

# Southwest Power Pool, Inc.

## Regulatory Status Report

### *FERC or State Jurisdiction: FERC*

#### **AD09-8                      Transmission Planning Processes Under Order No. 890**

On October 29, 2009, the Edison Electric Institute filed a Motion to Extend the Period for Filing Comments until November 23, 2009, and reply comments until December 18, 2009.

On October 30, 2009, New York ISO filed comments in support of Edison Electric Institutes October 29, 2009 Motion for an Extension of Time.

On October 30, 2009, FERC issued a Notice Granting Extension of Time. Comments are due November 23, 2009. Reply comments are due December 18, 2009.

On November 9, 2009, the following entities support comments in response to FERC's October 8, 2009 Notice of Request for Comments: 3M Company, High Capacity Conductors and the Public Utilities Commission of Ohio.

On November 9, 2009, the following entities support comments in response to FERC's October 8, 2009 Notice of Request for Comments: Dayton Power and Light Company, E.ON U.S. LLC, Public Power Council, and San Diego Gas & Electric Company.

On November 12, 2009, the Conservation Law Foundation, et. al, filed a Proposed Framework for Regional and National Electricity Grid Planning to Support Clean Renewable Energy Development, Energy Efficiency and Demand Response.

On November 20, 2009, the Governors of New Jersey, Delaware, Maryland and Virginia filed Joint Comments in response to FERC's October 8, 2009 Notice of Request for Comments.

On November 23, 2009, numerous entities filed comments in response to FERC's October 8, 2009 Notice of Request for Comments.

On November 23, 2009, SPP filed Comments Regarding Transmission Planning Processes Under Order No. 890.

SPP states it believes that the key to having a transmission system will not only meet the current reliability needs of customers but also become an enabling infrastructure to spur national growth and prosperity is (1) national joint collaborative planning, (2) a clear and simple cost allocation for the transmission projects from that process, and (3) surety in cost recovery for those that incur these costs.

#### **CE08-88.002                      Dinemayer Silva and Ashutosh Tiwari's Request for Critical Energy Infrastructure Information - Siemens (Additional Requesters)**

SPP submitted comments on this request October 28, 2009.

#### **CE09-183.001                      Andrew Oliver and Brian Healer's Request for Critical Energy Infrastructure Information - Renewable Energy Systems Americas, Inc. (Additional Requesters)**

On October 23, 2009, Doug Nieb submitted a request to add Andrew Oliver and Brian Healer to the original group request in this docket.

SPP submitted comments on this request October 30, 2009.

# Southwest Power Pool, Inc.

## Regulatory Status Report

- CE09-198 Jason Crabtree's Request for Critical Energy Infrastructure Information - Distributed Energy Management, Inc.**
- FERC issued a Notice of Intent to Release on November 4, 2009.
- FERC issued a Release Letter on November 9, 2009, enclosing a compact disc containing the information requested.
- CE09-199 Pinar Kaymaz' Request for Critical Energy Infrastructure Information - Energy Services, Inc.**
- FERC issued a Notice of Intent to Release on November 4, 2009.
- FERC issued a Release Letter on November 9, 2009.
- CE10-1 Yohan Sutjandra's Request for Critical Energy Infrastructure Information - The Energy Authority**
- FERC issued a Notice of Intent to Release on November 4, 2009.
- CE10-2 Lon Peter's Request for Critical Energy Infrastructure Information - Northwest Economic Research, Inc.**
- FERC issued a Notice of Release on November 2, 2009.
- CE10-3 Dr. Eugene Preston's Request for Critical Energy Infrastructure Information - Transmission Adequacy Consulting**
- FERC issued a Notice of Release on November 2, 2009.
- CE10-4 Chethana Kuloor's Request for Critical Energy Infrastructure Information - Optimal Technologies**
- On October 7, 2009, Chethana Kuloor, Senior Software Engineer, Optimal Technologies, filed a FERC CEII request to obtain a copy of "computer models of the Eastern Interconnect and the Western Interconnect", as noticed October 30, 2009.
- SPP submitted comments on this request November 6, 2009.
- CE10-5 Michael Swearingen's Request for Critical Energy Infrastructure Information - Tri-county Electric Cooperative, Inc. of Oklahoma**
- On October 6, 2009, Michael Swearingen, Manager of Engineering and Operations, Tri-County Electric Cooperative, Inc. of Oklahoma, filed a FERC CEII request to obtain a copy of the SPP dynamic model, as noticed October 30, 2009.
- SPP submitted comments on this request November 6, 2009.
- FERC issued a Notice of Intent to Release on November 17, 2009.
- CE10-7 Marck Robinson's Request for Critical Energy Infrastructure Information - PowerData Corporation**
- On October 5, 2009, Marck Robinson, President of PowerData Corporation, filed a FERC CEII request to obtain a copy of "FERC Form No. 715 , parts 1-6 for the SERC Region", as noticed

# Southwest Power Pool, Inc.

## Regulatory Status Report

October 30, 2009.

SPP submitted comments on this request November 6, 2009.

**CE10-8 Joel Eggemeyer, et al.'s Request for Critical Energy Infrastructure Information - Ameren Energy Marketing**

On October 19, 2009, Joel Eggemeyer, et al. of Ameren Energy Marketing filed a FERC CEII request to obtain a copy of FERC Form No. 715 data for FRC, SERC, MRO, TVA, PJM, SPP, and NPCC, as noticed November 9, 2009.

SPP submitted comments on this request November 16, 2009.

**CE10-11 Ethan Spafford's Request for Critical Energy Infrastructure Information - Wisconsin Electric Power Company**

On October 21, 2009, Ethan Spafford, Senior Engineer, Wisconsin Electric Power Company, filed a FERC CEII request to obtain a copy of the powerflow case for the Eastern Interconnect, as noticed November 10, 2009.

SPP submitted comments on this request November 16, 2009.

**CE10-12 Jinxiang Zhu's Request for Critical Energy Infrastructure Information - ABB, Inc.**

On October 21, 2009, Jinxiang Zhu, Principal Consultant, ABB, Inc., filed a FERC CEII request to obtain a copy of the FERC Form No. 715 power flow case for the Eastern Interconnection for 2008, 2009, and future years, as noticed November 10, 2009.

SPP submitted comments on this request November 16, 2009.

**CE10-13 Xiaoguang Yang's Request for Critical Energy Infrastructure Information - Entergy**

On October 22, 2009, Xiaoguang Yang, an analyst representing Entergy, filed a FERC CEII Request to obtain a copy of the NERC Eastern Interconnection Reliability Assessment Group Multi-regional Working Group (ERAG MMWG) Eastern Interconnection 2010 summer peak powerflow data file in PSS/E file format, as noticed November 10, 2009.

SPP submitted comments on this request November 16, 2009.

**CE10-15 Anna Wood's Request for Critical Energy Infrastructure Information - BJ Energy, LLC**

On August 21, 2009, Ann Wood of BJ Energy, LLC filed a FERC CEII request to obtain a copy of FERC Form No. 715 data for all North American Electric Reliability Corporation regions, as noticed November 6, 2009.

SPP submitted comments on this request November 16, 2009.

**CE10-18 Michael Behnke's Request for Critical Energy Infrastructure Information - BEW Engineering, Inc.**

On November 5, 2009, Michael Behnke, Principal Engineer of BEW Engineering, Inc., filed a FERC CEII request to obtain a copy of the FERC Form No. 715 submitted by SPP in 2008, as noticed November 12, 2009.

SPP submitted comments on this request November 16, 2009.

# Southwest Power Pool, Inc.

## Regulatory Status Report

- CE10-19**      **William Williams' Request for Critical Energy Infrastructure Information - Altresco Integrated, LLC**
- On November 10, 2009, William Williams, CEO of Altresco Integratd, LLC, filed a FERC CEII request to obtain a copy of SPP's transmission map, as noticed November 17, 2009.
- SPP submitted comments on this request November 24, 2009.
- CE10-20**      **Kiran Thammineni's Request for Critical Energy Infrastructure Information - Ameren Services Company**
- On November 10, 2009, Kiran Thammineni, Transmission Analyst for Ameren Services Company, filed a FERC CEII request to obtain a copy of FERC Form No. 715 data for 2008 and 2009, as noticed November 17, 2009.
- SPP submitted comments on this request November 24, 2009.
- CE10-21**      **Kevan Eddy's Request for Critical Energy Infrastructure Information - Petroleum Landman School, LLC**
- On November 16, 2009, Kevan Eddy of Petroleum Landman School, LLC filed a FERC CEII request to obtain a "map of Southwest Power Pool current and proposed or expansion transmission lines", as noticed November 20, 2009.
- CE10-22**      **Jennifer Timmer's Request for Critical Energy Infrastructure Information - Texas Tech University**
- On November 13, 2009, Jennifer Timmer, Research Assistant, Texas Tech University, filed a FERC CEII request to obtain a copy of SPP's transmission map, as noticed November 20, 2009.
- CE10-23**      **Jeffrey Palermo's Request for Critical Energy Infrastructure Information - KEMA, Inc.**
- On November 18, 2009, Jeffrey Palermo, Executive Consultant for KEMA, Inc., filed a FERC CEII request to obtain "complete Form 715 filing for 2009", as noticed November 20, 2009.
- ER05-1065**      **Entergy Services' New Proposal for an Independent Coordinator of Transmission ("ICT") and Extension of the ICT's Initial Term**
- On November 16, 2009, Occidental Chemical Corporation filed Comments regarding the ICT's Third Quarterly Performance Report for 2009.
- On November 16, 2009, the Lafayette Utilities System and the Louisiana Energy and Power Authority submitted comments on the ICT's Third Quarterly Performance Report for 2009.
- ER06-20**      **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**
- On October 26, 2009, SPP and E.ON U.S. LLC submitted a Joint Notice to Terminate Independent Transmission Organization Agreement, effective September 1, 2010, which is the date the initial term expires. During the remainder of the initial term, SPP will continue to discharge all responsibilities under the ITO Agreement, including the provision of any Transition Assistance Services required to be performed pursuant to Section 4.8.2.

# Southwest Power Pool, Inc.

## Regulatory Status Report

On November 24, 2009, FERC issued a Certification of Uncontested Settlement.

**ER08-313**

### **SPS Formula Rate Case**

On October 22, 2009, Golden Spread Electric Cooperative, Inc. filed a response to Cap Rock's October 21, 2009 Motion to Compel.

On October 22, 2009, FERC issued a Discovery Order establishing the following procedural schedule:

- A. Cap Rock and the parties will confer and attempt to resolve in good faith the discovery items, through November 3, 2009.
- B. If not resolved, Cap Rock may file supplemental motions by November 5, 2009, which specifies discovery items still outstanding.
- C. Answering motions, if applicable, are due November 16, 2009.
- D. Oral argument on the motions to compel, if necessary, will be held on November 18, 2009, beginning at 10 AM.

On November 5, 2009, Cap Rock Energy Corporation filed a Supplemental Motion to Compel Golden Spread Electric Cooperative, Inc., Occidental Permian Ltd. and Occidental Power Marketing, L.P. to Respond to Data Requests. Consistent with the Discovery Order in this proceeding, Cap Rock is filing this motion to compel responses on the unresolved data requests.

On November 10, 2009, FERC issued an Order of Chief Judge Continuing Settlement Judge Procedures.

On November 16, 2009, Occidental Permian LTD. and Occidental Power Marketing, L.P. filed an Answer in Opposition to Cap Rock Energy Corporation's Supplemental Motion to Compel.

On November 16, 2009, Golden Spread Electric Cooperative, Inc. filed an Answer in Response to Cap Rock Energy Corporation's Supplemental Motion to Compel.

On November 16, 2009, Cap Rock Energy Corporations filed a Notice of Withdrawal of Motion to Compel West Texas Municipal Power Agency to Respond to Data Requests.

On November 18, 2009, Xcel Energy Services submitted Supplemental Direct Testimony of SPS witnesses David T. Hudson, Bernard D. Lui, and John S. Fulton.

On November 19, 2009, FERC issued an Order Granting in Part, Denying in Part, Cap Rock Energy Corporation's Motion to Compel.

**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")**

On November 9, 2009, Staff filed its Initial Comments of Commission Trial Staff in Support of Settlement Agreement.

**ER08-1419**

### **SPP Balanced Economic Portfolio Filing**

On November 2, 2009, SPP submitted its compliance filing to amend provisions in Attachment

# Southwest Power Pool, Inc.

## Regulatory Status Report

O of its OATT regarding the provision of transmission planning data pursuant to confidentiality agreements and inclusion of costs from third-party impacts in Balanced Portfolio cost-benefit analyses. SPP requests an effective date of October 17, 2008.

On November 10, 2009, Robert A. Durham, Chief Engineer of Theway Corp. filed comments in regarding SPP's November 2, 2009 compliance filing. Dr. Durham believes that SPP's definition of "Competitive Duty Personnel" in section IV of SPP's filing, as well as SPP's current practices, unnecessarily restricts information needed by Market Participants to participate in the Transmission Planning process.

On November 23, 2009, Lincoln Electric System filed a Motion to Intervene.

On November 23, 2009, Midwest Energy, Inc. filed a Motion to Intervene.

On November 23, 2009, TDU Intervenors filed a Protest asking that FERC reject SPP's proposed across-the-board prohibition on competitive duty personnel having access to resource-specific transmission planning data. They go on to state that the Commission should order SPP to delete Section IX.7(d) of Attachment O, or to revise the language so as to reasonably ensure that all market participants can review and replicate the results of SPP's transmission planning process as required by the June 18 Order.

On November 23, 2009, Western Farmers Electric Cooperative filed a Protest, stating that WFEC agrees with other protesters that SPP's proposal to prevent "Competitive Duty Personnel" from having access to resource-specific data would work a hardship on smaller entities and therefore contravenes the Commission's express orders. WFEC asks that the Commission reject SPP's November 2 compliance filing and direct SPP to use the Model Protective Order as the basis for its confidentiality requirements.

On November 23, 2009, Occidental Permian LTD. and Occidental Power Marketing, L.P. filed a Protest. Occidental believes SPP's November 2 filing violates FERC's directive that SPP submit a compliance filing "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." Occidental states that SPP is proposing to withhold information from a broad category of individuals designated "Competitive Duty Personnel." Occidental asks FERC to direct SPP to provide access to all individuals who sign the Commission's Model Protective Order.

On November 23, 2009, Golden Spread Electric Cooperative, Inc., Arkansas Electric Cooperative Corporation, East Texas Cooperatives, Kansas Electric Power Cooperative, Inc., Sunflower Electric Power Corp., and Mid-Kansas Electric Company, LLC filed a Motion to Intervene and Protest.

The parties protest SPP's proposal to prohibit access to resource data to persons falling within SPP's proposed definition of "Competitive Duty Personnel", even if those persons offer to sign a confidentiality agreement. The parties ask that FERC direct SPP to file applicable confidentiality provisions modeled on the Commission's own Model Protective Order.

ER09-35

### **Tallgrass Transmission, LLC ("Tallgrass") Formula and Incentive Rate Case**

On November 4, 2009, FERC issued an Order Scheduling Settlement Conference for December 9, 2009.

# Southwest Power Pool, Inc.

## Regulatory Status Report

- ER09-36**                    **Prairie Wind Transmission, LLC ("Prairie Wind") Formula and Incentive Rate Case**
- On November 4, 2009, FERC issued an Order Scheduling Settlement Conference for December 9, 2009.
- ER09-262**                    **SPP Filing of GI Clustering Waiver Petition**
- On November 19, 2009, FERC issued an Order on Rehearing in response to CPV Energy's June 17, 2009 request. CPV's Request for Rehearing is denied.
- ER09-342**                    **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")**
- On November 9, 2009, Staff filed its Initial Comments of Commission Trial Staff in Support of Settlement Agreement.
- ER09-548**                    **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**
- On October 23, 2009, ITC Great Plains submitted an Uncontested Offer of Settlement.
- On November 10, 2009, Staff filed its Initial Comments of Commission Trial Staff in Support of Settlement Agreement.
- On November 16, 2009, FERC issued a Certification of Uncontested Settlement.
- On November 17, 2009, FERC issued an Order of Chief Judge Terminating Settlement Judge Procedures.
- ER09-555**                    **Entergy Services, Inc. Filing of Proposed Revisions to Attachment V of Entergy's Open Access Transmission Tariff ("OATT")**
- On November 17, 2009, Entergy submitted its compliance filing detailing its plans for a replacement arrangement or continuation of the ICT arrangement, pursuant to the March 17 Order. Entergy states it is considering continuation of the ITC arrangements or joining the SPP RTO. Since the ICT arrangements expire on November 17, 2010, Entergy would need to make a filing by September 18, 2010, to extend, modify or terminate those arrangements. However, the current cost benefit study ordered in Arkansas Docket 08-136-U will not be complete until July 30, 2010. Given this timing, it is unlikely the Entergy RSC would have adequate time to review, consider and vote on its recommendation regarding the SPP RTO alternative prior to September 18, 2010. Therefore, Entergy believes an extension of the ICT will be required for an interim period.
- ER09-748**                    **SPP Filing of Revisions to OATT to Modify Energy Imbalance Service Market (Attachment AE Revisions - Demand Response Proposal)**
- On November 20, 2009, FERC issued an order on SPP's April 28, 2009 Order No. 719 Compliance Filing filed in Docket No. ER09-1050. The Commission accepts in part, and rejects in part, the revised tariff sheets to be effective June 28, 2009. A further compliance filing is due February 18, 2010. FERC finds that SPP's proposal in Docket No. ER09-748 to be insufficient and directs SPP to submit a compliance filing as outlined in the November 20 Order (see Docket No. ER09-1050).

# Southwest Power Pool, Inc.

## Regulatory Status Report

ER09-1050

### SPP Order 719 Compliance Filing

On October 27, 2009, SPP submitted revisions to its OATT to comply with Order No. 719-A.

The filing revises SPP Tariff provisions governing participation in the SPP Energy Imbalance Service Market by aggregators of retail customers.

On November 10, 2009, Xcel Energy Services Inc. filed a Motion to Intervene.

On November 10, 2009, TDU Intervenors filed Comments regarding SPP's October 27, 2009 Order 719-A compliance filing.

TDU Intervenors stat that the filing does not resolve the issue they identified in their May 26, 2009 filing in this docket. Specifically, TDU discusses the modification to SPP Tariff section 1.18c, Sheet 22, to encompass "any retail customer...that is not precluded under the laws or regulations of the relevant electric retail regulatory authority...from participating in demand response programs...". TDU understands this language to encompass only those retail customers not precluded by law or regulations from participating directly in SPP market demand response programs. TDU states it should be made clear that this does not extend the Market Participant status to retail customers that are permitted to participate in demand response programs undertaken by wholesale Market Participant load-serving entities ("LSEs") such as TDU.

On November 10, 2009, Occidental Permian LTD., Occidental Power Marketing, L.P. and Occidental Chemical Corporation filed a Protest regarding SPP's October 27, 2009 Order 719-A compliance filing.

Occidental's protest focuses on SPP's proposal to apply to aggregators of retail customers ("ARCs") desiring to offer controllable load in the Energy Imbalance Services ("EIS") market a requirement that they provide a declaration from the "relevant electric retail regulatory authority" stating that such participation is not precluded by that regulatory authority's laws or regulations. Occidental believes that the requirement to obtain such declaration is contrary to Order 719 and would create a substantial barrier to demand response resource participation in the market.

On November 20, 2009, FERC issued an order on SPP's April 28, 2009 Order No. 719 Compliance Filing. The Commission accepts in part, and rejects in part, the revised tariff sheets to be effective June 28, 2009. A further compliance filing is due February 18, 2010. SPP and its marketing monitoring unit is also directed to submit a compliance filing by May 20, 2010, reporting on barriers to comparable treatment of demand response resources (see P. 96).

On November 24, 2009, SPP filed an Answer in response to Occidental's November 10, 2009 Protest filed in response to SPP's October 27, 2009 Order 719-A compliance filing.

SPP states that the Commission should recognize and respect regional differences and the unique position of SPP as an RTO in an entirely retail rate-regulated region, and permit SPP to adopt a mechanism to ensure that it is not placed in the position of interpreting the laws and regulations of the electric retail regulatory authorities in its region. Additionally, SPP's proposed requirement for a declaration from the relevant electric retail regulatory authority in ARC registration does not tread on state regulatory jurisdiction, especially since no state commission has expressed any opposition to SPP's proposed Tariff language.

# Southwest Power Pool, Inc.

## Regulatory Status Report

ER09-1192

### **SPP Submission of Revisions to Bylaws**

On November 20, 2009, FERC issued an order on SPP's April 28, 2009 Order No. 719 Compliance Filing filed in Docket No. ER09-1050. The Commission accepts in part, and rejects in part, the revised tariff sheets to be effective June 28, 2009. A further compliance filing is due February 18, 2010, to also include revisions to SPP Bylaws.

Regarding the proposed section 3.2 and 3.8 changes, FERC makes no findings as to whether these provisions comply with the fourth area of reforms identified in Order No. 719 regarding the responsiveness of RTOs and ISOs to their customers and other stakeholders. The Commission recently announced it will hold a technical conference in the near future in order to discuss that topic. Following the technical conference, FERC will issue a separate order addressing SPP's compliance with this aspect of Order No. 719.

FERC accepts SPP's proposed revisions to section 3.17 of its Bylaws in part and request that SPP make the following additional changes in its compliance filing due February 18, 2010:

- 1) P. 164: FERC directs SPP to modify section 3.17 of its Bylaws to clarify that SPP management representatives on the Board or excluded from oversight on the internal market monitor report, consistent with Order No. 719.
- 2) P. 165: FERC directs SPP to clarify in section 3.17 that any public reports submitted shall be provided to the Board, Commission staff, staff of interested state commissions, SPP management, and market participants.
- 3) P. 166: SPP shall revise section 3.17 to reference market monitoring functions described in its tariff, including the three core market monitoring functions required by Order No. 719.

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**

On November 17, 2009, FERC issued a letter order accepting the agreements and Notice of Cancellation, effective June 1, 2009 as requested.

This order constitutes final agency action.

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 Transmission Owners, as well as a Network Operating Agreement ("NOA")**

On October 22, 2009, FERC issued a Notice Granting Extension of Time. The comment period is granted to and including November 24, 2009.

On November 23, 2009, SPP filed a Motion to Extend the Comment Date until December 11, 2009. SPP also asked to defer action until February 9, 2010, to the extent necessary.

On November 24, 2009, FERC issued a Notice of Extension of Time, which grants an extension of the comment date to December 11, 2009. SPP's request to defer Commission action is also granted until February 9, 2010.

# Southwest Power Pool, Inc.

## Regulatory Status Report

ER09-1562

**Unexecuted Network Integration Transmission Service Agreement ("NITSA") between SPP, Kansas Power Pool ("KPP") as Network Customer, and Mid-Kansas Electric Company ("MKEC") as Host Transmission Owners, as well as a Network Operating Agreement ("NOA")**

On October 22, 2009, FERC issued a Notice Granting Extension of Time. The comment period is granted to and including November 24, 2009.

On November 23, 2009, SPP submitted a revised, executed Network Integration Transmission Service Agreement and an executed Network Operation Agreement, designated Substitute First Revised 1617.

An effective date of October 6, 2009 is requested.

ER09-1665

**Executed Network Integration Transmission Service Agreement ("NITSA") between SPP, City of Osage City, Kansas ("KPP") as Network Customer, and Westar Energy, Inc. ("Westar") as Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On October 22, 2009, FERC issued a letter order accepting the agreement, effective August 1, 2009.

This order constitutes final agency action.

ER09-1714

**Large Generator Interconnection Agreement ("LGIA") between Elk City Wind, LLC ("Elk City Wind") as Interconnection Customer and Public Service Company of Oklahoma ("PSO") as Transmission Owner**

On October 22, 2009, American Electric Power Service Corporation filed an Answer to Motion to Intervene and Comments of Dempsey Ridge Wind Farm, LLC. AEP provides clarification on three issues Dempsey Ridge raised: 1) Substation location; 2) Cost responsibility for Stand Alone Network Upgrades; and 3) Responsibility for construction of additional terminal positions.

On November 4, 2009, Dempsey Ridge Wind Farm, LLC filed a Motion for Leave to Respond and Response to Answers of American Electric Power Service Corporation and Southwest Power Pool, Inc. Dempsey Ridge believes that the filing of the Elk City LGIA, AEP and SPP are "impermissibly attempting to force an indirect modification to the Dempsey Ridge LGIA."

On November 13, 2009, SPP filed an Answer in response to Dempsey Ridge Wind Farm, LLC's November 4, 2009 filing.

SPP states:

- 1) Dempsey Ridge's acquisition of an option on a substation site was to meet its own expedited construction schedule that now has been delayed indefinitely and was not at the request of SPP.
- 2) The location of the Sweetwater substation will not impose unreasonable burdens on Dempsey Ridge should it move forward with its project.

On November 16, 2009, FERC issued an Order Accepting the Large Generator Interconnection

# Southwest Power Pool, Inc.

## Regulatory Status Report

Agreement, effective August 17, 2009 as requested.

ER09-1716

**Interim Large Generator Interconnection Agreement ("LGIA") between SPP as Transmission Provider and Western Farmers Electric Cooperative ("WFEC") as Interconnection Customer and Transmission Owner**

On November 16, 2009, FERC issued an Order Conditionally Accepting Interim Large Generator Interconnection Agreement. The agreement is accepted effective September 18, 2009, subject to SPP's amending its OATT to provide for interim interconnection service and Commission acceptance of such tariff amendments, and subject to SPP submitting a compliance filing to conform this interim LGIA to any amendments to the SPP OATT establishing interim interconnection service within 30 days of Commission's acceptance of such amendments.

ER09-1732

**SPP Filing of an Executed Meter Agent Services Agreement between KCP&L Greater Missouri Operations Company ("KCP&L-GMO") as both Market Participant and Meter Agent**

On November 17, 2009, FERC issued a letter order accepting the agreement, effective September 1, 2009 as requested.

This order constitutes final agency action.

ER09-1733

**SPP Filing of an Executed Meter Agent Services Agreement between Dogwood Energy, LLC ("Dogwood") as Market Participant and KCP&L Greater Missouri Operations Company ("KCP&L-GMO") as Meter Agent**

On November 17, 2009, FERC issued a letter order accepting the agreement and Notice of Cancellation, effective September 1, 2009 as requested.

This order constitutes final agency action.

ER09-1736

**SPP Submission of Revised Pages to its OATT to Implement a Rate Change for Public Service Company of Oklahoma ("PSO") and Southwestern Electric Power Company ("SWEPCO") (PSO and SWEPCO Formula Rate Case)**

On November 16, 2009, SPP submitted an Errata Filing and Request for Expedited Action and Shortened Notice Period. On November 6, 2009, FERC contacted SPP's counsel and requested a more legible version of the Tariff sheets filed on September 23, 2009.

SPP requested a shortened comment period, asking that comments be submitted no later than November 23, 2009. SPP also asked that FERC accept the September 23 Filing by November 24, 2009.

ER09-1740

**SPP Submission of Revised Pages to its OATT to Implement a Rate Change for Oklahoma Gas and Electric Company ("OG&E") (OG&E Formula Rate Case)**

On November 6, 2009, FERC issued a letter order accepting the changes to pricing zone rates, effective July 1, 2008.

# Southwest Power Pool, Inc.

## Regulatory Status Report

This order constitutes final agency action.

On November 12, 2009, FERC issued an Errata to the November 6, 2009 Order. The effective date for the Tariff pages in July 1, 2008, not June 1, 2008.

ER09-1778

**Executed Network Integration Transmission Service Agreement ("NITSA") between SPP, Associated Electric Cooperative, Inc. ("AECI") as Network Customer, and Oklahoma Gas and Electric Company ("OG&E") as Host Transmission Owners, as well as a Network Operating Agreement ("NOA")**

On November 6, 2009, FERC issued a letter order accepting the agreement effective September 1, 2009.

This order constitutes final agency action.

ER10-7

**Submission of Midwest Independent Transmission System Operator, Inc. ("Midwest ISO"), PJM Interconnection, LLC ("PJM"), and SPP of Proposed Revisions to the Congestion Management Process ("CMP") and Joint Operating Agreements**

On October 22, 2009, Xcel Energy Services, Inc. filed a Motion to Intervene.

On October 22, 2009, Duke Energy Corporation filed a Motion to Intervene.

On October 22, 2009, Exelon Corporation filed a Motion to Intervene.

ER10-21

**SPP Submission of Revisions to OATT to Implement Rate Changes for Public Service Company of Oklahoma ("PSO"), Southwestern Electric Power Company ("SWEPCO"), and Southwestern Public Service Company ("SPS")**

On October 23, 2009, Xcel Energy Services, Inc. filed a Motion to Intervene.

On October 23, 2009, East Texas Cooperatives filed a Motion to Intervene.

ER10-29

**SPP Submission of Revisions to OATT to Implement Rate Changes for Lincoln Electric System ("LES") and Omaha Public Power District ("OPPD")**

On October 26, 2009, OPPD filed a Motion to Intervene and Comments in support of SPP's October 5, 2009 filing.

ER10-45

**SPP Submission of Revisions to OATT to Implement Rate Changes for ITC Great Plains, LLC (ITC Formula Rate Case)**

On November 3, 2009, ITC Great Plains, LLC filed a Motion to Intervene.

On November 3, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative, Inc. filed a Motion to Intervene, Conditional Protest, and Conditional Motion to Consolidate.

The parties ask that this case be consolidated with ER09-548, unless the Offer of Settlement in ER09-548 is approved and SPP agrees to incorporate the rates into its OATT.

# Southwest Power Pool, Inc.

## Regulatory Status Report

In addition, the parties state that if the Commission issued an order in Docket No. ER09-548 approving the Offer of Settlement, then this Protest may be deemed withdrawn upon condition that SPP agrees to make a filing(s) (1) incorporating the rates and terms of conditions of service included in the Offer of Settlement in its OATT; and (2) incorporating any changes to ITC Great Plains' rates and terms and conditions of service ordered by the Commission as a result of the requests for rehearing and motions for clarification pending in ER09-548.

**ER10-126**

### **Revisions to Open Access Transmission Tariff to Reflect an Update of the Annual Values Used in the Calculation of Offer Caps**

On October 28, 2009, SPP submitted revisions to its OATT to reflect updates of annual values used in the calculation of offer caps for all pivotal resources in SPP's real-time energy imbalance service market.

An effective date of January 1, 2010 is requested.

On November 18, 2009, Golden Spread Electric Cooperative, Inc. filed a Motion to Intervene.

**ER10-129**

### **Network Integration Transmission Service Agreement ("NITSA") between SPP, Kansas Electric Power Cooperative, Inc. ("KEPCO") as Network Customer, and Empire District Electric Company ("Empire") as Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On October 28, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, Kansas Electric Power Cooperative, Inc., as Network Customer, as well as a Network Operating Agreement between SPP as Transmission Provider, KEPCO as Network Customer, and Empire District Electric Company as Host Transmission Owner. SPP Service Agreement No. First Revised 1622.

An effective date of October 1, 2009 is requested.

**ER10-144**

### **Network Integration Transmission Service Agreement ("NITSA") between SPP, Board of Public Utilities, Springfield, Missouri ("Springfield") as Network Customer and Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On October 29, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, Board of Public Utilities, Springfield, Missouri as Network Customer, as well as a Network Operating Agreement between SPP as Transmission Provider, Board of Public Utilities, Springfield, Missouri as Network Customer and Host Transmission Owner. SPP Service Agreement No. Third Revised 549.

An effective date of October 1, 2009 is requested.

On November 12, 2009, Southwestern Power Administration filed a Motion to Intervene.

# Southwest Power Pool, Inc.

## Regulatory Status Report

**ER10-145**                    **SPP Submission of Revisions to OATT to Implement Rate Changes for Southwestern Public Service Company ("SPS") (SPS Formula Rate Case)**

On October 29, 2009, SPP submitted revised pages to is OATT to implement rate changes for Southwestern Public Service Company. which is a transmission owner and pricing zone under the SPP Tariff. SPP submitted this filing to implement the transmission formula rate included in the Offer of Settlement filed in Docket No. ER08-313 on September 18, 2009.

An effective date of July 6, 2008 is requested for the revisions incorporating SPS's formula rate template and protocols, and October 1, 2009 for revisions submitted associated with the Chief ALJ's Interim Rate Order.

On November 19, 2009, Cap Rock Energy Corporation filed a Motion to Intervene.

**ER10-146**                    **Network Integration Transmission Service Agreement ("NITSA") between SPP, Westar Energy, Inc. ("Westar") as Network Customer and Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On October 29, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, Westar Energy, Inc., as Network Customer, as well as a Network Operating Agreement SPP as Transmission Provider, Westar Energy, Inc., as Network Customer and Host Transmission Owner. SPP Service Agreement No. 1863.

An effective date of October 1, 2009 is requested.

**ER10-181**                    **SPP Submission of Revisions to OATT to Implement Rate Changes for Westar Energy, Inc. (Westar Formula Rate Case)**

On October 30, 2009, SPP submitted revised pages to is OATT to implement rate changes for Westar Energy, Inc. which is a transmission owner and pricing zone under the SPP Tariff. SPP submitted this filing to track the rate update calculated by Westar based on its transmission cost of service formula rate.

An effective date of January 1, 2010 is requested.

**ER10-184**                    **Revised Appendices to Large Generator Interconnection Agreement ("LGIA") between Flat Ridge Wind Energy, LLC ("Flat Ridge Wind") as Interconnection Customer and Mid-Kansas Electric Company, LLC ("MKEC") as Transmission Owner**

On October 30, 2009, SPP submitted revised Appendices to the LGIA between SPP as Transmission Provider, Flat Ridge Wind Energy, LLC as Interconnection customer, and

# Southwest Power Pool, Inc.

## Regulatory Status Report

Mid-Kansas Electric Company, LLC as Transmission Owner. SPP Service Agreement No. First Revised 1629.

An effective date of October 26, 2009 is requested.

On November 20, 2009, ITC Great Plains, LLC filed a Motion to Intervene.

ER10-191

### **E.ON U.S. LLC (LG&E & KU Systems) Filing to Change Method of Complying with Order Nos. 888, 889, 890**

On October 30, 2009, E.ON U.S. LLC (together with its subsidiaries Louisville Gas and Electric Company and Kentucky Utilities Company) submitted a filing seeking Commission approval to change Applicants' method of: (i) complying with Order Nos. 888, 889 and 890; and (ii) meeting certain conditions imposed by the Commission in the context of Applicants' prior mergers and Applicants' exit from MISO. This filing is necessary due to the upcoming termination of the ITO Agreement between LG&E/KU and SPP. E.ON states that no entities have responded to its request for proposals for a replacement ITO arrangement. Therefore, Applicants request expedited consideration of this proposal due to the need to transfer certain functions currently being performed by SPP prior to the termination of the ITO Agreement on September 1, 2010.

E.ON submitted a revised OATT containing modifications to reassign the ITO functions to Applicants and to delete the ITO Agreement between Applicants and SPP and the Attachment P, which specified the ITO functions. Applicants also include a pro forma revised agreement with Tennessee Valley Authority ("TVA") as Attachment Q to the OATT.

On November 18, 2009, Illinois Municipal Electric Agency filed a Motion to Intervene.

On November 19, 2009, SPP filed a Motion to Intervene.

On November 20, 2009, Indiana Municipal Power Agency and East Kentucky Power Cooperative, Inc. filed Motions to Intervene.

On November 20, 2009, the Erora Group, L.L.C. and Cash Creek Generation, L.L.C. filed a joint Motion to Intervene.

On November 20, 2009, Kentucky Municipals (consisting of Kentucky Utilities Company, Owensboro Municipal Utilities, Paducah Power System, and the Princeton Electric Plant Board) filed a Motion to Intervene, Protest, and Motion to Reject Filing as Deficient. The Kentucky Municipals believe that E.ON's filing fails to provide a market power analysis adequate to support that change or to demonstrate that the change would satisfy the Commission's directives in prior E.ON merger proceedings and the Commission's 2006 Orders which authorized E.ON's withdrawal from MISO.

On November 20, 2009, American Municipal Power, Inc. filed a Motion to Intervene and Protest. AMP raised issues concerning Feasibility Analysis service and stakeholder involvement in expansion planning.

# Southwest Power Pool, Inc.

## Regulatory Status Report

ER10-195

**Network Integration Transmission Service Agreement ("NITSA") between SPP, American Electric Power Service Corporation ("AEP") as Network Customer, and Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On November 2, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, American Electric Power Service Corporation as agent for Public Service Company of Oklahoma and Southwestern Electric Power Company, as Network Customer, as well as a Network Operating Agreement between SPP as Transmission Provider, American Electric Power Service Corporation as Network Customer and Transmission Owner. SPP Service Agreement No. Tenth Revised 1148.

An effective date of October 1, 2009 is requested.

ER10-196

On November 23, 2009, East Texas Cooperatives filed a Motion to Intervene.

**Network Integration Transmission Service Agreement ("NITSA") between SPP, Westar Energy ("Westar") as Network Customer and Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On November 2, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, Westar Energy, Inc., as Network Customer, as well as a Network Operating Agreement between SPP as Transmission Provider, Westar Energy, Inc., as Network Customer and Host Transmission Owner. SPP Service Agreement No. Fifth Revised 607.

An effective date of October 1, 2009 is requested.

ER10-197

**Network Integration Transmission Service Agreement ("NITSA") between SPP, Midwest Energy, Inc. ("Midwest") as Network Customer, and Midwest Energy, Inc. ("Midwest") and Sunflower Electric Power Corporation as Host Transmission Owners, as well as a Network Operating Agreement ("NOA")**

On November 2, 2009, SPP filed two Network Integration Transmission Service Agreements and Network Operating Agreements. Third Revised 1035, is between SPP and Midwest Energy as the Customer, with Midwest Energy and Sunflower Electric Power Corporation as Host Transmission Owners (for Midwest Energy's "M System"). Third Revised 916, is between SPP and Midwest Energy Customer and Host Transmission Owner (for Midwest Energy's "W System").

An effective date of October 1, 2009 is requested.

# Southwest Power Pool, Inc.

## Regulatory Status Report

**ER10-215**                    **Transmission Interconnection Agreement between the West Texas Municipal Power Agency ("WTMPA") and Southwestern Public Service Company ("SPS")**

On November 4, 2009, SPP submitted an executed Transmission Interconnection Agreement between the West Texas Municipal Power Agency and Southwestern Public Service Company. SPP Service Agreement No. 1773.

An effective date of January 1, 2010 is requested.

On November 24, 2009, Xcel Energy Services Inc. filed a Motion to Intervene.

**ER10-230**                    **Kansas City Power & Light Company ("KCP&L") and KCP&L Greater Missouri Operations Company ("KCPL-GMO") Submission of Proposed Tariff Revisions to Provide for Recovery of an Updated Revenue Requirement**

On November 6, 2009, Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company submitted revised tariff sheets to provide for recovery of an updated revenue requirement.

An effective date of January 1, 2010 is requested.

On November 10, 2009, Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company submitted corrected Exhibits GP-2 and GP-3 to the Direct Testimony of Charles Locke.

On November 23, 2009, SPP filed a Motion to Intervene.

**ER10-242**                    **SPP Submission of Revisions to OATT to Implement Rate Changes for Oklahoma Gas & Electric Company ("OG&E")**

On November 9, 2009, SPP submitted revised pages to is OATT to implement rate changes for Oklahoma Gas & Electric Company, which is a transmission owner and pricing zone under the SPP Tariff.

An effective date of January 1, 2010 is requested.

**ER10-261**                    **Large Generator Interconnection Agreement ("LGIA") between Taloga Wind, LLC ("Taloga Wind") as Interconnection Customer and Oklahoma Gas & Electric Company ("OG&E") as Transmission Owner**

On November 12, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Taloga Wind, LLC as Interconnection customer, and Oklahoma Gas & Electric Company as Transmission Owner. SPP Service Agreement No. First Revised 1677.

An effective date of October 13, 2009 is requested.

# Southwest Power Pool, Inc.

## Regulatory Status Report

ER10-267

### **SPP Submission of Revision to Membership Agreement to Amend Section 1.21.**

On November 13, 2009, SPP submitted a minor revision to its Membership Agreement in order to remove a provision in section 1.21 indicating that SPP Standards of Conduct will be on file with the Commission.

An effective date of January 12, 2010 is requested.

ER10-273

### **SPP Submission of Revisions to OATT to Implement Rate Changes for Oklahoma Municipal Power Authority's ("OMPA") Revenue Requirements in the American Electric Power - West ("AEP") and Oklahoma Gas & Electric Company ("OG&E") Pricing Zones Under the SPP Tariff**

On November 16, 2009, SPP submitted revised pages to its OATT to implement rate changes for Oklahoma Municipal Power Authority's revenue requirements in American Electric Power - West and Oklahoma Gas & Electric Company pricing zones under the SPP Tariff.

An effective date of January 1, 2010 is requested.

OA08-61

### **SPP Order No. 890 Compliance Filing - Attachment O Revisions for Coordinated and Regional Planning Process**

On November 2, 2009, SPP submitted revisions to Attachment O of its OATT pursuant to Order Nos. 890 and 890-A, and the Commission's May 21, 2009 Order on Compliance Filing.

In this filing, SPP (1) proposes revisions to Attachment O of the SPP Tariff to address comparable treatment of demand response resources in the SPP planning process, establish a timetable for negotiating project specifications and schedules with Designated Transmission Providers, and make other clarifying changes, and (2) and provides an explanation of certain definitions in its Bylaws, Membership Agreement, and Tariff.

On November 23, 2009, East Texas Cooperatives filed a Motion to Intervene.

OA08-75

### **Entergy Services, Inc. Order 890-A Compliance Filing**

On October 30, 2009, FERC issued an Order Denying Rehearing in response to the July 6, 2009 request filed by MDEA.

RM04-7

### **Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities**

On October 28, 2009, the members of the Compliance Working Group submitted its amended request for clarification regarding which employees can be "shared" for purposes of compliance with the Commission's Affiliate Restrictions adopted under Order No. 697. The original request, submitted on March 9, 2009, has been supplemented and restated to provide further information and support, as requested by Commission Staff.

On October 30, 2009, FERC issued a Notice of Request for Clarification.

# Southwest Power Pool, Inc.

## Regulatory Status Report

On November 12, 2009, the AES Corporation filed a Request for Expedited (Single-Issue) Clarification regarding the requirement for all market-based rate sellers to file a new quarterly report.

On July 9, 2009, FERC issued an errata notice correcting Appendix D-2 of Order 697-C.

**RM05-17**

### **Preventing Undue Discrimination and Preference in Transmission Service**

**Order Nos. 890, 890-A, 890-B, 890-C, 890-D**

On November 19, 2009, FERC issued Order No. 890-D. FERC affirms its basic determinations in Order Nos. 890, 890-A, 890-B, and 890-C, granting clarification regarding certain revisions to its regulations and the pro forma OATT adopted in Order Nos. 888 and 889. FERC grants clarification regarding the requirement to undesignated network resources used to serve off-system sales. THIS RULE WILL BECOME EFFECTIVE THE DATE OF PUBLICATION IN THE FEDERAL REGISTER.

**RM05-25**

### **Preventing Undue Discrimination and Preference in Transmission Service**

**Order Nos. 890, 890-A, 890-B, 890-C, 890-D**

On November 19, 2009, FERC issued Order No. 890-D. FERC affirms its basic determinations in Order Nos. 890, 890-A, 890-B, and 890-C, granting clarification regarding certain revisions to its regulations and the pro forma OATT adopted in Order Nos. 888 and 889. FERC grants clarification regarding the requirement to undesignated network resources used to serve off-system sales. THIS RULE WILL BECOME EFFECTIVE THE DATE OF PUBLICATION IN THE FEDERAL REGISTER.

**RM06-16**

### **Mandatory Reliability Standards for the Bulk-Power System to Process the Proposed Reliability Standards Submitted by NERC on April 4, 2006**

On November 17, 2009, NERC submitted a petition seeking approval for interpretation of Requirement R1 in FERC-approved NERC Reliability Standard PRC-005-1 - Transmission and Generation Protection System Maintenance and Testing.

On November 17, 2009, NERC submitted a petition seeking approval for interpretation of Requirement R2 in FERC-approved NERC Reliability Standard CIP-007-2 - Cyber Security - Systems Security Management. The standard that includes the appended interpretation is designated as CIP-007-2a.

On November 17, 2009, NERC submitted a petition seeking approval for interpretation of Requirement R1.3.10 in FERC-approved NERC Reliability Standard TPL-002-0 - System Performance Following Loss of a Single Bulk Electric System Element (Category B).

On November 24, 2009, FERC issued Order No. 729, approving six Modeling, Data, and Analysis Reliability Standards submitted by NERC. This rule will become effective 60 days after publication in the Federal Register.

**RM07-19**

### **Wholesale Competition in Regions with Organized Electric Markets**

On October 28, 2009, SPP submitted its Small Demand Response Report in compliance with FERC Order No. 719.

# Southwest Power Pool, Inc.

## Regulatory Status Report

**RM08-11**                    **Notice of Proposed Rulemaking - Version Two Facilities Design, Connections and Maintenance Reliability Standards**

On November 20, 2009, NERC submitted an errata filing to correct two misnumbered requirements referenced in the WECC Regional Differences portion of the NERC Reliability Standard FAC-010-2 - System Operating Limits Methodology for the Planning Horizon.

**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**

On November 24, 2009, FERC issued Order No. 729, approving six Modeling, Data, and Analysis Reliability Standards submitted by NERC. This rule will become effective 60 days after publication in the Federal Register.

**RR06-1**                    **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")**

On November 2, 2009, NERC filed its Quarterly Report Regarding Analysis of Reliability Standards Voting Results for July 1, 2009 through September 30, 2009.

# Southwest Power Pool, Inc.

## Regulatory Status Report

### *FERC or State Jurisdiction: State of Arkansas*

08-136-U

**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**

On November 2, 2009, SPP and Entergy filed the monthly progress report for October, detailing the progress made toward the completion of a seams agreement, pursuant to Order No. 15.

On November 6, 2009, the APSC issued Order No. 18 which grants the Petition to Intervene of the Arkansas Cities.

On November 20, 2009, SPP filed the October State of the Market Report pursuant to Order No. 2.

09-090-U

**In the Matter of the Impact of Federal Energy Regulatory Commission ("FERC") Orders 719 and 719-A in FERC Docket No. RM07-19-001 on the Regulatory Authority of the Arkansas Public Service Commission**

On November 20, 2009, pursuant to Order No. 2 in this proceeding, SPP filed a copy of FERC's Order on SPP's Compliance Filing issued in Docket No. ER09-1050.

Initial legal briefs and comments are due December 21, 2009.

Reply legal briefs and comments are due January 11, 2010.

# Southwest Power Pool, Inc.

## Regulatory Status Report

### *FERC or State Jurisdiction: State of Kansas*

**10-GIME-215-GIE**

**In the Matter of the Investigation into Laws and Regulations Relating to Demand Response and Scarcity Pricing**

On October 23, 2009, Kansas City Power & Light Company filed initial comments.

On October 27, 2009, Empire District Electric Company filed initial comments.

On November 23, 2009, SPP filed a Notice of FERC Order on Compliance Filing, notifying the KCC that FERC issued an order on November 20, 2009 in Docket No. ER09-1050.

# Southwest Power Pool, Inc.

## Regulatory Status Report

*FERC or State Jurisdiction: State of New Mexico*

07-00390-UT

**An Investigation into the Prudence of Southwestern Public Service Company's ("SPS") Participation in the SPP RTO**

On October 26, 2009, the Hearing Examiner issued an Order Vacating and Rescheduling Hearing. The hearing will be on November 17, 2009, beginning at 10 AM.

A hearing was held on November 17, 2009.