cancelling the Phase 1 Hearings and scheduling an evidentiary hearing for April 13 to address the Joint Motion to Approve Stipulation and Agreement.

On April 13, 2009, a hearing on the Joint Motion to Approve Stipulation and Agreement was held at the KCC in Topeka, Kansas. Les Dillahunty participated by phone, answering Commissioner questions on how Phase 2 of these proceedings fit into the SPP process, as discussed in his prior-filed testimony. Phase 2 will address which of the two applicants is best qualified to build.

On June 1, 2009, the parties filed a Joint Motion to Approve Stipulation and Agreement. The parties have continued to work to resolve the Phase II issues and have reached an agreement set forth in the Stipulation that would resolve all

			<p>remaining issues. The PWT Segment will be designed, constructed, owned and operated by Prairie Wind. The ITC Segment will be designed, constructed, owned and operated by ITC Great Plains.</p> <p>On June 15, 2009, the Citizens' Utility Ratepayer Board ("CURB") filed a Notice of Objection to Phase 2 Settlement Agreement.</p> <p>On June 17, 2009, the Prehearing Officer issued an Order Modifying Procedural Schedule for Phase 2 Proceedings. The following procedural schedule was adopted: Jun. 15, 2009, 3 p.m. – CURB files Objection to Stipulation Jul. 9, 2009, 3 p.m. – Pre-filed Testimony in Support of Stipulation Jul. 13, 2009, 3 p.m. – Deadline for Discovery Requests Jul. 20, 2009, 3 p.m. – Deadline for Discovery Responses and for filing Pre-hearing Motions Jul. 20, 2009, 3 p.m. – Pre-hearing Conference Jul. 24, 2009, 9 a.m. – Evidentiary Hearing Aug. 7, 2009, 3 p.m. – Simultaneous Post-hearing Briefs (tentative) Aug. 21, 2009, 3 p.m. – Simultaneous Reply Post-hearing Briefs (tentative)</p> <p>On June 26, 2009, the Prehearing Officer issued an order correcting the Simultaneous Reply Post-hearing brief deadline from August 17, 2009 to August 21, 2009.</p>
184.	Louisiana R-30738	Louisiana Public Service Commission, ex parte. In re: Identification of Regulatory Obstacles to Merchant Transmission Investment in Louisiana and Recommendation of Potential Regulatory Framework Governing Merchant Transmission Investment in Louisiana	<p>This docket was opened pursuant to Commissioner Field's directive at the Commission's August 12, 2008 meeting.</p> <p>LPSC Staff is currently seeking comments on (i) any regulatory obstacles and (ii) the following possible regulatory frameworks governing the interaction of jurisdictional electric utilities and merchant transmission companies:</p> <ol style="list-style-type: none"> (1) Should the stakeholder process (sponsored by the ICT in the case of Entergy and SPP for Cleco and SWEPCO) continue to be used to identify transmission projects that promise reliability and/or economic benefits? (2) Should the ICT or SPP, as the neutral third party and after weighing the arguments, advise on whether a proposed transmission project is in the public interest? (3) Should the utility, in whose territory the recommended project is to be located, be required to provide the Commission with the following information: (a) whether they will build the recommended transmission project (subject to contributions under the applicable cost allocation formula), the cost of building the proposed project, and when the project will be placed in service, or (b) why they will not build the recommended project? (4) If the utility will not build the recommended transmission project, or if a merchant transmission company can build it cheaper or quicker, should the merchant transmission company be able to petition the Commission for the right to construct the recommended project? The decision of a merchant transmission company to build or not build a particular transmission project would have no bearing on the utility's prudence obligations. (5) Any additional items/issues relative to the above. <p>Interventions and comments were due September 16, 2008 (25 days from the publication of LPSC Bulletin No. 913, August 22, 2008).</p> <p>On September 15, 2008, SPP filed Petitions to Intervene in this matter on behalf of the SPP-RTO and the SPP-ICT.</p>

			<p>On October 8, 2008, the SPP-RTO and SPP-ICT filed separate comments.</p> <p>On February 2, 2009, Staff issued a Report and Recommendation on initial and reply comments.</p> <p>On February 4, 2009, Staff issued notice of ICT’s responses to several Staff questions posted in the February 2 summary letter.</p> <p>On March 16, 2009, Cottonwood Energy Company LP filed Reply Comments in Response to LPSC Staff’s Summary of Comments and Recommendation. Also on March 16, the Louisiana Energy Users Group, SUEZ Energy Marketing NA, Inc. and Entegra Power Group, LLC (“Joint Stakeholders”) also filed Reply Comments regarding the Staff’s Reports and Recommendations. The deadline for submitting comments on these reply comments was April 6, 2009.</p> <p>On April 16, 2009, the LPSC Staff issued a Notice of Technical Conferences. Two conferences will be held on Tuesday, May 19, 2009. The first conference, beginning at 9 AM, will address Louisiana Bulk Upgrades. The second conference, beginning 30 minutes after the conclusion of the first conference, will address the Louisiana-specific transmission upgrades primarily for reliability purposes as identified per the Attachment K Process.</p> <p>On May 13, 2009, SPP submitted its report on differences between the 2009 ICT Base Plan and the 2009-2011 Entergy Construction Plan, which was filed with FERC on May 8, 2009.</p> <p>On May 19, 2009, the two technical conferences were held. The decision was made during the conferences for the establishment of a Transmission Task Force, which will include representatives of the interested stakeholders, including Entergy, SPP acting in its role as ICT, the Commission Staff and its expert consultants, and transmission users.</p> <p>On June 8, 2009, the LPSC issued a letter requiring that Entergy and SPP appoint two representatives to the Transmission Task Force by June 22, 2009. LPSC Staff will draw up a “work plan” for the task force. In addition, LPSC Staff issued a document entitled “Additional Information Requested at the May 19, 2009 Technical Conferences”. The parties, including SPP, are to respond by June 29, 2009.</p> <p>On June 29, 2009, SPP filed the additional information requested at the May 19, 2009 Technical Conferences.</p>
185.	Mississippi 2008-AD-158	Proceeding to Review Statewide Energy Generation Needs	<p>On April 30, 2008, the Mississippi Public Service Commission opened this docket to develop an on-going review of the five-year long-range energy needs for the State of Mississippi.</p> <p>The MPSC directed all electric utilities and subject to the Commission’s jurisdiction to submit documentation and proofs as to forecasts, plans and future electric generation needs by July 31, 2008.</p> <p>SPP moved to intervene in this proceeding on June 9, 2008 and was granted intervenor status on June 10, 2008.</p> <p>Initial public hearings commenced on August 18, 2008 for oral testimony and comments. Bruce Rew, on behalf of the SPP ICT, participated in the public hearing by providing a presentation on the ICT as requested by the Commission staff.</p> <p>On September 12, 2008, several parties filed closing comments regarding the August 18-21, 2008 hearings.</p>

			This docket remains open, but has no current activity.
186.	Missouri EO-2008-0134	In the Matter of the Application of Union Electric Company for Authority to Continue the Transfer of Functional Control of its Transmission System to the Midwest Independent Transmission System Operator, Inc. ("MISO") SPP was granted intervenor status on December 4, 2007.	<p>On November 1, 2007, AmerenUE filed an application with the MoPSC to continue the transfer of functional control of its transmission system to MISO through April 30, 2012.</p> <p>SPP moved to intervene on November 21, 2007 and was granted intervenor status on December 4, 2007.</p> <p>On June 30, 2008, Ameren, MISO and the Missouri Industrial Energy Consumers submitted for MoPSC consideration and approval a Stipulation and Agreement to resolve all issues in this proceeding.</p> <p>Statements of Non-objection have been filed by Empire, Aquila, SPP and Kansas City Power and Light, respectively.</p> <p>On July 15, 2008, the MoPSC issued an order scheduling an on-the-record presentation for July 29, 2008 in Jefferson City, Missouri to allow the Commissioners an opportunity to question the parties about the Stipulation and Agreement.</p> <p>On July 16, 2008, AmerenUE filed a motion to reschedule the on-the-record presentation in this docket for either August 5, 6 or 7, 2008. The MoPSC has not yet acted on this request.</p> <p>On September 9, 2008, an Order Approving Stipulation and Agreement was issued. Based on the Stipulation and Agreement, the Commission finds that AmerenUE's continued participation in Midwest ISO on an interim and conditional basis is not contrary to the public interest.</p> <p>On December 1, 2008, Union Electric Company, d/b/a AmerenUE, filed a motion for extension of time to file status report that is required by the stipulation and agreement issued on September 9.</p> <p>On December 12, 2008, Missouri PSC issued an Order Granting Additional Time to File Status Report. The status report was due December 22, 2008.</p> <p>On December 22, 2008, Union Electric Company, d/b/a AmerenUE, filed its Status Report pursuant to paragraph 15 of the Stipulation and Agreement. Paragraph 15 of the Stipulation and Agreement provides that AmerenUE will provide a status report respecting the progress of discussions with the Midwest ISO regarding the risks outlined in paragraph 12 of the Stipulation and Agreement.</p> <p>This case is closed.</p>
187.	Missouri EO-2009-0179	In the Matter of the Application of KCP&L Greater Missouri Operations Company ("KCP&L-GMO") for Authority to Transfer	<p>On November 12, 2008, KCP&L Greater Missouri Operations Company filed an application for authority to transfer functional control of its transmission system (60 kV and above) to SPP. KCP&L-GMO requests approval within 90 days, or by February 10, 2009.</p> <p>On November 19, 2008, SPP filed a Motion to Intervene. The motion was granted on December 19, 2008.</p> <p>On December 19, 2008, Missouri PSC issued an Order Granting Interventions.</p>

		<p>Functional Control of Certain Assets to Southwest Power Pool, Inc. (“SPP”)</p>	<p>A Prehearing Conference was held on January 7, 2009.</p> <p>On January 27, 2009, KCP&L-GMO, MoPSC Staff, Office of Public Counsel, The Empire District Electric Company, Dogwood Energy, LLC, and SPP submitted a Stipulation and Agreement in this docket. This Stipulation and Agreement was approved by the MoPSC on February 4, 2009, to become effective February 10, 2009.</p> <p>Included as a part of the Stipulation and Agreement was Attachment B, an Agreement for the Provision of Transmission Service to Missouri Bundled Retail Load, Attachment B serves to ensure that the MoPSC continues to set the transmission component of KCP&L’s rates to serve its Missouri Bundled Retail Load.</p> <p>SPP filed Attachment B and the Network Agreements for KCP&L- GMO with FERC on April 15, 2009, in FERC Docket No. ER09-1004.</p> <p>On June 24, 2009, MoPSC issued Notification that KCP&L Greater Missouri Operations Company has exercised authority granted by the Commission. FERC accepted the Missouri Bundled Retail Load Service Agreements by letter order dated June 18, 2009 in Docket No. ER09-1004.</p>
<p>188.</p>	<p>Missouri EW-2009-0290</p> <p>Missouri EW-2009-0291</p>	<p>In the Matter of the Consideration of Adoption of the PURPA Section 111(d)(16) Integrated Resource Planning Standard as Required by Section 532 of the Energy Independence and Security Act of 2007</p> <p>In the Matter of the Consideration of Adoption) of the PURPA Section 111(d)(17) Rate Design Modifications to Promote Energy Efficiency Investments Standard as Required by Section</p>	<p>On December 17, 2008, MoPSC issued an Order Establishing Cases, Directing Notice, Establishing a Deadline for Submission of Intervention Requests, Setting a Prehearing Conference, and Setting Date for Filing Procedural Schedules.</p> <p>The new EISA standards, outlined in subparts a. thru e. below, amend the Public Utilities Regulatory Policy Act of 1978 (“PURPA”). Pursuant to EISA, the Commission is required to commence consideration of this standard no later than December 19, 2008, and is further required to make a determination regarding acting upon the new standards no later than December 19, 2009.</p> <p>A prehearing conference was held on February 2, 2009.</p> <p>On February 6, 2009, the MoPSC issued an Order Regarding Classification of Dockets and Ex Parte Rule, re-classifying these dockets as workshops. This case was originally designated as EO-2009-0248. On February 9, 2009, the Commission closed the original document number.</p> <p>On February 23, 2009, the Commission’s Staff filed a pleading suggesting that, to the extent the Commission needs to consider the PURPA standards in this docket, it can review the new standards during workshops previously scheduled to review Chapter 22 of the Commission’s regulations.</p> <p>On March 25, 2009, the Commission set a deadline of April 15, 2009, for responses addressing the following issues with regard to each standard: (1) does the prior state action exemption apply to any of the new PURPA standards encompassed within the Energy Independence and Security Act of 2007; and (2) should the Commission engage in rulemaking, or some other procedure to adopt any of the new PURPA standards encompassed within the Energy Independence and Security Act of 2007. SPP does not plan to file a response.</p>

	<p>Missouri EW-2009- 0292</p>	<p>532 of the Energy Independence and Security Act of 2007</p> <p>In the Matter of the Consideration of Adoption of the PURPA Section 111(d)(18) Smart Grid Investments Standard and PURPA Section 111(d)(19) Smart Grid Information Standard, as Required by Section 1307 of the Energy Independence and Security Act of 2007</p>	<p>On May 6, 2009, MoPSC issued an Order Consolidating Workshops, Consolidating Cases and Correcting File Captioning. EW-2009-0293 was consolidated with EW-2009-0292, and then closed. The following cases are now consolidated: EW-2009-0290, EW-2009-0291, and EW-2009-0292.</p> <p>The workshops for EW-2009-0290, 0291, 0292 shall be consolidated with the current workshops schedules for the review of the Commission's Integrated Resource Planning Rules. The current schedule for those workshops are May 18-19, 2009, June 29-30, 2009, and a final session shall be scheduled for late July or early August 2009.</p> <p>No later than July 31, 2009, the MoPSC Staff shall file a report describing the progress of the workshops and a recommendation as to whether any of the PURPA files should be addressed in workshop settings separate from the Integrated Resource Planning Rules Workshops.</p>
<p>189.</p>	<p>Missouri EW-2009-</p>	<p>In the Matter of the Consideration of</p>	<p>On May 6, 2009, MoPSC issued an Order Consolidating Workshops, Consolidating Cases and Correcting File</p>

	0293	Adoption of the PURPA Section 111(d)(17) Smart Grid Information Standard as Required by Section 1307 of the Energy Independence and Security Act of 2007	Captioning. EW-2009-0293 was consolidated with EW-2009-0292, and then closed.
190.	Missouri EW-2009-0324	In the Matter of a Repository File Regarding Renewable Energy Workshop	<p>The first Renewable Energy Workshop was held March 9, 2009, with initial comments on RES Proposed Rule Rev 4 due to MoPSC Staff on March 20.</p> <p>Comments were filed by Ameren UE; Sol Systems, LLC; the Missouri Department of Conservation, Midwest Solar Distributors, Sun Edison, Decent Energy, and Iberdrola Renewables.</p> <p>The second workshop was held on April 13, 2009.</p> <p>On June 7, 2009, an additional draft of the Electric Utility Renewable Energy Standard Requirement rules was issued. Comments were due June 22, 2009. Numerous parties filed comments.</p> <p>The third workshop is scheduled for July 30-31, 2009.</p>
191.	New Mexico Case No. 07-00390-UT	An Investigation into the Prudence of Southwestern Public Service Company's ("SPS") Participation in the SPP RTO	<p>On October 11, 2007, the New Mexico Public Regulation Commission ("NMPRC") issued a final order granting SPS a certificate of public convenience and necessity and siting approval to construct and operate certain transmission and associated facilities. As a result of arguments raised in that hearing, the NMPRC determined that the prudence of SPS' participation in the SPP RTO should be examined in a future proceeding.</p> <p>On October 16, 2007, the NMPRC issued an order docketing investigation into the prudence and reasonableness of SPS' participation in the SPP RTO.</p> <p>On June 24, 2008, SPS filed an unopposed motion for an order extending the deadline from July 7, 2008 to July 31, 2008 for SPS to file direct testimony in this case. Because the hearing in the SPS rate case (07-00319-UT) completed April 23, 2008, the deadline for SPS to file direct testimony had been set for July 7, 2008, pursuant to the Commission's October 16, 2007 Order.</p> <p>SPS' request was granted by the NMPRC on June 25, 2008.</p> <p>SPP anticipates intervening in this docket sometime in August.</p> <p>SPS filed testimony July 31, 2008.</p>

On September 11-12, 2008, SPP met with the Public Regulation Commission and the Attorney General Office for educational purposes regarding the SPP RTO.

On September 30, 2008, SPP filed a Motion for Leave to Intervene and Request for Discovery.

A pre-hearing conference was held on October 1, 2008.

Deadline to intervene was November 3, 2008.

On October 27, 2008, an Unopposed Motion to Amend Procedural Schedule was filed, requesting that the hearing be moved to April 29, 2009.

On October 31, 2008, New Mexico PRC issued an order rescheduling hearing to April 29, 2009. No other changes in the procedural schedule were made.

On November 12, 2008, SPP met with the New Mexico Public Regulation Commission, to provide more educational information regarding the SPP RTO.

On December 4, 2008, SPS submitted a confidential settlement document to the NM PRC Staff, NM AG, and NM industrials.

On January 29, 2009, an Order Amending Procedural Schedule was issued modifying the deadlines for the filing of testimony in this case.

On March 20, 2009, Staff filed an Unopposed Motion to Amend Procedural Schedule.

On March 23, 2009, the Commission issued an Order on Second Motion to Amend Procedural Schedule, requiring the parties to propose a new date for filing of Staff and Intervenor direct testimony or submit a proposed stipulation no later than April 6, 2009.

A settlement meeting was held in Santa Fe on April 4, 2009, to discuss the NMPRC Staff's list of issues. Staff and SPS plan to meet with the ALJ, prior to the April 23rd Prehearing Conference, to ascertain whether the scope of the case can be expanded to cover an SPS request for permission to transfer functional control to SPP and place SPS's New Mexico load under a Network Integration Transmission Service Agreement.

On April 6, 2009, NMPRC Staff filed an Unopposed Motion to Amend Procedural Schedule, asking that the deadline to propose a new date for fling Staff and Intervenor direct testimony or submit a proposed stipulation be vacated. Staff also asked that a prehearing be set for April 23, 2009.

On April 8, 2009, the Hearing Examiner issued an Order on Unopposed Motion to Amend Procedural Schedule. The deadline of April 6, 2009, set by the March 23 Order, is vacated and a prehearing conference is scheduled for April 23, 2009.

			<p>A pre-hearing conference was held on April 23, 2009.</p> <p>On April 24, 2009, the Hearing Examiner issued an Order Modifying Procedural Schedule and Vacating Hearing., which requires SPS and other parties to file any desired motion(s) to expand the scope of the case no later than May 1, 2009. The hearing scheduled for April 29, 2009, is vacated until further order.</p> <p>On May 1, 2009, SPS filed a Verified Unopposed Motion to Expand Scope of Case.</p> <p>A two-day workshop and settlement conference was held on May 18-19, 2009.</p> <p>On May 11, 2009, the Hearing Examiner filed a Recommended Decision on Motion to Expand Scope of Case. The expanded scope would include SPS' obligation to transfer its New Mexico retail load to transmission service under the SPP OATT no later than February 1, 2010.</p> <p>On June 10, 2009, the NMPRC issued an Order Approving Recommended Decision to expand the scope of case.</p> <p>On June 19, 2009, a second Pre-hearing conference was held.</p> <p>On June 22, 2009, the NMPRC issued the Second Procedural Order scheduling the following dates: Jun. 29, 2009 – SPS shall publish notice in a newspaper of general circulation in every county where it provides service (see Attachment A of June 22 Order) Jun. 29, 2009 – SPS to file supplemental Direct Testimony addressing issues included in revised scope of case Jul. 20, 2009 – deadline to intervene Aug. 17, 2009 – Staff and Intervenors Direct Testimony due Sep. 28, 2009 – Rebuttal Testimony due Oct. 5, 2009 – Public Hearing begins at 10 AM</p> <p>On June 29, 2009, SPS filed Supplemental Direct Testimony of David Hudson and Joseph Taylor.</p> <p>A Settlement Conference is scheduled for July 8, 2009.</p>
192.	<p>Texas Docket No. 33672</p>	<p>PUCT Staff Proceeding to Designate Competitive Renewable Energy Zones (“CREZs”)</p> <p>SPP was granted intervenor status on January 25, 2007.</p>	<p>Senate Bill 20, enacted by the Texas Legislature in 2005, established targets in megawatts of renewable electric generation capacity in the State of Texas, and required the creation and designation of “Competitive Renewable Energy Zones” (CREZs) in areas of Texas where renewable energy resources and suitable land areas were sufficient to develop such renewable generation capacity.</p> <p>The PUCT opened a rulemaking docket to create and designate the first set of CREZs, Docket Number 33672. SPP filed a Motion to Intervene in that docket on January 22, 2007. That Motion was granted on January 25, 2007. SPP subsequently filed Direct Testimony and analyses performed by SPP of Transmission Alternatives for CREZs.</p> <p>An evidentiary hearing was held in the docket on June 11, 2007. SPP participated in that hearing, and the Commission issued an Interim Order on October 2, 2007, which designated CREZs, but specifically did not assign any of those CREZs to SPP. Commissioner Parsley, in her dissent, stated that the evidence clearly established that SPP was the</p>

appropriate region for delivery of the wind energy output from CREZ Zones 1 and 4, and that “SPP provides the most beneficial and cost-effective delivery of energy from zones 1 and 4.” As a result of the Commission’s order, SPP, while still remaining a party to the docket, has not actively participated in the docket.

In the October 2007 Order, the Commission ordered ERCOT to study and create transmission plans to accommodate four levels of wind generation ranging from 12 GW to 25 GW. In June, 2008, after conducting a Transmission Optimization Study with assistance from GE and filing additional testimony, the PUCT held a hearing to discuss the results of the study.

ERCOT's Transmission Optimization study described two possible plans, A and B, for Scenario 1, (12 GW). Scenario 1B was the most popular of the two plans because of its expansion capability; it is estimated cost \$3.78 billion. Scenario 3 (24.8 GW), had the highest cost estimate at \$6.4 billion. Scenario 4, similar in capacity to Scenario 3, was the scenario requested by Commissioner Julie Parsley (which would have left the Panhandle wind generation with SPP) and involved a cost estimate of \$5.75 billion. Many of the wind developers favored Scenario 3, while other participants, including Commission Staff, supported Scenario 1B or Scenario 2 (18.5 GW), due to cost concerns (many fear ERCOT's estimates were understated) and/or concerns that much of the proposed wind generation might not actually be built. In addition to citing cost concerns, many parties criticized the GE study regarding ancillary services for its many limitations, which included the failure to identify specific impacts to ancillary services other than regulation and the failure to study wind penetration scenarios above 15 GW.

As a result of the concerns cited by so many parties, the Commissioners apparently are no longer interested in the higher level wind scenarios. All were concerned about the reliability issues noted in the GE study and the criticisms of this study. Commissioner Parsley again urged support for allowing the Panhandle wind generation to stay with SPP. Commissioner Barry Smitherman specifically commented that he would not likely approve anything above Scenario 2. Now that parties have filed their final briefs, the Commissioners plan to spend the next two Open Meetings (July 17 and July 31) discussing the CREZ docket in more detail and will likely enter a final order shortly thereafter.

In an order dated August 15, 2008, the Commission selected Scenario 2. On October 7, 2008, the Commission issued a Final Order.

On December 22, 2008, TIEC filed an appeal of the decision at the Travis County District Court in Austin seeking reversal and remand.

The CREZ transmission providers have been selected - they are listed in the final order in Docket. No. 35665 (http://interchange.puc.state.tx.us/WebApp/Interchange/application/dbapps/filings/pgSearch_Results.asp?TXT_CNTR_NO=35665&TXT_ITEM_NO=1324).

The first CREZ-related CCN was filed (LCRA, Docket No. 36686, McCamey area).

There are two new rulemakings (one for priority and the other for non-priority projects) for the sequencing and scheduling of CREZ CCNs (Project Nos. 36801 and 36802).

Dispatch priority for CREZ wind projects is still unsettled (Project No. 34577) - there is a workshop scheduled for

			<p>April 17, 2009.</p> <p>SPP remains a party in this docket, but has not actively participated in the docket since the issuance of the October 2, 2007 PUCT Order.</p>
193.	<p>Texas Docket No. 33687</p>	<p>Entergy Gulf States, Inc.'s ("EGSI") Transition to Competition Plan</p> <p>SPP was granted intervenor status on January 26, 2007.</p>	<p>On October 24, 2007, the PUCT issued an order abating the proceeding and instructing Entergy Gulf States (EGSI) to request SPP to conduct an analysis similar to that performed by ERCOT in their Phase II Entergy Integration Report and completed in 2006.</p> <p>The PUCT issued a two-paragraph "Order Clarifying Order Abating Docket" on November 28, 2007, requiring EGSI to provide an updated cost-benefit analysis of EGSI's remaining in the Southeastern Electric Reliability Council power region, approving SPP's study work plan, and directing that EGSI pay SPP's costs for completing the study.</p> <p>SPP is in the process of conducting that analysis.</p> <p>SPP and ERCOT filed status reports in this proceeding on April 29, 2008.</p> <p>The first four stakeholder meetings were held on February 21, April 16, June 20, and September 16, 2008.</p> <p>The fifth stakeholder meeting was held on December 1, 2008.</p> <p>On December 4, 2008, SPP filed a Notice of Postponement stating the study report will be filed on or before December 17, 2008.</p> <p>On December 5, 2008, ERCOT filed its Phase II Study Update.</p> <p>On December 17, 2008, SPP filed its SPP-ETI QPR Study Report.</p> <p>On December 18, 2008, the PUCT issued Order 31 unabating the proceeding.</p> <p>A prehearing conference was held on January 8, 2009.</p> <p>The SPP Technical Conference was held on February 11, 2009. SPP responded to questions from the following parties: Alliance for Retail Markets, Cottonwood Energy Company, LP, Denton Municipal Electric, East Texas Electric Cooperatives, Entergy Texas, Inc., Oncor Cities, Shell Energy North America (US) LP, Tenaska Power Generation Companies, and Texas Industrial Energy Consumers. A conference call was held on February 17, 2009, in order to address remaining questions not covered on February 11.</p> <p>On February 25, 2009, SPP submitted Revised Responses to Questions from the First Technical Conference.</p> <p>On February 26, 2009, ERCOT filed a Statement of Intention to Revise Phase III Study Report, which was previously submitted to PUCT on December 5, 2008. ERCOT discovered that the list of multiple-element contingencies in its analysis was incomplete.</p>

Also on February 26, As a result of ERCOT's filing, Entergy Texas, Inc. filed a Motion for Postponement of Updated TTC Filing.

A prehearing conference was held on March 5, 2009 to discuss the remainder of the procedural schedule. The March 24, 2009 ERCOT and SPP Technical Conference has been postponed due to ERCOT's need to re-file their study report at a future date. The parties shall jointly file a proposed procedural schedule by March 31, 2009.

On March 31, 2009, ETI filed the Joint Proposed Procedural Schedule.

On April 3, 2009, the Commission issued Order No. 36 setting the following procedural schedule:

April 15, 2009: ERCOT files revised Phase III Study Report

April 29, 2009: ETI files updated TTC Plan

May 4, 2009: Deadline to submit questions for technical conference with ERCOT

May 8, 2009: Pre-hearing conference to address remainder of procedural schedule

May 15, 2009: Technical conference with ERCOT (moved to June 2, 2009)

May 15, 2009: Deadline to submit questions for technical conference with SPP

June 2, 2009: Technical conference with SPP and, as needed, ERCOT

On April 16, 2009, the PUCT issued Order No. 37, rescheduling the Prehearing Conference set for May 8, 2009 to May 11, 2009.

A prehearing conference was held on May 11, 2009. The ERCOT May 15 Technical Conference was moved to June 2.

On May 15, 2009, the PUCT issued Order No. 38, Adopting Procedural Schedule and Restyling Docket. The following procedural schedule is now in place:

June 2, 2009: Technical Conference with ERCOT and SPP

June 2, 2009: Discovery on ETI Updated TTC Plan/direct case begins

June 30, 2009: Objections to ETI Updated TTC Plan/direct case (responses due within five working days)

July 31, 2009: Last day to propound written discovery on ETI direct case

August 26, 2009: Intervenor testimony or statements of position

September 2, 2009: Staff testimony and Intervenor statements of position

September 9, 2009: Objections to Intervenor and Staff testimony (responses due within five working days)

September 15, 2009: ETI rebuttal

September 15, 2009: ETI written discovery on other parties ends

September 28, 2009: Prehearing conference

September 29-30, 2009: Hearing on the merits

TBD: Post-hearing briefs

On May 15, 2009, SPP received questions from Oncor Cities and Tenaska. SPP is preparing answers to be provided at the June 2, 2009 Technical Conference.

On May 28, 2009, East Texas Electric Cooperative, Inc. filed a Motion to Abate due to Senate Bill 1492 which would render this proceeding moot. ETEC asks that the June 2 Technical Conference be cancelled and that the procedural

			<p>schedule be abated until July 1, 2009.</p> <p>The parties elected to not hold the June 2, 2009 Technical Conference with ERCOT and SPP.</p> <p>On June 9, 2009, the PUCT issued order No. 40, Abating Proceeding until July 1, 2009.</p> <p>Senate Bill 1492, relating to the delay of retail electric competition in the areas of the state covered by the Southeastern Electric Reliability Council and to the recovery of certain transmission costs by electric utilities in those areas and to the provision of power during a natural disaster or declared emergency, was signed on June 19, 2009.</p> <p>On June 30, 2009, Entergy Texas filed its Withdrawal of TTC Plan.</p>
194.	Texas Docket No. 34442	Complaint of JD Wind 1, LLC, JD Wind 2 LLC, JD Wind 3 LLC, JD Wind 4 LLC, JD Wind 5, LLC and JD Wind 5, LLC Against Southwestern Public Service Company ("SPS")	<p>On June 27, 2007, the JD Wind Companies filed a complaint with the Public Utility Commission of Texas requesting that it resolve a dispute between the JD Wind Companies and SPS regarding commercial terms for long-term written agreements for the sale of energy to SPS from any of the six wind farms. Per PUCT Order No. 8:</p> <p>JD Wind's prefiled testimony was due August 14, 2008.</p> <p>SPS' and Occidental's prefiled testimony was due September 10, 2008.</p> <p>PUCT Staff's prefiled testimony was due September 17, 2008.</p> <p>JD Wind's pre-filed rebuttal testimony was due October 2, 2008.</p> <p>The deadline for completion of all discovery responses was October 6, 2008.</p> <p>A hearing on the merits was held on October 13-16, 2008.</p> <p>Initial briefs and written closing arguments were due December 16, 2008.</p> <p>Responsive briefs were due January 26, 2009.</p> <p>On March 25, 2009, the State Office of Administrative Hearings filed a Proposal for Decision. April 6, 2009 is the deadline for filing exceptions to proposal for decision. April 13, 2009, was the deadline for filing responses to exceptions.</p> <p>There is an ongoing filing in FERC Docket No. QM07-5-000 in which JD Wind Companies seek a ruling that may moot its complaint in this docket.</p> <p>On May 1, 2009, the PUCT issued an Order denying JD Wind Companies' request for relief against SPS.</p> <p>On May 21, 2009, JD Wind filed a Motion for Rehearing.</p>

			<p>On May 21, 2009, SPS filed a Motion for Rehearing, stating that the May 1 Order fails to address the following issues: 1) the allocation of liability for SPP Energy Imbalance Service charges attributable of the generation of Qualifying Facilities; 2) the assignment of responsibility for costs of transmission upgrades necessary to accommodate the purchase of the JD Wind Companies' power; and 3) SPS's right to curtail its purchases of the JD Wind Companies' power under certain circumstances.</p> <p>SPP is not an active participant in this docket.</p>
195.	<p>Texas Project No. 34577</p>	<p>Proceeding to Establish Policy relating to Excess Development in Competitive Renewable Energy Zones</p>	<p>Several comments in response to the PUCT's September 28, 2007 Notice of Workshop continue to be filed in this docket.</p> <p>On August 15, 2008, the Commission issued a Request for Comments. The Commission seeks comments on the feasibility and efficiency of the use of auctioned CRRs to effectuate dispatch priority from the CREZs and impede over-development of the CREZ transmission lines. Numerous parties filed comments.</p> <p>A public workshop (regarding dispatch priority options for CREZ developers and potential excess with resources in the ERCOT Market) was held on December 12, 2008.</p> <p>A workshop was held on April 17, 2009 to discuss dispatch priority for CREZ wind projects.</p> <p>On April 23, 2009, the PUCT requested briefs from stakeholders answering questions regarding a dispatch priority mechanism. Briefs were due May 8, 2009. Numerous parties filed briefs.</p> <p>On June 25, 2009, the PUCT Staff submitted a proposal for publication of amendments to §25.174 for consideration at the July 2, 2009 Open Meeting.</p> <p>SPP has not actively participated in this proceeding.</p>