

# Southwest Power Pool, Inc.

## Regulatory Status Report

### *FERC or State Jurisdiction: FERC*

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

On October 8, 2009, FERC issued a notice of request for comments on specific questions and issues related to enhancing regional transmission planning processes and allocating the cost of transmission.

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: Dayton Power and Light Company, E.ON U.S. LLC, Public Power Council, and San Diego Gas & Electric Company.

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 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, 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.

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

On December 18, 2009, numerous parties filed reply comments.

On December 18, 2009, SPP submitted Reply Comments in response to initial comments addressing issues affecting regional and inter-regional transmission planning processes.

SPP states:

- 1) Commission Planning Reforms should initially focus on inter-regional issues and impediments;
- 2) Existing regional processes would benefit from commission clarification of other specific planning issues.

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CE08-88.002

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

On October 21, 2009, Janny J. Chen-Read provided notice by email that Siemens PTS is seeking to add Dinemayer Silva and Ashutosh Tiwari to the group request in this docket.

SPP submitted comments on this request October 28, 2009.

CE09-34

**Brian Smith's Request for Critical Energy Infrastructure Information - AWS Truewind (Additional Requester)**

On October 14, 2009, Tanya Petrocine of AWS Truewind provided notice by email that AWS Truewind is seeking to add Brian Smith as an additional employee to the original FERC CEII Request in Docket No. CE09-34. SPP did not receive notice of the original request, as SPP data was not requested.

SPP submitted comments on October 20, 2009. This request is not applicable to SPP.

CE09-62.001

**Gary Thompson, et al's Request for Critical Energy Infrastructure Information. - EPIS, Inc. (Additional Requesters)**

FERC granted this request December 10, 2009.

CE09-62.002

**Peter Swartz's Request for Critical Energy Infrastructure Information - EPIS, Inc. (Additional Requester)**

FERC granted this request on December 10, 2009.

CE09-119.001

**Elizabeth LaRose et al.'s Request for Critical Energy Infrastructure Information - General Electric International, Inc. (Additional Requesters)**

On November 30, 2009, Elizabeth LaRose provided notice by email that General Electric International, Inc. is seeking to add Mark Walling, et al. to the group request in this docket.

SPP submitted comments on this request December 2, 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.

CE09-198

**Jason Crabtree's Request for Critical Energy Infrastructure Information - Distributed Energy Management, Inc.**

SPP submitted comments on this request October 6, 2009.

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.

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CE09-199

### **Pinar Kaymaz' Request for Critical Energy Infrastructure Information - Entergy Services, Inc.**

On September 30, 2009, Pinar Kaymaz, Sr. Analyst, Entergy Services, Inc., filed a FERC CEII request to obtain a copy of the NERC Eastern Interconnection Reliability Assessment Group Multi-Regional Modeling Working Group (ERAG MMWG) Eastern Interconnection 2010 Summer Peak Powerflow data file in PSS/E file format, as noticed October 2, 2009.

SPP submitted comments on this request October 9, 2009.

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**

On October 1, 2009, Yohan Sutjandra, Structure and Pricing Analyst for The Energy Authority, filed a FERC CEII request to obtain a copy of WECC, ERCOT, and Eastern Interconnect power flow data, as noticed October 2, 2009.

SPP submitted comments on this request October 7, 2009.

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.**

On October 5, 2009, Lon Peters, President, Northwest Economic Research, Inc., filed a FERC CEII request to obtain a copy of FERC Form No. 715 data for years 2000 to present, as noticed October 13, 2009.

SPP submitted comments on this request October 20, 2009.

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**

On October 5, 2009, Dr. Eugene Preston, CEO, Transmission Adequacy Consulting, filed a FERC CEII request to obtain the "latest SPP system load flow data files in rawd format and future system planning map", as noticed October 13, 2009.

SPP submitted comments on this request October 20, 2009.

SPP submitted comments on this request October 20, 2009.

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

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the Western Interconnect", as noticed October 30, 2009.

SPP submitted comments on this request November 6, 2009.

FERC issued a Notice of Intent to Release on December 1, 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 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.

FERC issued a Notice of Intent to Release on December 7, 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.

FERC issued a Notice of Intent to Release on December 1, 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.

FERC issued a Notice of Intent to Release on December 1, 2009.

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FERC issued a Release Letter December 15, 2009, enclosing a DVD containing the information requested.

**CE10-12.001**

**Maria Moore, et al.'s Request for Critical Energy Infrastructure Information - ABB, Inc. (Additional Requesters)**

On January 7, 2010, Maria Moore provided a notice by email that ABB, Inc. is seeking to add herself, Shu Wang, and Hongyan Li to Jinxiang Zhu's prior request in this docket.

**CE10-13**

**Xiaoguang Yang's Request for Critical Energy Infrastructure Information - Enexus Energy, a subsidiary of 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.

FERC issued a Notice of Intent to Release on December 1, 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.

FERC issued a Notice of Intent to Release on November 25, 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.

FERC issued a Notice of Intent to Release on December 9, 2009.

**CE10-19**

**William Williams' Request for Critical Energy Infrastructure Information - Altresco Integrated, LLC**

On November 10, 2009, William Williams, CEO of Altresco Integrated, 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.

FERC issued a Notice of Intent to Release on December 9, 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

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and 2009, as noticed November 17, 2009.

SPP submitted comments on this request November 24, 2009.

FERC issued a Notice of Intent to Release on December 9, 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.

SPP submitted comments on this request November 25, 2009.

FERC issued a Notice of Intent to Release on December 18, 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.

SPP submitted comments on this request November 24, 2009.

FERC issued a release letter December 18, 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.

SPP submitted comments on this request November 25, 2009.

**CE10-29**

### **Alexander Takahashi's Request for Critical Energy Infrastructure Information - WestPower, Inc.**

On November 30, 2009, Alexander Takahashi, Principal Engineer of WestPower, Inc., filed a FERC CEII request to obtain a copy of all FERC Form No. 715 data, as noticed December 1, 2009.

SPP submitted comments on this request December 2, 2009.

**CE10-30**

### **Jackson Lord's Request for Critical Energy Infrastructure Information - MAP Royalty, Inc.**

On December 1, 2009, Jackson Lord of MAP Royalty, Inc., filed a FERC CEII request to obtain a copy of the SPP Transmission Map and Atlas, as noticed December 2, 2009.

SPP submitted comments on this request December 2, 2009.

**CE10-32**

### **Joshua Lazarus' Request for Critical Energy Infrastructure Information - enXco Development**

On December 3, 2009, Joshua Lazarus, GIS Analyst for enXco Development, filed a FERC CEII request to obtain "GIS data used in most recent Transmitting Utility Maps and Diagrams

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submitted for Part 3 of FERC Form 715 by Pacific Gas & Electric Company and Southern California Edison Company", as noticed December 8, 2009. This request is not applicable to SPP.

SPP submitted comments on this request December 14, 2009.

**CE10-34**

### **Michael Chechelnitsky's Request for Critical Energy Infrastructure Information - Virtual Electricity, Inc.**

On December 4, 2009, Michael Chechelnitsky, Treasurer of Virtual Electricity, Inc., filed a FERC CEII request to obtain "[m]ost recent filings under FERC Form 715 for Eastern Interconnection (including NPCC, Reliability First, MRO, SERC, SPP, FRCC), for Western Electricity Coordinating Council (WECC) and Electric Reliability Coordinating Council (ERCOT)", as noticed December 8, 2009.

SPP submitted comments on this request December 14, 2009.

**CE10-39**

### **Moussa Kourouma's Request for Critical Energy Infrastructure Information - Tibiri Energy Group, LLC**

On December 12, 2009, Moussa Kourouma, Managing Director, Tibiri Energy Group, LLC, filed a FERC CEII Request to obtain a copy of one line diagrams of all utility companies in the United States, and FERC Form 715 filings and maps of the utility/ISO/RTO companies in the United States, as noticed December 24, 2009.

CEII Request Fax Cover Sheet

SPP submitted comments January 4, 2010.

**CE10-40**

### **John McNair's Request for Critical Energy Infrastructure Information - Hill Country Wind Power L.P.**

On December 14, 2009, John McNair, Director of Land Acquisitions for Hill Country Wind Power L.P., filed a FERC CEII request to obtain access to SPP electric transmission maps and infrastructure information, as noticed December 24, 2009.

SPP submitted comments on this request January 4, 2010.

**CE10-41**

### **John Elder's Request for Critical Energy Infrastructure Information - Levitan & Associates**

On December 16, 2009, John Elder, Manger - Power Systems & Market Design, Levitan & Associates, filed a FERC CEII request to obtain a copy of SPP Transmission Maps and data, as noticed December 24, 2009.

SPP submitted comments on this request January 4, 2010.

**CE10-46**

### **Shawn Sapp's Request for Critical Energy Infrastructure Information - Ventyx**

On January 4, 2010, Shawn Sapp, Principal Consultant, Ventyx, filed a FERC CEII request to obtain FERC 715 data, powerflow cases, data dictionaries, transmission maps, annual reports, etc., as noticed January 5, 2010.

**EL08-59**

### **Complaint Requesting Fast Track Processing on ConocoPhillips ("Conoco") Company against Entergy Services, Inc.**

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On December 17, 2009, FERC issued an Order on Rehearing, denying Entergy's request for clarification or rehearing of the Commission's July 24 Order, and the rehearing request of SPP acting as ICT.

ER04-48

### **RTO Approval Docket**

On December 9, 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.

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, the Lafayette Utilities System and the Louisiana Energy and Power Authority submitted comments on the ICT's Third Quarterly Performance Report for 2009.

On November 16, 2009, Occidental Chemical Corporation filed Comments regarding the ICT's Third Quarterly Performance Report for 2009.

On December 31, 2009, SPP submitted the ICT's Fourth Quarterly Performance Report for 2009.

On January 4, 2010, Union Power Partners, L.P. filed a Motion for Leave to File Comments and Comments regarding Entergy's December 17, 2009 filing reporting AFC-Related Errors.

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 19, 2009, SPP, jointly with Louisville Gas & Electric Company and Kentucky Utilities Company ("LG&E/KU"), submitted a Settlement Agreement, and Amended and Restated Independent Transmission Organization Agreement ("ITO Agreement"), and accompanying documents, which were developed in order to resolve all issues related to a fee dispute between SPP and LG&E/KU.

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 of the ITO Agreement.

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

On November 30, 2009, FERC issued an Order of Chief Judge Terminating Settlement Judge Procedures.

On January 5, 2010, FERC issued a letter order accepting the Settlement Agreement.

However, the rate schedule designations in the tariff sheets contained in the Amended Agreement must be revised, to comply with Order No. 614. LG&E/KU must file revised rate schedule sheets by February 4, 2010.

This letter terminates Docket Nos. EC06-4-000, EC06-4-001, ER06-20-000, ER06-20-001, and



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ER06-20-009.

**ER08-313**

### **SPS Formula Rate Case**

On October 5, 2009, FERC issued an Order of Chief Judge Granting Motion for Interim Rate Relief, which granted SPS's and SPP's September 28, 2009 motion to implement interim rates.

On October 6, 2009, FERC issued an Order Adopting Procedural Schedule.

On October 7, 2009, FERC issued a Certification of Uncontested Partial Settlement.

On October 8, 2009, Xcel Energy Services, Inc. filed a Motion for Adoption of Protective Order.

On October 13, 2009, FERC issued an Order Adopting Protective Order.

On October 21, 2009, Cap Rock Energy Corporation filed Motions to Compel the following entities to respond to data requests: Arkansas Electric Cooperative Corporation; Farmers' Electric Cooperative, Inc., Lea County Electric Cooperative, Inc., Central Valley Electric Cooperative, Inc., and Roosevelt County Electric Cooperative, Inc.; Golden Spread Electric Cooperative, Inc.; Occidental Permian Ltd. and Occidental Power Marketing, L.P.; Tri-County Electric Cooperative, Inc.; West Texas Municipal Power Agency.

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

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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 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.

On December 2, 2009, FERC issued an Order Approving Uncontested Settlement.

On December 2, 2009, Xcel Energy submitted an informational filing including the 2010 Transmission Formula Rate Annual Update previously provided to SPS transmission service customers on October 1, 2009.

On December 18, 2009, Golden Spread Electric Cooperative, Inc. filed an Unopposed Motion Seeking Heightened Protection for Certain Data Responses and Request for Shortened Response Period, asking for heightened protection of Golden Spread's response to selected information in response to Cap Rock-GS/AECC 1-5 and issue an order so stating and restricting access to the lawyers and consultants for SPS, SPP, Intervenors, and Commission Trial Counsel and Staff..

On January 5, 2010, FERC issued an Order Granting Golden Spread Electric Cooperative, Inc.'s Motion for Heightened Protection for Certain Data Responses, granting Golden Spread's December 18, 2009 motion.

**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 October 8, 2009, FERC issued a letter order accepting the amended service agreement submitted on May 26, 2009. This order constitutes final agency action.

On October 20, 2009, SPP submitted an Uncontested Offer of Settlement and Settlement Agreement. This filing includes revised Network Integration Transmission Service Agreements for AECC, AEP, and OMPA.

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

On November 25, 2009, FERC issued a Certification of Uncontested Settlement.

On November 30, 2009, FERC issued an Order of Chief Judge Terminating Settlement Judge Procedures.

On January 5, 2010, FERC issued a letter order approving the Settlement Agreement filed on October 20, 2009.

This letter terminates Docket Nos. ER09-342-000, ER08-1206-000, and ER08-1206-001.

**ER08-1338**

**SPP Submission of Revised Tariff Sheets Amending Schedule 1-A of OATT in Order to Increase the Rate Cap for its Tariff Administration Service Charge**

On December 9, 2009, SPP submitted its annual operating budget and true-up. This is

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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.

ER08-1419

### SPP Balanced Economic Portfolio Filing

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

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, Lincoln Electric System filed a Motion to Intervene.

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

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, 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 December 8, 2009, SPP filed an Answer in response to protests filed in regarding SPP's

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November 2, 2009 compliance filing.

SPP states:

- 1) Restricting access to commercially sensitive resource-specific data to non-competitive duty personnel is proper and consistent with Order Nos. 890, 890-A, and 890-B; and
- 2) The model protective order cited by protestors does not sufficiently address SPP's need to protect its members' commercially sensitive resource-specific data.

On December 23, 2009, Golden Spread Electric Cooperative, Inc., Arkansas Electric Cooperative Corporation, East Texas Cooperatives, Kansas Electric Power Cooperative, Inc., Sunflower Electric Power Corporation, Mid-Kansas Electric Company, LLC and Western Farmers Electric Cooperative filed joint Motion for Leave to Answer and Answer.

The parties assert that the cases cited by SPP do not support SPP's claim that Competitive Duty Personnel, defined as broadly as SPP proposes, may be completely barred from access to protected material, even if the effect would be to deny parties any meaningful access to the information in question. The parties believe the proposed language would effect a total, unconditional ban on access to material necessary for full participation in regional planning activities by the employees and other representatives of G&T cooperatives, and other smaller stakeholders, who possess the necessary expertise to evaluate and replicate transmission studies.

The parties request that the Commission 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 October 16, 2009, FERC issued an Order Scheduling Settlement Conference for November 3, 2009.

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

On December 4, 2009, FERC issued an Order Cancelling Settlement Conference previously scheduled for December 9, 2009.

**ER09-36**

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

On October 16, 2009, FERC issued an Order Scheduling Settlement Conference for November 3, 2009.

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

On December 4, 2009, FERC issued an Order Cancelling Settlement Conference previously scheduled 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.

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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 October 20, 2009, SPP submitted an Uncontested Offer of Settlement and Settlement Agreement. This filing includes revised Network Integration Transmission Service Agreements for AECC, AEP, and OMPA.

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

On November 25, 2009, FERC issued a Certification of Uncontested Settlement.

On November 30, 2009, FERC issued an Order of Chief Judge Terminating Settlement Judge Procedures.

On January 5, 2010, FERC issued a letter order approving the Settlement Agreement filed on October 20, 2009.

This letter terminates Docket Nos. ER09-342-000, ER08-1206-000, and ER08-1206-001.

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 October 16, 2009, SPP filed its Supplement to the WPP Quarterly Report for the time period of June through August 2009. This supplement contains the final August numbers for the actual output of Entergy's legacy oil and gas units.

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 ICT 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's term will be required for an interim period.

On December 15, 2009, SPP submitted the ICT's WPP Quarterly Report. This covers the

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time period of September 2009 through November 2009.

On December 23, 2009, Union Power Partners, L.P. filed a Motion for Leave to File Comments and Comments regarding Entergy's November 17, 2009 filing.

Union Power states that the Commission should:

- 1) direct SPP to explain whether and on what terms it is willing to continue the ICT Arrangements.
- 2) direct Entergy to file a time line for proposing any modifications to the ICT structure.
- 3) direct Entergy to vet any proposed modifications to the ICT Arrangements through the stakeholder process.

**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).

On December 15, 2009, SPP filed a Motion for Extension of Time. SPP requests an additional 90 days, to May 19, 2010, to submit a compliance filing required by the Commission's November 20, 2009 Order, as well as a 114-day extension to submit its compliance filing required by Order No. 719-A.

Specifically, SPP seeks an extension to file revisions to its OATT to comply with demand response requirements of Order Nos. 719 and 719-A and the November 20 Order.

On December 18, 2009, the TDU Intervenors filed a Request for Clarification or Rehearing of the Commission's November 20, 2009 Order on Compliance Filing. Specifically, TDU Intervenors request clarification that PP 71-73 of the November 20 Order are to be construed in a manner consistent with Orders 719-A and 719-B, as well as PJM Interconnection, LLC, 128 FERC 61,238, P 22 (2009). Alternatively, TDU Intervenors seek rehearing of PP 71-73 and request that they be revised to be consistent with these orders.

On December 23, 2009, FERC issued a Notice Addressing Motion for Extension of Time.

SPP is granted an extension of time up to and including May 19, 2010, to comply with the demand response requirements set forth in section III.B.1 of the November 20, 2009 Order and the demand response requirements ordered in Order No. 719-A.

The Commission finds that SPP has not sufficiently supported its request for additional time to submit the demand response reports required by the November 20, 2009 Order, therefore, that request is denied. SPP must submit its demand response reports on May 20, 2010.

**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.

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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 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 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.

On December 2, 2009, Occidental filed a Motion for Leave to File Answer and Answer in response to SPP's November 24, 2009 Answer. Occidental asks the Commission to reject SPP's October 27, 200 Compliance Filing, insofar as that filing retains the previously rejected requirements that ARCs include in their EIS application a declaration by the relevant electric retail regulatory authority that participation in the EIS market by their controllable load resource is not precluded by relevant laws or regulations.

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On December 15, 2009, SPP filed a Motion for Extension of Time. SPP requests an additional 90 days, to May 19, 2010, to submit a compliance filing required by the Commission's November 20, 2009 Order, as well as a 114-day extension to submit its compliance filing required by Order No. 719-A.

Specifically, SPP seeks an extension to file revisions to its OATT to comply with demand response requirements of Order Nos. 719 and 719-A and the November 20 Order.

On December 18, 2009, FERC issued a Notice of Date of Technical Conference on RTO/ISO Responsiveness. On November 13, 2009, FERC announced it would hold a technical conference in the near future to address issues raised in the Order No. 719 proceedings of CAISO, ISO New England, Midwest ISO, New York ISO, PJM and SPP.

The conference will be held on February 4, 2010, from 12:30 p.m. to 4:30 p.m. (EST) in the Commission Meeting Room.

On December 18, 2009, the TDU Intervenors filed a Request for Clarification or Rehearing of the Commission's November 20, 2009 Order on Compliance Filing. Specifically, TDU Intervenors request clarification that PP 71-73 of the November 20 Order are to be construed in a manner consistent with Orders 719-A and 719-B, as well as PJM Interconnection, LLC, 128 FERC 61,238, P 22 (2009). Alternatively, TDU Intervenors seek rehearing of PP 71-73 and request that they be revised to be consistent with these orders.

On December 23, 2009, FERC issued a Notice Addressing Motion for Extension of Time.

SPP is granted an extension of time up to and including May 19, 2010, to comply with the demand response requirements set forth in section III.B.1 of the November 20, 2009 Order and the demand response requirements ordered in Order No. 719-A.

The Commission finds that SPP has not sufficiently supported its request for additional time to submit the demand response reports required by the November 20, 2009 Order, therefore, that request is denied. SPP must submit its demand response reports on May 20, 2010.

On January 7, 2010, FERC issued a Notice containing the agenda for the February 4, 2010 Technical Conference on RTO/ISO Responsiveness.

**ER09-1192**

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

On October 1, 2009, SPP filed a Motion of Extension of Time to comply with the Commission's September 17, 2009 Order, which requests an extension to December 1, 2009.

On October 2, 2009, FERC issued a Notice of Extension of Time, extending the date for SPP to comply with the September 17, 2009 Order to and including December 1, 2009.

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



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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.

On December 1, 2009, SPP submitted its compliance filing pursuant to the Commission's September 17, 2009 order.

SPP revised section 9.3 to identify the specific duties of the RE General Manager.

ER09-1254

### **SPP Submission of Revisions to Open Access Transmission Tariff to Reform Generation Interconnection Procedures ("Queue Reform Filing")**

On December 17, 2009, FERC issued an Order on Compliance Filing, which conditionally accepts SPP's August 31, 2009 compliance filing.

The Commission finds that SPP did not fully comply with the directive regarding alternative demonstrations of site control. Therefore, SPP is directed to revise section 3.3.1 to provide criteria it will consider in evaluating alternative demonstrations of site control on a non-discriminatory basis. SPP must also revise this section to state that, if an alternative demonstration of site control meets SPP's objective criteria, SPP will accept the alternative demonstration of site control.

In addition, the Commission finds the information SPP provides regarding where in its business practices site control and site adequacy standards are located is insufficient. SPP is directed to revise section 3.3.1 to include the URL for its interconnection business practices.

Also, SPP must submit a compliance filing either to include a definition of site adequacy in its OATT and revise its interconnection business practices to articulate the difference between site control and site adequacy standards, or revise section 8.2(a) of its interconnection procedures to remove mention of site adequacy.

SPP's compliance filing is due January 19, 2010.

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.

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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 20, 2009, Kansas Power Pool filed a Motion for Extension of Comment Date, which requests that the comment date be extended until November 24, 2009.

On October 20, 2009, SPP filed a Motion in Support of the Motion of Kansas Power Pool for Extension of the Comment Date.

On October 21, 2009, Kansas Power Pool filed an Errata to its October 20, 2009 Motion for Extension of Comment Date. In the original motion, KPP inadvertently requested in the conclusion that an extension be granted to November 20, 2009. KPP filed this errata to confirm that it requests an extension until November 24, 2009.

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.

On December 10, 2009, SPP filed an 1) unexecuted, revised Network Integration Transmission Service Agreement between SPP as Transmission Provider and Kansas Power Pool as Network Customer; 2) an executed Network Operating Agreement between SPP as Transmission Provider, Kansas Power Pool as Network Customer, and Midwest Energy, Inc. and Westar Energy, Inc. as Host Transmission Owners. SPP Service Agreement No. Substitute Original 1822.

The NITSA is being submitted on an unexecuted basis because KPP does not agree with certain terms and conditions required to accommodate its request for service.

An effective date of June 1, 2009 is requested.

On December 30, 2009, Kansas Power Pool filed a protest regarding SPP's December 10, 2009 filing.

KPP states that the currently proposed NITSA still includes service restrictions that KPP believes are unjustified. Specifically, KPP states in Attachments B and C to the NITSA, SPP proposes "import" limits that KPP believes would diminish the overall quality and value of network service provided to KPP and adversely affect KPP's ability to serve a number of its members. In addition, KPP states that Section 8.7 of the NITSA states vaguely that the restrictions will apply "during peak loading conditions as identified by Midwest Energy and Westar Energy."

KPP asks that the Commission reject the proposed service restrictions reflected in Section 8.7 and Attachment B and C of the unexecuted NITSA. If the restrictions are not rejected,

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KPP asks the Commission to hold hearing procedures and assign a settlement judge to assist in resolving these issues.

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 5, 2009, FERC issued a Notice Granting Extension of Time and Deferral of Action. Comments are due October 20, 2009. The Commission granted deferral of action until December 21, 2009.

On October 6, 2009, KPP filed a Motion to Intervene.

On October 20, 2009, Kansas Power Pool filed a Motion for Extension of Comment Date, which requests that the comment date be extended until November 24, 2009.

On October 20, 2009, SPP filed a Motion in Support of the Motion of Kansas Power Pool for Extension of the Comment Date.

On October 21, 2009, Kansas Power Pool filed an Errata to its October 20, 2009 Motion for Extension of Comment Date. In the original motion, KPP inadvertently requested in the conclusion that an extension be granted to November 20, 2009. KPP filed this errata to confirm that it requests an extension until November 24, 2009.

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 Operating Agreement, designated Substitute First Revised 1617.

An effective date of October 6, 2009 is requested.

On December 14, 2009, Sunflower Electric Power Corporation and Mid-Kansas Electric Company, LLC filed a Joint Motion to Intervene.

ER09-1609

**SPP Submission of Tariff Revisions to Update the List of Grandfathered Agreements Contained in Attachment W**

On October 7, 2009, FERC issued a letter order accepting the Attachment W revisions effective April 1, 2009.

This order constitutes final agency action.

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.

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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 7, 2009, Dempsey Ridge Wind Farm, LLC filed a Motion to Intervene and Comments. Dempsey Ridge asks for clarifications on 1) the "Point of Interconnection" designated in Appendix A, Section 9; 2) Dempsey Ridge's cost responsibility for network upgrades given that Elk City has requested that the in-service date for the Stand Alone Network Upgrades common to Sections 2(a)(i) and (ii) of Appendix A of both the Dempsey Ridge LGIA and Elk City LGIA be advanced; and 3) Elk City's responsibility for construction of additional terminal positions as set forth in Sections 2(a)(i) and (ii) of Appendix A of the Elk City LGIA.

On October 7, 2009, American Electric Power Service Corporation filed a Motion to Intervene and Comments.

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 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 October 8, 2009, Western Farmers Electric Cooperative filed a Motion to Intervene.

On November 16, 2009, FERC issued an Order Conditionally Accepting Interim Large

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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 October 13, 2009, Dogwood Energy, LLC filed a Motion to Intervene.

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 October 14, 2009, East Texas Cooperatives filed a Motion to Intervene.

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.

On December 2, 2009, FERC issued a letter order accepting the changes, effective February 1, 2008, and March 1, 2009, as requested.

This order constitutes final agency action.

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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.

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 1, 2009, Midwest ISO, PJM and SPP submitted proposed revisions to the Congestion Management Process of the Joint Operating Agreement between Midwest ISO and PJM and the Joint Operating Agreement between Midwest ISO and SPP. The RTOs are submitting the proposed revisions to modify sections of the Congestion Management Process based on the Market Flow Threshold Final Report and NERC approvals of the recommendation contained in the final report. In addition, the RTOs requested a waiver of the NAESB business practices WEQ-008-1.4 and WEQ-008 Appendix D.

An effective date of November 1, 2009 is requested.

On October 7, 2009, Consumers Energy Company filed a Motion to Intervene.

On October 14, 2009, American Municipal Power, 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.

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

On November 30, 2009, FERC issued an Order Accepting for Filing Revisions to Joint Operating Agreement and Revisions to the Midwest ISO and the SPP Tariffs, and Granting Waivers of NAESB Business Practices.

An effective date of November 1, 2009 is granted.

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ER10-13

### **SPP Submission of Tariff Revisions Regarding NAESB Business Practices (Attachment R-1)**

On October 1, 2009, SPP submitted revisions to its OATT to modify the North American Energy Standards Board ("NAESB") Business Practices incorporated by reference in the SPP Tariff. In a filing submitted concurrently with this filing, SPP, MISO and PJM jointly submit revisions to the Congestion Management Processes of the Joint Operating Agreements between MISO and SPP and between MISO and PJM, along with a request for waiver of certain NAESB Business Practices (see FERC Docket No. ER10-7).

An effective date of November 1, 2009, is requested.

On November 30, 2009, FERC issued an Order Accepting for Filing Revisions to Joint Operating Agreement and Revisions to the Midwest ISO and the SPP Tariffs, and Granting Waivers of NAESB Business Practices.

An effective date of November 1, 2009 is granted.

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 2, 2009, SPP submitted revised pages to its OATT to implement rate changes for Public Service Company of Oklahoma, Southwestern Electric Power Company, and Southwestern Public Service Company, which are transmission owners and pricing zones under the SPP Tariff. SPP submits this filing to track the rate updates calculated by American Electric Power ("AEP"), on behalf of PSO and SWEPCO, and by Xcel Energy Services, Inc. ("XES"), on behalf of SPS, based on their respective transmission cost of service formula rates.

An effective date of July 1, 2009 is requested.

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

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

On December 1, 2009, FERC issued a letter order accepting the rate changes, effective July 1, 2009 as requested.

This order constitutes final agency action.

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 5, 2009, SPP submitted revised pages to its OATT to implement rate changes for Lincoln Electric System and Omaha Public Power District, which are transmission owners and pricing zones under the SPP Tariff. SPP submits this filing to track the rate updates calculated by LES and OPPD based on their respective transmission cost of service formula rates.

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An effective date of August 1, 2009 is requested.

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

On December 1, 2009, FERC issued a letter order accepting the rate changes, effective August 1, 2009 as requested.

This order constitutes final agency action.

**ER10-33**

### **SPP Filing of an Executed Meter Agent Services Agreement between Kansas Power Pool ("KPP") as Market Participant and Westar Energy, Inc. ("Westar") as Meter Agent**

On October 5, 2009, SPP submitted an executed Meter Agent Services Agreement between Kansas Power Pool as the Market Participant and Westar Energy, Inc. as the Meter Agent. SPP Service Agreement No. First Revised 1374.

An effective date of June 1, 2009 is requested.

On December 1, 2009, FERC issued a letter order accepting the agreement, effective June 1, 2009 as requested.

This order constitutes final agency action.

**ER10-45**

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

On October 13, 2009, SPP submitted revised pages to its OATT to incorporate a revenue requirement and a transmission cost of service formula rate for ITC Great Plains, LLC, which is a Transmission Owner under the SPP Tariff. SPP submitted this filing to implement the ITC Great Plains' formula rate, filed on January 15, 2009 in Docket No. ER09-548, and conditionally accepted and set for hearing and settlement procedures by the Commission on March 16, 2009.

An effective date of August 18, 2009 is requested.

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.



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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.

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.

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

On December 11, 2009, FERC issued an Order Accepting and Suspending Proposed Rate Schedule and Ordering Compliance Filing. The filing is accepted August 18, 2009, as requested, subject to refund and subject to the outcome of Docket No. ER09-548.

SPP is directed to make a compliance filing within 30 days of the Commission acting on the Offer of Settlement filed in ER09-548. The compliance filing should adjust the formula rate and formula rate protocols to be consistent with the outcome of ER09-548. It should also include a refund report detailing the amounts of refunds necessary, if any.

Since this proceeding is subject to the outcome of ER09-548, the Commission denied the Cooperatives' request to consolidate this proceeding with ER09-548.

ER10-66

### **Large Generator Interconnection Agreement ("LGIA") between Conestoga Winds, LLC ("Conestoga") as Interconnection Customer and Southwestern Public Service Company ("SPS") as Transmission Owner**

On October 14, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Conestoga Winds, LLC as Interconnection Customer, and Southwestern Public Service Company as Transmission Owner. SPP Service Agreement No. First Revised 1159.

Out of an abundance of caution, SPP also submitted the original LGIA that was effective on December 19, 2005.

An effective date of September 14, 2009 is requested for the revised appendices. An effective date of December 19, 2005 is requested for the original LGIA.

On December 8, 2009, FERC issued a letter order accepting the agreement, effective December 19, 2005, and September 14, 2009, as requested.

This order constitutes final agency action.

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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.

On December 11, 2009, FERC issued a letter order accepting SPP's EIS Market offer cap update, effective January 1, 2010.

This order constitutes final agency action.

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.

On December 23, 2009, FERC issued a letter order accepting the agreement, effective October 1, 2009 as requested.

This order constitutes final agency action.

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.

# Southwest Power Pool, Inc.

## Regulatory Status Report

An effective date of October 1, 2009 is requested.

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

On December 8, 2009, FERC issued a letter order accepting the agreement, effective October 1, 2009 as requested.

This order constitutes final agency action.

**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 its 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.

On December 3, 2009, FERC issued a letter order accepting the changes, effective July 6, 2008 and October 1, 2009 as requested.

This order constitutes final agency action.

**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.

On December 23, 2009, FERC issued a letter order accepting the agreement, effective October 1, 2009 as requested.

# Southwest Power Pool, Inc.

## Regulatory Status Report

This order constitutes final agency action.

**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 its 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.

On December 23, 2009, FERC issued a letter order accepting the rate changes, effective January 1, 2010 as requested.

This order constitutes final agency action.

**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 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.

On December 23, 2009, FERC issued a letter order accepting the agreement, effective October 26, 2009 as requested.

This order constitutes final agency action.

**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'

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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 5, 2009, E.ON submitted a filing containing additional Tariff sheets missing from the October 30, 2009 filing.

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

On November 20, 2009, Indiana Municipal Power Agency and East Kentucky Power Cooperative, Inc. filed Motions 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, the Erora Group, L.L.C. and Cash Creek Generation, L.L.C. filed a joint Motion to Intervene.

On November 30, 2009, Port River, LLC filed a Motion to Intervene and Protest. Port River states that the Applicants' proposal to allow the ITO Agreement to expire, without proposing any comparable replacement arrangement with an independent entity, does not satisfy the conditions imposed in the Merger Orders, nor can it satisfy the Commission's standard of review for replacement arrangements in the Midwest ISO Withdrawal Order.

On November 30, 2009, Big Rivers Electric Corporation filed a Motion to Intervene.

On December 4, 2009, E.ON U.S. LLC filed a Motion to Summary Disposition, Request for Leave to File Answer and Answer in response to the answers filed by Kentucky Municipals, Port River, LLC and American Municipal Power, Inc. E.ON states the Commission should 1) summarily dismiss the motion to reject Applicants' filing by the Kentucky Municipals; 2) accept this Answer and find that Applicants' proposal satisfies the Merger Conditions and the MISO Exit Order regarding vertical market power issues and independence; and 3) approve Applicants' October 30 Filing as proposed.

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On December 7, 2009, Virginia Electric and Power Company filed a Motion to Intervene Out-of-Time, Protest, and Comments. Dominion Virginia Power is developing the proposed Mill Creek Wind Farm. The interconnection request is still being processed and Dominion is concerned that E.ON's modification of their OATT may affect this already delayed request.

On December 16, 2009, E.ON filed an Leave to File Answer and Answer in response to Virginia Electric Power Company's protest.

On December 22, 2009, Kentucky Municipals filed an Answer to Applicants' Motion for Summary Disposition. The Kentucky Municipals state that E.ON's December 4, 2009 Motion for Summary Disposition, Request for Leave to File Answer, and Answer should be denied.

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.

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

On December 3, 2009, SPP submitted a supplemental filing containing the fully executed Network Operating Agreement.

ER10-196

**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.

On December 23, 2009, FERC issued a letter order accepting the agreement, effective October 1, 2009 as requested.

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## Regulatory Status Report

This order constitutes final agency action.

**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 ("Sunflower") 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.

On December 23, 2009, FERC issued a letter order accepting the agreements, effective October 1, 2009 as requested.

This order constitutes final agency action.

**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.

On December 23, 2009, FERC issued a letter order accepting the agreement, effective January 1, 2010.

This order constitutes final agency action.

**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

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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.

On November 25, 2009, Kansas Electric Power Cooperative, Inc. filed a Motion to Intervene and Protest. KEPCO states: 1) KCPL-GMO's requested reate of return on common equity is greatly overstated; 2) KCPL and GMO's proposed formula rates contain multiple generic flaws; 3) KPCL's and GMO's 2008 formula rate inputs raise a number of specific issues regarding the application of the proposed formula rates; 4) proposed formula implementation rate protocols are insufficient and require substantial changes. KEPCO asks the Commission to suspend KCPL's filing for the full five months and to set the matter for trial.

On November 30, 2009, Missouri Joint Municipal Electric Utility Commission filed a Motion to Intervene and Protest. MJMEUC states: 1) applicants' proposed rate formula appears to be unjust and unreasonable, or at least unsupported, in numerous respects; 2) applicants' proposed customer-protection processes are inconsistent with Commission precedent and provide insufficient customer protection. MJMEUC asks the Commission to suspend the proposed rate increase for five months, reject the applicants' request for waiver of the 60-day notice period, and set the hearing and order settlement judge proceedings.

On November 30, 2009, City of Independence, Missouri filed a Motion to Intervene.

On November 30, 2009, the Kansas Corporation Commission filed a Motion to Intervene and Protest. The KCC states that the following items have not been shown to be just and reasonable: 1) the formulaic rates in the filing; 2) incentive rates for KCP&L; 3) the timing for review of formulaic rates; 4) the use of the Mid-Point of the ROE Proxy Group; 5) cost of debt; 6) proposed depreciation rates; 7) proposed true-up procedure; 8) proposed facilities carrying charge; 9) proposed capital structure; 10) that grandfathered agreements should be treated separately; 11) a January 1, 2010 effective date. The KCC requests an evidentiary hearing.

On November 30, 2009, Kansas Municipal Energy Agency filed a Motion to Intervene and Protest. KMEA states: 1) KCPL's proposed formula rate violates the Commission's clear policy of requiring the use of synchronized data for projections and true-ups; 2) KCPL has failed to provide sufficient information to enable customers to determine the overall transmission rate impact; 3) KPCL should be required to submit an informational filing once per year which provides a fully populated formula and true-up calculation.

On December 7, 2009, Kansas Electric Power Cooperative, Inc. filed an Errata to its November 25, 2009 filing to include a corrected Exhibit A.

On December 15, 2009, Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company filed an Answer in response to the protests filed in this proceeding.

On January 5, 2010, FERC issued an Order Conditionally Accepting and Suspending Proposed Tariff Revisions and Establishing Hearing and Settlement Judge Procedures.

The Commission conditionally accepted for filing and suspends for a nominal period the proposed tariff sheets to be effective January 6, 2010, subject to refund.

ER10-242

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



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## Regulatory Status Report

On November 9, 2009, SPP submitted revised pages to its 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.

On January 6, 2010, FERC issued a letter order accepting the rate changes, effective January 1, 2010

This order constitutes final agency action.

**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.

On January 7, 2010, FERC issued a letter order accepting the agreement, effective October 13, 2009.

This order constitutes final agency action.

**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.

On January 7, 2010, FERC issued a letter order accepting the membership agreement revision, effective January 12, 2010.

This order constitutes final agency action.

**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**

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### **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.

**ER10-329**

### **Network Integration Transmission Service Agreement ("NITSA") between SPP, Kansas Electric Power Cooperative ("KEPCO") as Network Customer, and Kansas City Power & Light Company ("KCPL") as Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On November 30, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, Kansas Electric Power Cooperative, as Network Customer, as well as a Network Operating Agreement with Kansas City Power & Light Company as Host Transmission Owner. SPP Service Agreement No. 1875.

An effective date of November 1, 2009 is requested.

**ER10-330**

### **SPP Filing of Tariff Revisions to Incorporate Resident Load Reporting Deadline**

On December 1, 2009, SPP filed proposed revisions to its OATT in order to incorporate a deadline for entities to report their Resident Load to SPP.

SPP proposes to revise Section 41 of its Tariff to require that Resident Load information be reported to SPP no later than January 25 of each year.

An effective date of January 1, 2010 is requested.

**ER10-331**

### **Network Integration Transmission Service Agreement ("NITSA") between SPP, KCP&L Greater Missouri Operations Company ("KCPL-GMO") as Network Customer and Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On November 30, 2009, SPP submitted an executed Network Integration Transmission Service Agreement and Network Operating Agreement between SPP as Transmission Provider and KCP&L Greater Missouri Operations Company as both Network Customer and Host Transmission Owner. SPP Service Agreement No. First Revised 1765.

An effective date of November 1, 2009 is requested.

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ER10-333

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

On November 30, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, City of Prescott, Arkansas, as Network Customer, as well as a Network Operating Agreement with 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. Second Revised 1689.

An effective date of November 1, 2009 is requested.

ER10-334

**Network Integration Transmission Service Agreement ("NITSA") between SPP, Kansas Municipal Energy Agency ("KMEA") as Network Customer, and Kansas City Power & Light Company ("KCPL") as Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On November 30, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, Kansas Municipal Power Agency, as Network Customer, as well as a Network Operating Agreement with Kansas City Power & Light Company as Host Transmission Owner. SPP Service Agreement No. First Revised 1266.

An effective date of November 1, 2009 is requested.

ER10-335

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

On November 30, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, City of Coffeyville, Kansas, as Network Customer, as well as a Network Operating Agreement with 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. First Revised

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1624.

An effective date of November 1, 2009 is requested.

**ER10-336**

**Network Integration Transmission Service Agreement ("NITSA") between SPP and the Empire District Electric Company ("Empire") as Network Customer and Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On November 30, 2009, SPP submitted an executed Network Integration Transmission Service Agreement and Network Operating Agreement between SPP as Transmission Provider and the Empire District Electric Company as both Network Customer and Host Transmission Owner. SPP Service Agreement No. Second Revised 1630.

An effective date of November 1, 2009 is requested.

**ER10-337**

**Network Integration Transmission Service Agreement ("NITSA") between SPP, Kansas City Power & Light Company ("KCP&L") as Network Customer and Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On November 30, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, and Kansas City Power & Light Company as both Network Customer and Host Transmission Owner. SPP Service Agreement No. Fourth Revised 1276.

An effective date of November 1, 2009 is requested.

**ER10-338**

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

On December 1, 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 with Mid-Kansas Electric Company as Host Transmission Owner. SPP Service Agreement No. First Revised 1511.

An effective date of November 1, 2009 is requested.

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On December 17, 2009, SPP submitted an amendatory filing in order to correct the Service Agreement Number. In the December 1, 2009 filing, SPP indicated that the agreements supersede Service Agreement No. 1511 filed in ER07-1320. However, it has come to SPP's attention that the agreements are actually new agreements and are hereby re-designated as SPP Service Agreement No. 1876.

An effective date of November 1, 2009 is requested.

**ER10-339**

### **Firm Point-To-Point Transmission Service Agreement between SPP as Transmission Provider and Midwest Energy, Inc. ("Midwest") as Transmission Customer**

On December 1, 2009, SPP submitted an executed service agreement for Firm Point-To-Point Transmission Service between SPP as Transmission Provider and Midwest Energy, Inc. as Transmission Customer. SPP Service Agreement No. 1874.

An effective date of November 1, 2009 is requested.

**ER10-341**

### **Network Integration Transmission Service Agreement ("NITSA") between SPP, Grand River Dam Authority ("GRDA") as Network Customer and Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On December 1, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider and Grand River Dam Authority as both Network Customer and Host Transmission Owner. SPP Service Agreement No. Second Revised 1641.

An effective date of November 1, 2009 is requested.

**ER10-352**

### **SPP Submission of Tariff Revisions to Incorporate a Pro Forma Interim Large Generator Interconnection Agreement ("Interim LGIA") and Associated Provisions in Generation Interconnection Procedures**

On December 1, 2009, SPP submitted revisions to its OATT to incorporate a pro forma Interim Large Generator Interconnection Agreement and the associated provisions in the generation interconnection procedures.

An effective date of December 2, 2009 is requested.

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

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On December 22, 2009, Western Farmers Electric Cooperative filed a Motion to Intervene, Protest and Comment.

WFEC protests certain aspects of SPP's proposed pro forma Interim LGIA. WFEC states that SPP did not adequately justify the following provisions:

- 1) Section 4.2.2 states that the Transmission Provider (SPP) shall determine "at its sole discretion" whether interim interconnection service can be provided and, if so, in what amount. WFEC recommends that this section be modified to impose some degree of accountability on the determination of who is allowed to interconnect on an interim basis and in what amounts.
- 2) WFEC states that Section 5.6.4 differs from the Commission-approved "permanent" pro forma LGIA. WFEC states that SPP does not provide any explanation as to why it states in the Interim LGIA pro forma that financial security will be paid to the Transmission Provider (SPP) instead of the Transmission Owner.
- 3) WFEC objects to the modification to Appendix D to add a new requirement that the "Interconnection Customer will comply with all applicable NERC Standards."

In addition, WFEC comments that it should be clarified that WFEC (and other entities already party to a signed and Commission-accepted interim LGIA) do not need to undertake any further studies or other procedures to reestablish their eligibility for interim interconnection service once the pro forma Interim LGIA is approved by the Commission.

On January 6, 2010, SPP filed an Answer to Limited Protest of Western Farmers Electric Cooperative.

SPP states:

- 1) Reduction of interim interconnection service to accommodate higher-queued projects at SPP's sole discretion is reasonable;
- 2) Article 5.6.4 appropriately requires interconnection customers to provide security required under Article 11.5 to SPP; and
- 3) SPP confirms that no further studies will be required in connection with interim interconnection service provided under WFEC's Interim LGIA.

ER10-353

**Network Integration Transmission Service Agreement ("NITSA") between SPP, Western Farmers Electric Cooperative, Inc. ("WFEC") as Network Customer, and American Electric Power ("AEP"), OG&E Electric Services ("OG&E"), and WFEC as Host Transmission Owners, as well as a Network Operating Agreement ("NOA")**

On December 1, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider and Western Farmers Electric Cooperative, Inc. as Network Customer. The filing also includes two Network Operating Agreements with 1) American Electric Power as Host Transmission Owner and 2) WFEC and OG&E Electric Services as Host Transmission Owners. SPP Service Agreement No. First Revised 1628.

# Southwest Power Pool, Inc.

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An effective date of November 1, 2009 is requested.

ER10-355

### **American Electric Power Service Corporation ("AEP") Submission of a Formula Rate to Recover Costs of Investments in Transmission Facilities Owned by AEP Transmission Company, L.L.C. ("AEPTCo") Subsidiaries in PJM and in SPP RTO Regions**

On December 1, 2009, American Electric Power Service Corporation filed a request for acceptance of a formula rate to recover the costs of investments in transmission facilities owned by AEP Transmission Company, L.L.C. subsidiaries in PJM and SPP RTO regions.

An effective date of February 1, 2010 is requested.

On December 16, 2009, SPP filed a Motion to Intervene.

On December 22, 2009, American Municipal Power, Inc. filed a Protest, Motion for Suspension and Hearing, and Request for Initiation of Settlement Procedures on behalf of the indicated intervenors.

On December 22, 2009, the Maryland Office of People's Counsel filed a Motion to Intervene, Protest, and Request for Hearing.

On December 22, 2009, the Indiana Office of Utility Consumer Counselor filed a Motion to Intervene.

On December 22, 2009, AEP Intervenor Group, Buckeye Power, Inc., Indiana and Michigan Municipal Distributors Association, Indiana Utility Regulatory Commission, North Carolina Electric Membership Corporation, Old Dominion Committee for Fair Utility Rates, and Old Dominion Electric Cooperative filed separate Motions to Intervene.

On December 22, 2009, Arkansas Electric Cooperative Corporation and Golden Spread Electric Cooperative, Inc. filed a Motion to Reject, Motion to Intervene, Protest, Request for Investigation and Hearing, and Request for Maximum Suspension.

The parties ask that the Commission reject the proposed formula rate, without prejudice to AEP submitting a filing which violates neither the approved settlement in Docket No. ER07-1069, nor the Commission's regulations. In the alternative, AECC and Golden Spread request that the Commission 1) investigate and set for evidentiary hearing the justness and reasonableness of the proposed formula rate; 2) suspend th proposed rate increase for the maximum period; and 3) order other such relief as the Commission finds appropriate.

On December 28, 2009, the Public Service Commission of Maryland filed a Motion to Intervene.

On January 6, 2010, the Pennsylvania Public Utility Commission filed a Motion to Intervene.

ER10-364

### **SPP Filing of a Designee Qualification and Novation Agreement between SPP, ITC Great Plains, LLC ("ITC"), and Midwest Energy, Inc. ("Midwest")**

# Southwest Power Pool, Inc.

## Regulatory Status Report

On December 1, 2009, SPP submitted an Designee Qualification and Novation Agreement between SPP, ITC Great Plains, LLC, and Midwest Energy, Inc. SPP Service Agreement No. 1873.

In order to comply with a Notification to Construct (#SPP-NTC-20046) issued by SPP on June 19, 2009, Midwest has arranged for ITC to build and own the projects in its place.

An effective date of November 9, 2009 is requested.

On December 3, 2009, ITC Great Plains, LLC submitted a confidential version of their Motion to Intervene and Comments, and Informational Filing.

On December 14, 2009, Midwest Energy, Inc. filed a Motion to Intervene and Comments in Support of SPP's December 1, 2009 filing of the Novation Agreement.

ER10-365

### **SPP Filing of a Designee Qualification and Novation Agreement between SPP, ITC Great Plains, LLC ("ITC"), and Sunflower Electric Power Corporation ("Sunflower")**

On December 1, 2009, SPP submitted an Designee Qualification and Novation Agreement between SPP, ITC Great Plains, LLC , and Sunflower Electric Power Corporation. SPP Service Agreement No. 1872.

In order to comply with a Notification to Construct (#SPP-NTC-20045) issued by SPP on June 19, 2009, Sunflower has arranged for ITC to build and own the projects in its place.

An effective date of November 10, 2009 is requested.

On December 3, 2009, ITC Great Plains, LLC submitted a confidential version of their Motion to Intervene and Comments, and Informational Filing.

On December 22, 2009, Sunflower Electric Power Corporation filed a Motion to Intervene and Comments in Support of SPP's December 1, 2009 filing.

ER10-367

### **SPP Filing of Amendments to Section 9.7.1 of its Bylaws (Functions and Duties of the Regional Entity Trustees)**

On December 1, 2009, SPP submitted amendments to Section 9.7.1 of its Bylaws regarding Functions and Duties of Regional Entity Trustees.

NERC's filing of these changes may be found in Docket No. RR10-5.

An effective date of January 31, 2010 is requested.



# Southwest Power Pool, Inc.

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ER10-368

### **SPP Filing of an Executed Meter Agent Services Agreement between Westar Energy Generation Services ("WRGS") as Market Participant and Westar Energy Transmission Services ("Westar") as Meter Agent**

On December 1, 2009, SPP submitted an executed Meter Agent Services Agreement between Westar Energy Generation Services as the Market Participant and Westar Energy Transmission Services as the Meter Agent. SPP Service Agreement No. First Revised 1382.

An effective date of November 1, 2009 is requested.

On December 3, 2009, SPP submitted an Errata submission to include the corrected signature page for the agreement filed on December 1, 2009.

ER10-370

### **SPP Filing of a Cancellation of the Meter Agent Services Agreement between Kansas Electric Power Cooperative, Inc. ("KEPCO") and Empire District Electric Company ("EDE")**

On December 1, 2009, SPP submitted a cancellation of the Meter Agent Services Agreement between Kansas Electric Power Cooperative, Inc. and Empire District Electric Company. The agreement was designated SPP Service Agreement No. 1368.

The KEPCO load that was the subject of this agreement is now included in the Meter Agent Services Agreement for Westar Energy that was filed in Docket No. ER10-368.

An effective date of November 1, 2009 is requested.

ER10-376

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

On December 2, 2009, SPP submitted revised pages to its OATT to implement rate changes for ITC Great Plains, LLC, which is a transmission owner within SPP, and whose revenue requirement is recovered by the Mid-Kansas Electric Company pricing zone under the SPP Tariff. SPP submitted this filing to track the rate update calculated by ITC, based on its transmission cost of service formula rate.

An effective date of January 1, 2010 is requested.

On December 16, 2009, ITC Great Plains, LLC filed a Motion for Leave to Intervene.

ER10-393

### **SPP Submission of Tariff Revisions to OATT to Modify Operational Constraint Violation Relaxation Limit ("VRL")**

On December 7, 2009, SPP submitted revisions to its OATT to reduce the currently effective Violation Relaxation Limit governing operational constraints ("OCs") from \$2,000/MW to \$1,500/MW. The proposed change follows the completion of a VRL sensitivity analysis

# Southwest Power Pool, Inc.

## Regulatory Status Report

performed by SPP which concluded that a reduction in the OC VRL to \$1,500/MW could reduce congestion prices within SPP's Energy Imbalance Service ("EIS") Market by up to \$500/MW without significantly increasing the incidence or magnitude of OC violations.

An effective date of March 8, 2010 is requested.

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

On December 23, 2009, Golden Spread Electric Cooperative, Inc. filed a Motion to Intervene.

ER10-411

**Large Generator Interconnection Agreement ("LGIA") between Golden Spread Electric Cooperative, Inc. ("Golden Spread") as Interconnection Customer and Southwestern Public Service Company ("SPS") as Transmission Owner**

On December 10, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Golden Spread Electric Cooperative, Inc. as Interconnection customer, and Southwestern Public Service Company as Transmission Owner. SPP Service Agreement No. First Revised 1647.

Out of an abundance of caution, SPP also submitted the original LGIA executed on July 11, 2008.

An effective date of July 11, 2008 is requested for the original LGIA, and an effective date of November 10, 2009 is requested for the revised LGIA..

On December 23, 2009, Golden Spread Electric Cooperative, Inc. filed a Motion to Intervene.

ER10-415

**SPP Filing of an Executed Meter Agent Services Agreement between Kansas Power Pool ("KPP") as Market Participant and Westar Energy, Inc. ("Westar") as Meter Agent**

On December 11, 2009, SPP submitted an executed Meter Agent Services Agreement between Kansas Power Pool as the Market Participant and Westar Energy, Inc. as the Meter Agent. SPP Service Agreement No. Second Revised 1374.

An effective date of October 1, 2009 is requested.

ER10-448

**SPP Filing of an Executed Meter Agent Services Agreement between City of Independence, Missouri ("Independence") as both Market Participant and Meter Agent**

On December 17, 2009, SPP submitted an executed Meter Agent Services Agreement between City of Independence, Missouri as both the Market Participant and Meter Agent. SPP Service Agreement No. 1852.

An effective date of December 1, 2009 is requested.

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ER10-449

### **SPP Filing of a Cancellation of the Meter Agent Services Agreement between Tenaska Power Services Company ("Tenaska") and Westar Energy, Inc. ("Westar")**

On December 17, 2009, SPP submitted a cancellation of the Meter Agent Services Agreement between Tenaska Power Services Company and Westar Energy, Inc.. The agreement was designated SPP Service Agreement No. 1783.

The load that was the subject of this agreement is now included in the Meter Agent Services Agreement for City of Independence that was filed in Docket No. ER10-448.

An effective date of December 1, 2009 is requested.

ER10-454

### **Interim Large Generator Interconnection Agreement ("LGIA") between CPV Keenan II Renewable Energy Company, LLC ("CPV Keenan") as Interconnection Customer and Oklahoma Gas & Electric Company ("OG&E") as Transmission Owner**

On December 18, 2009, SPP submitted a partially executed LGIA between SPP as Transmission Provider, CPV Keenan II Renewable Energy Company, LLC as Interconnection customer, and Oklahoma Gas & Electric Company as Transmission Owner. SPP Service Agreement No. 1902.

SPP is filing the Interim LGIA partially unexecuted at the request of CPV Keenan. CPV Keenan intends to close on the financing for its project on or around January 19, 2010, and those funds will be needed and used to meet its security obligations under the CPV Keenan Interim LGIA. Because Article 11.5.1 requires that CPV Keenan post security within 15 business days of its execution of the agreement, execution of the agreement at this time would call for security to be posted prior to the financial closing. SPP further understands that CPV Keenan intends to execute the LGIA on or around the date of financial closing.

SPP requests that the Commission establish a shortened comment period of fifteen days, issue an order on or before January 19, 2010, and accept the Interim LGIA with an effective date of the date of the Commission's order accepting the agreement.

On December 24, 2009, CPV Keenan II Renewable Energy Company LLC filed a Motion to Intervene and Comments in support of the request for expedited action requested by SPP in the December 18, 2009 filing.

ER10-470

### **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")**

**This is for Network Customer load of the City of Blue Mound, Kansas.**

On December 22, 2009, SPP submitted an executed Network Integration Transmission

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Service Agreement and Network Operating Agreement between SPP as Transmission Provider, Westar Energy, Inc, as Network Customer and Host Transmission Owner. This is for Network Customer load of the City of Blue Mound, Kansas. SPP Service Agreement No. 1884.

An effective date of December 1, 2009 is requested.

ER10-496

### **Large Generator Interconnection Agreement ("LGIA") between Grand River Dam Authority ("GRDA") as Interconnection Customer and Transmission Owner**

On December 23, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, and Grand River Dam Authority as both Interconnection Customer and Transmission Owner. SPP Service Agreement No. 1881.

An effective date of November 23, 2009 is requested.

ER10-511

### **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 December 19, 2009 SPP submitted an executed Network Integration Transmission Service Agreement and Network Operating Agreement between SPP as Transmission Provider and Westar Energy, Inc. as both Network Customer and Host Transmission Owner. SPP Service Agreement No. Sixth Revised 607.

An effective date of December 1, 2009 is requested.

ER10-512

### **SPP Filing of an Executed Meter Agent Services Agreement between Lincoln Electric System ("LES") as Market Participant and Meter Agent**

On December 29, 2009, SPP submitted an executed Meter Agent Services Agreement between Lincoln Electric System as both the Market Participant and Meter Agent. SPP Service Agreement No. First Revised 1779.

An effective date of December 1, 2009 is requested.

ER10-513

### **Firm Point-To-Point Transmission Service Agreement between SPP as Transmission Provider and Southwestern Public Service Company ("SPS") as Transmission Customer**

On December 29, 2009, SPP submitted an executed service agreement for Firm Point-To-Point Transmission Service between SPP as Transmission Provider and

# Southwest Power Pool, Inc.

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Southwestern Public Service Company as Transmission Customer. SPP Service Agreement No. 1870.

An effective date of February 15, 2010 is requested.

ER10-518

### **SPP Submission of Twelve Network Integration Transmission Service Agreement ("NITSA") between SPP, and Westar Energy, Inc. ("Westar") as Network Customer and Host Transmission Owner, as well as Twelve Network Operating Agreements ("NOA")**

On December 30, 2009, SPP submitted twelve executed Network Integration Transmission Service Agreements and Network Operating Agreements between SPP as Transmission Provider, and Westar Energy, Inc. as both Network Customer and Host Transmission Owner. Westar requested the unbundling of a grandfathered agreement for these twelve cities.

The following service agreement numbers are in this filing:

- 1) 1883 for City of Alma
- 2) 1885 for City of Bronson
- 3) 1886 for Doniphan REC
- 4) 1887 for City of Elsmore
- 5) 1888 for City of LaHarpe
- 6) 1889 for City of Mindenmines
- 7) 1890 for City of Moran
- 8) 1891 for City of Mulberry
- 9) 1892 for City of Robinson
- 10) 1893 for City of Savonburg
- 11) 1894 for City of Vermillion
- 12) 1895 for City of Wathena

An effective date of December 1, 2009 is requested.

ER10-531

### **Network Integration Transmission Service Agreement ("NITSA") between SPP, Oklahoma Municipal Power Agency ("OMPA") as Network Customer, and American Electric Power Service Corporation ("AEP"), Oklahoma Gas & Electric Company ("OG&E"), and Western Farmers Electric Cooperative ("WFEC") as Host Transmission Owners, as well as a Network Operating Agreement ("NOA")**

On December 30, 2009, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, Oklahoma Municipal Power Agency, as Network Customer, as well as a Network Operating Agreement with American Electric Power Service Corporation, Oklahoma Gas & Electric Company, and Western Farmers Electric Cooperative as Host Transmission Owners. SPP Service Agreement No. Ninth Revised 1166.

An effective date of December 1, 2009 is requested.

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**ER10-534**                    **Large Generator Interconnection Agreement ("LGIA") between Shooting Star Power Partners, LLC ("Shooting Star") as Interconnection Customer and Mid-Kansas Electric Company ("MKEC") as Transmission Owner**

On December 31, 2009, SPP submitted an executed LGIA between SPP as Transmission Provider, Shooting Star Power Partners, LLC as Interconnection Customer, and Mid-Kansas Electric Company as Transmission Owner. SPP Service Agreement No. First Revised 1289.

An effective date of December 1, 2009 is requested.

**ER10-550**                    **SPP Submission of Tariff Revisions to Incorporate Revisions Providing for Modifications, Additions, or Abandonment of Delivery Point Facilities Necessary for Transmission Service and Miscellaneous Clarifying Provisions**

On December 31, 2009, SPP submitted tariff revisions in order to incorporate 1) provisions specifying the process by which transmission customers add, modify, or abandon the local physical delivery point facilities necessary to deliver power and energy pursuant to their transmission service agreement under the SPP Tariff; and 2) miscellaneous clarifying provisions.

The proposed revisions include 1) revised Section 31.2; 2) addition of Attachment AQ (Delivery Point Addition Process); 3) revised Section 31.3; and 4) revised Section 31.4.

The miscellaneous clarifying revisions include 1) revision of the definition of Wholesale Distribution Service and Schedule 10; 2) additional language to Section 2.0 of Attachment 1 of the pro forma Network Service Agreement, as well as revisions to provide specifications for transmission and distribution losses; and 3) additional language to Section 8.1 of the pro forma Network Operating Agreement.

An effective date of March 1, 2010 is requested.

**ES09-25**                    **Application of SPP Under Section 204 of the Federal Power Act for an Order Authorizing the Issuance of Securities**

On October 9, 2009, Southwest Power Pool, Inc. electronically submitted to FERC a Report of Securities Issued pursuant to Section 34.10 of the Commission's regulations.

**ES10-11**                    **SPP Application Under Section 204 of the Federal Power Act for an Order Authorizing the Issuance of Securities (\$150 million)**

On December 4, 2009, SPP filed an Application Under Section 204 of the Federal Power Act for an Order Authorizing the Issuance of Securities in the amount of up to \$150 million in secured and unsecured facilities. The secured facilities will be used for the acquisition of land, architectural design and construction of new buildings that will house SPP administrative staff and a new operations center. The unsecured facilities will be used to fund the development of future SPP markets, a consolidated balancing authority, and a high availability of IT architecture, as well as all other necessary general capital expenditures.

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SPP requested the Commission to approve this application by January 18, 2010, so that SPP may conclude the issuance of securities.

**OA08-59**

### **Entergy Services, Inc. Order No. 890 Attachment K Compliance Filing**

On December 7, 2009, FERC issued an Order Denying Request for Clarification, denying the East Texas Cooperatives' July 20, 2009 Request for Clarification.

On December 11, 2009, FERC issued an Order Denying Rehearing. The Commission denies both the L-M Municipals and Union Power Partners rehearing requests.

**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) 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.

On December 30, 2009, SPP submitted an errata filing to its November 2, 2009 filing. Due to an administrative error, certain Tariff sheets submitted with the November 2, 2009 filing inadvertently omitted a revision that was approved through the SPP stakeholder process and intended to be included in the proposed revisions to Attachment O.

**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.

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 November 30, 2009, the Transmission Access Policy Study Group filed its Response in Opposition to the Compliance Working Group's Amended Request for Clarification.

On November 30, 2009, the Edison Electric Institute filed Comments in Support of the CWG Request for Clarification and Requesting a Response to the Border-Sale Issues Raised in

# Southwest Power Pool, Inc.

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EEL's July 20, 2009 Filing.

On December 10, 2009, the Compliance Working Group filed reply comments in response to the Transmission Access Policy Study Group's November 30, 2009 comments.

On December 10, 2009, FERC issued a Notice of Extension of Time, granting an extension of time to comply with the requirement to report sites for which site control has not been demonstrated during the prior three years set forth in Order No. 697-C until 30 days after the Commission issues an order on the requests for clarification and rehearing of Order No. 697-C.

On December 22, 2009, the Transmission Access Policy Study Group filed reply comments in response to the Compliance Working Group's December 10, 2009 reply comments.

**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 is effective November 25, 2009.

On December 2, 2009, NERC submitted its informational filing of 2010 Development Plan, pursuant to Section 310 of the NERC Rules of Procedure.

On December 16, 2009, the North American Energy Standards Board ("NAESB") submitted a report regarding errata to Version 002.1 of the NAESB Wholesale Electric Quadrant standards provided to the Commission on February 19, 2009.

**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 is effective November 25, 2009.

On December 2, 2009, NERC submitted its informational filing of 2010 Development Plan, pursuant to Section 310 of the NERC Rules of Procedure.

**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



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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).

In November 24, 2009, NERC submitted a petition seeking approval for interpretations of Requirement R3 in FERC-approved NERC Reliability Standard TOP-005-1.1 - Operational Reliability Information, and Requirement R12 of FERC-approved NERC Reliability Standard IRO-005-2 - Reliability Coordination.

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 February 8, 2010 (60 days after publication in the Federal Register).

On November 30, 2009, pursuant to Paragraph 629 of Order No. 693, NERC submitted its quarterly informational filing regarding the timeframe to restore power to the 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 material for the third quarter 2009.

On December 2, 2009, NERC submitted its informational filing of 2010 Development Plan, pursuant to Section 310 of the NERC Rules of Procedure.

On December 22, 2009, NERC submitted a petition seeking approval of two interpretations of Critical Infrastructure Protection Reliability Standard CIP-006-2.

On December 22, 2009, NERC filed a Request for Clarification of Order No. 729, with respect to the effective date.

On December 23, 2009, Duke Energy Carolinas, LLC filed a Request for Clarification, seeking clarification on several issues in Order 729 issued on November 24, 2009.

On December 23, 2009, the American Public Power Association and the Transmission Access Policy Study Group filed a Request for Clarification regarding the provisions of Order No. 729 that establish the effective date for the Reliability Standards approved in the order.

**RM06-22**

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

On December 17, 2009, FERC issued an Order Addressing Compliance Filing and Requiring Further Compliance Filing in response to NERC's September 15, 2009 filing of an implementation plan for the implementation of eight Critical Infrastructure Protection Reliability Standards, CIP-001-1 through CIP-009-1, in compliance with Order No. 706-B. NERC's compliance filing is due January 19, 2010.

On December 18, 2009, FERC submitted a filing seeking approval of Violation Security Level ("VSL") assignments for several approved Reliability Standards.

**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.

**RM08-11**

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

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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 February 8, 2010 (60 days after publication in the Federal Register).

On December 4, 2009, FERC issued an Errata Notice to correct sites in Order No. 729 where the word "proposed" is used instead of applicable final rule language.

On December 22, 2009, NERC filed a Request for Clarification of Order No. 729, with respect to the effective date.

On December 22, 2009, the Edison Electric Institute filed a Request for Clarification of Order No. 729, with respect to the effective date.

On December 23, 2009, Duke Energy Carolinas, LLC filed a Request for Clarification, seeking clarification on several issues in Order 729 issued on November 24, 2009.

On December 23, 2009, ISO New England, Inc. filed a Request for Clarification, seeking clarification on the implementation date for the Reliability Standards approved by the Commission in Order No. 729 issued on November 24, 2009.

On December 23, 2009, the American Public Power Association and the Transmission Access Policy Study Group filed a Request for Clarification regarding the provisions of Order No. 729 that establish the effective date for the Reliability Standards approved in the order.

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 October 2, 2009, FERC issued a letter order accepting NERC's July 30, 2009 Compliance Filing.

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

RR09-4

**NERC Petition for Approval of Proposed Revisions to Bylaws of SPP**

On October 1, 2009, FERC issued a Notice of Extension of Time, which granted an extension to and including December 1, 2009 to comply with the September 17, 2009 Order.

On December 1, 2009, NERC and SPP submitted the compliance filing pursuant to the September 17, 2009 Order.

The parties submitted: 1) a further amendment to section 9.3, setting forth the duties of the SPP RE General Manager; and 2) explanation of voting procedure in section 9.7.3(e).

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**RR10-2**                    **NERC Petition for Approval of Amendment to Delegation Agreements with Regional Entities to Extend Initial Term of Agreements to May 2011**

On November 12, 2009, NERC submitted a Petition for Approval of Amendment to Delegation Agreements with Regional Entities to Extend Initial Term of Agreements to May 2, 2011.

On December 3, 2009, the SPP Regional Entity filed a Motion to Intervene.

**RR10-5**                    **NERC Filing of Amendments to SPP Bylaws Section 9.7.1 (Functions and Duties of the Regional Entity Trustees)**

On December 1, 2009, NERC submitted amendments to Section 9.7.1 of SPP's Bylaws regarding Functions and Duties of Regional Entity Trustees.

SPP's filing of these changes may be found in Docket No. ER10-367.

An effective date of January 31, 2010 is requested.

**RT04-1**                    **RTO Approval Docket**

On December 9, 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.

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

06-154-U

**In the Matter of the Application of Southwestern Electric Power Company ("SWEPCO") for a Certificate of Environmental Compatibility 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)**

On November 5, 2009, the Independent Monitor's November 2009 Six-Month Construction Progress Report was filed in this docket.

On November 9, 2009, SWEPCO filed its second annual report in compliance with Condition No. 11 of Order No. 11.

On November 9, 2009, a corrected Exhibit 1 to the Independent Monitor's November 2009 Six-Month Construction Progress Report was filed in this docket.

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 October 1, 2009, SPP filed the ICT's Third Quarterly Performance Report for 2009.

On October 1, 2009, SPP and Entergy filed the monthly progress report for September, detailing the progress made toward the completion of a seams agreement, pursuant to Order No. 15.

On October 13, 2009, the Arkansas Cities (Conway Corporation, the West Memphis Utilities Commission, the City of Osceola, the City of Benton, the Hope Water & Light Commission and the City of Prescott, Arkansas) filed a Petition to Intervene.

On October 16, 2009, SPP filed the September State of the Market Report pursuant to Order No. 2.

On October 19, 2009, SPP filed its Supplement to the WPP Quarterly Report for the time period of June through August 2009.

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.

On December 1, 2009, SPP and Entergy filed the monthly progress report for November, detailing the progress made toward the completion of a seams agreement, pursuant to Order No. 15.

On December 1, 2009, the APSC filed a letter in this proceeding reaffirming its decision to join the Entergy Regional State Committee ("E-RSC") and has approved in principle the most recent draft of the Bylaws dated November 4, 2009.

On December 4, 2009, the APSC issued Order No. 19, concerning the Petitions to Intervene

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of: 1) Lafayette Utilities System, the Municipal Energy Agency of Mississippi, the Louisiana Energy and Power Authority, and the Mississippi Delta Energy Agency and its members, the Public Service Commission of Yazoo City, Mississippi, and the Clarksdale Public Utilities Commission; 2) NRG Power Marketing LLC, Bayou Cover Peaking Power LLC, Big Cajun I Peaking Power LLC, Louisiana Generating LLC, and Sterlington Power LLC; and 3) Cottonwood Energy Company, LP. The Commission requests the Petitioners file in this Docket, within 10 days from receipt of this Order, official notice regarding whether they still wish to participate as full party litigants in this Docket.

On December 11, 2009, Cottonwood Energy Company LP submitted its request to participate as a full party litigant.

On December 11, 2009, NRG Power Marketing LLC and Louisiana Generating LLC filed a Motion to Reurge Intervention by the NRG Companies.

On December 15, 2009, the L-M Municipals filed a Withdrawal of Motion to Intervene and Expression of Intent to Submit a Statement of Limited Appearance.

On December 16, 2009, SPP filed the WPP Quarterly Report for the time period of September through November 2009.

On December 21, 2009, SPP filed the November State of the Market Report pursuant to Order No. 2.

On January 4, 2010, SPP and Entergy filed the monthly progress report for December, detailing the progress made toward the completion of a seams agreement, pursuant to Order No. 15.

On January 4, 2010, SPP filed the ICT's Fourth Quarterly Performance Report for 2009. This report covers the time period September 1, 2009 through November 30, 2009.

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**

On October 8, 2009, SPP filed a complete copy of the credit agreement for the transaction approved in this docket by the APSC on May 21, 2009.

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 October 8, 2009, the APSC issued Order No. 3. In order to allow EnerNOC additional time to justify its Motion to Intervene, the Commission waives the applicability of Rule 3.04(b)(1).

On October 13, 2009, the APSC issued Order No. 4, which grants Walmart's Motion to Intervene.

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.

On December 16, 2009, SPP filed a Motion for Modification of Procedural Schedule.

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Specifically, SPP requests that the Commission modify the procedural schedule to extend the date for filing initial briefs and comments from December 21, 2009 to 30 days following FERC's ruling on SPP's compliance filing in FERC Docket No. ER09-1050.

On December 16, 2009, the Electric Cooperatives of Arkansas, Southwestern Electric Power Company, Oklahoma Gas and Electric Company, the Empire District Electric Company, and the General Staff of the Arkansas Public Service Commission filed a Joint Motion for Modification of Procedural Schedule.

The parties ask that the Commission modify the procedural schedule for this docket to extend the date for filing of initial briefs and initial comments until 30 days following the date when FERC has accepted in whole all of SPP's compliance filings in FERC Docket No. ER09-1050.

On December 18, 2009, the APSC issued Order No. 5, granting SPP's December 16, 2009 Motion for Modification of Procedural Schedule. Initial briefs and comments are due 30 days following the date when FERC has accepted in whole all of SPP's compliance filings in FERC Docket No. ER09-1050.

On December 28, 2009, SPP filed a Notice of FERC Notice Addressing Motion for Extension of Time. FERC granted SPP's request for an extension to May 19, 2010, in order to comply with the demand response requirements set forth in section III.B.1 of the November 20, 2009 Order issued in Docket No. ER09-1050 and the demand response requirement ordered in Order No. 719-A.

09-128-U

### **In the Matter of the Application of Southwest Power Pool, Inc. for Authority to Issue up to \$150,000,000 in Secured and Non-Secured Promissory Notes**

On December 9, 2009, SPP filed an Application for Authority to Issue Indebtedness and Request for an Expedited Order with the Arkansas Public Service Commission. SPP applied for authority to issue secured and non-secured Promissory Notes in a principal amount not to exceed \$150,000,000.

SPP will use the secured Promissory Note, not to exceed \$70,000,000, to finance the construction of new buildings that will house SPP's administrative personnel as well as a new operations center. The non-secured Promissory Note, not to exceed \$90,000,000, will be used to finance the costs of developing future SPP markets, as well as fund the creation of a consolidated balancing authority and high availability IT architecture. The aggregate amount of the secured and non-secured notes will not exceed \$150,000,000.

SPP asked that the APSC issue an order approving this Application on or before January 18, 2010.

See the related FERC filing in Docket No. ES10-11.

CA09-283

### **Donald R. Johnson, Mary D. Johnson and Charles Michael Turner v. Arkansas Public Service Commission (before the Arkansas Court of Appeals)**

On November 16, 2009, the Arkansas Supreme Court issued an order referring the Appellants' motion to consolidate appears to the Court of Appeals.

CA09-304

### **Willis B. Smith and Patty F. Smith v. Arkansas Public Service Commission (before the Arkansas Court of Appeals)**

# Southwest Power Pool, Inc.

## Regulatory Status Report

On November 12, 2009, the Arkansas Supreme Court issued an order referring the Appellants' motion to consolidate appears to the Court of Appeals.

CA09-385

**Hempstead County Hunting Club, Inc. and Shultz Family Management Company v. Arkansas Public Service Commission (before the Arkansas Court of Appeals)**

On November 12, 2009, the Arkansas Supreme Court issued an order referring the Appellees' joint motion to separate APSC dockets filed jointly on appeal to the Court of Appeals.

SC09-718

**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**

On October 5, 2009, the Appellants, Hempstead County Hunting Club, et al, filed a response to AECC's Motion to Strike.

The Arkansas Supreme Court granted review October 22, 2009.

On October 22, 2009, the Supreme Court of Arkansas issued an order granting AECC's Motion for Leave to File Amicus Curiae Brief, denying the Appellants' Motion to file belated response to motion to file amicus brief, and finding the Motion to Strike Appellants' objections to Motion to File Amicus Curiae Brief moot.

On October 30, 2009, Charles Michael Turner, Donald R. Johnson, Mary D. Johnson, Willis B. Smith and Patty Smith filed a Motion for Leave to File an Amicus Curiae Brief in Support of the Appellants.

On November 5, 2009, SWEPCO filed a Motion to Dismiss Appeal and Memorandum Brief in Support. SWEPCO states that the Appellants failed to comply with Section 524(b) when they did not appeal from Order No. 13: the APSC's final decision on rehearing in which it expressed its final decision on SWEPCO's Certificate.

On November 5, 2009, SWEPCO filed a Motion for Permission to Submit a Supplemental Brief.

On November 5, 2009, SWEPCO submitted a Motion for Oral Argument on Motion to Dismiss Appeal and Memorandum Brief in Support.

On November 5, 2009, the Appellants filed a Motion and Memorandum of Law to File Pleadings Previously filed with Court of Appeals.

On November 5, 2009, the Arkansas Public Service Commission submitted a Motion for Permission to Submit a Supplemental Brief.

On November 5, 2009, the Appellants filed a Motion for Leave to File Supplemental Briefing.

On November 12, 2009, the Sierra Club, National Audubon Society and Audubon Arkansas filed a Motion for Leave to File Amicus Curiae Brief.

On November 13, 2009, the APSC filed its response in support of SWEPCO's Motion to Dismiss Appeal and supporting legal authority.

On November 16, 2009, the Appellants filed a Response to SWEPCO's Motion to Dismiss Appeal and Memorandum in Support of Appellants' Response to SWEPCO's Motion to Dismiss Appeal. The Appellants ask that SWEPCO's Motion to Dismiss be denied.

# Southwest Power Pool, Inc.

## Regulatory Status Report

On November 16, 2009, SWEPCO filed its Response to Appellants' Motion and Memorandum of Law to File Pleadings Previously Filed with Court of Appeals.

On November 19, 2009, the Arkansas Supreme Court issued an Order granting the Motion of Charles Michael Turner, Donald R. Johnson, Mary D. Johnson, Willis B. Smith and Patty Smith to file an Amicus Curiae Brief.

On November 19, 2009, SWEPCO filed a Reply to Appellants' Response to SWEPCO's Motion to Dismiss Appeal.

On November 23, 2009, the Arkansas Supreme Court issued an order granting the request for oral argument.

On December 3, 2009, the Arkansas Supreme Court issued orders granting the Appellants' Motion to File Supplemental Brief, the APSC's Motion to File Supplemental Brief, SWEPCO's Motion to File Supplemental Brief, and Appellants' Motion to File Pleadings Previously Filed with the Court of Appeals. Regarding SWEPCO's Motion to Dismiss Appeal, the court passes until case is submitted.

APSC's and SWEPCO's briefs are due December 23, 2009; the appellants brief is due ten days of appellees' briefs are filed.

On December 10, 2009, the Arkansas Supreme Court issued an order denying the Motion of Sierra Club, National Audubon Society and Audubon Arkansas for Leave to File Amicus Curiae Brief in support of appellants.

On December 18, 2009, Energy Arkansas, Inc. filed a Motion for Leave to File Amicus Curiae Brief, asking that the APSC be upheld, effectively reversing the decision of the Court of Appeals.

On December 23, 2009, the APSC filed its Supplemental Brief, stating that no legally valid basis exists for revoking SWEPCO's CECPN to build the Turk Plant or altering the PSC's long-standing CECPN process.

On December 28, 2009, the Appellants filed Objections to Motion for Leave to File Amicus Brief of Energy Arkansas, Inc.

On December 28, 2009, the Appellants, Hempstead County Hunting Club, et al, filed a Motion for Permission to File Response Briefs to Amicus Briefs.

On December 30, 2009, SWEPCO filed its Supplemental Brief, stating that APSC's decision to grant SWEPCO a CECPN to construct the Turk Plant is supported by substantial evidence and was a proper pursuit of the PSC's authority and that PSC's decision should be affirmed in all respects.



# Southwest Power Pool, Inc.

## Regulatory Status Report

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

On October 5, 2009, the Kansas Corporation Commission issued an Order Granting Joint Motion to Approve Stipulation and Agreement and Denying Curb's Objection.

The Commission granted ITC Great Plains an amended certificate to construct the ITC Segment of the 765 kV Project, and also granted Prairie Wind a certificate of convenience to construct the PWT Segment. CURB's objection to the Phase 2 Stipulation was denied.

In response to environmental concerns, at P 58 of the Order, the KCC directed ITC Great Plains, Prairie Wind, and other parties involved in developing the Project "to keep Staff apprised of their involvement with the [Kansas] Department [of Wildlife and Parks] and the US Fish and Wildlife [Service] in planning the proposed route for this line".

It is anticipated that the KCC will open a general investigation docket regarding how to handle similar issues in the future.

08-PWTE-1022-COC

**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.**

On October 5, 2009, the Kansas Corporation Commission issued an Order Granting Joint Motion to Approve Stipulation and Agreement and Denying Curb's Objection.

The Commission granted ITC Great Plains an amended certificate to construct the ITC Segment of the 765 kV Project, and also granted Prairie Wind a certificate of convenience to construct the PWT Segment. CURB's objection to the Phase 2 Stipulation was denied.

In response to environmental concerns, at P 58 of the Order, the KCC directed ITC Great Plains, Prairie Wind, and other parties involved in developing the Project "to keep Staff apprised of their involvement with the [Kansas] Department [of Wildlife and Parks] and the US Fish and Wildlife [Service] in planning the proposed route for this line".

It is anticipated that the KCC will open a general investigation docket regarding how to handle similar issues in the future.

10-GIME-215-GIE

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

On October 5, 2009, SPP filed its Entry of Appearance.

On October 20, 2009, Midwest Energy, Inc. and Westar Energy, Inc. filed initial comments.

# Southwest Power Pool, Inc.

## Regulatory Status Report

On October 20, 2009, SPP filed its initial comments in response to the September 21, 2009 Order.

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.

On December 17, 2009, SPP filed a Notice of Motion for Extension of Time which was filed in FERC Docket No. ER09-1050.

On December 29, 2009, SPP filed a Notice of FERC Notice Addressing Motion for Extension of Time. FERC granted SPP's request for an extension to May 19, 2010, in order to comply with the demand response requirements set forth in section III.B.1 of the November 20, 2009 Order issued in Docket No. ER09-1050 and the demand response requirement ordered in Order No. 719-A.

# Southwest Power Pool, Inc.

## Regulatory Status Report

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

**U-28155 Subdocket A**      **Investigation of the Continued Participation of Entergy Louisiana, LLC and Entergy Gulf States Louisiana, LLC in the Independent Coordinator of Transmission ("ICT") Arrangement, Potential Enhancements to the ICT, Potential Alternatives to the ICT, the Impact of Alternatives on LPSC Jurisdictional Ratepayers**

On October 1, 2009, the Louisiana Energy Users Group and Calpine Corporation filed comments on the draft ERSC Bylaws.

On October 5, 2009, the Louisiana Energy Users Group and GDF Suez Energy Marketing NA, Inc filed comments regarding the Entergy Cost Benefit Analysis Study Proposed Work Plan dated September 24, 2009.

On October 6, 2009, Louisiana Generating, LLC and NRG Energy, Inc filed comments regarding the Entergy Cost Benefit Analysis Study Proposed Work Plan dated September 24, 2009.

On October 7, 2009, the LPSC issued an order stating that the LPSC supports the formation of an Entergy Regional State Committee in concept and authorizes participation by the LPSC. The Commission's support of the formation of the ERSC is contingent upon the establishment of a satisfactory voting structure and adoption of appropriate bylaws.

# Southwest Power Pool, Inc.

## Regulatory Status Report

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

**EW-2009-0290**

**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**

On October 2, 2009, Union Electric Company filed a Motion for Extension of Time to Reply to the Staff's September 22, 2009 Response.

On October 5, 2009, the MoPSC issued an Order Granting Motion for an Extension of Time to file responses to Staff's September 22, 2009 report. Responses are due October 26, 2009.

On October 26, 2009, Union Electric Company d/b/a AmerenUE filed its reply to the Staff's September 22, 2009 Response. Ameren asks that the Commission:

- 1) Find that there has been no prior state action regarding all four PURPA standards;
- 2) Order consideration of the IRP planning Standard (Standard 16) as part of the IRP rewrite efforts;
- 3) Order consideration of Standard (17) in connection with a separate energy efficiency docket; and
- 4) Order consideration of Standards (18) and (19) as part of a separate smart grid docket.

On November 20, 2009, Staff filed the Matrix for PURPA Section 111(d)(16)-(19) Standards.

On November 23, 2009, the MoPSC issued an Order Finding Consideration/Implementation of New Federal Standards through Workshop and Rulemaking Procedures is Required. The Commission orders that 1) the workshops ongoing for consideration of the new standards encompassed within the Energy Independence and Security Act of 2007 ("EISA") shall continue; 2) the Public Utilities Regulatory Policy Act's prior state action exemption is inapplicable to the new EISA standards.

On December 1, 2009, the Missouri Department of Natural Resources filed its response to Staff's Matrix for PURPA Section 111(d)(16)-(19) Standards.

On December 1, 2009, AmerenUE filed its response to Staff's Matrix for PURPA Section 111(d)(16)-(19) Standards.

**EW-2009-0291**

**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 532 of the Energy Independence and Security Act of 2007**

On October 2, 2009, Union Electric Company filed a Motion for Extension of Time to Reply to the Staff's September 22, 2009 Response.

On October 5, 2009, the MoPSC issued an Order Granting Motion for an Extension of Time to file responses to Staff's September 22, 2009 report. Responses are due October 26, 2009.

On October 26, 2009, Union Electric Company d/b/a AmerenUE filed its reply to the Staff's September 22, 2009 Response. Ameren asks that the Commission:

- 1) Find that there has been no prior state action regarding all four PURPA standards;
- 2) Order consideration of the IRP planning Standard (Standard 16) as part of the IRP rewrite

# Southwest Power Pool, Inc.

## Regulatory Status Report

efforts;

- 3) Order consideration of Standard (17) in connection with a separate energy efficiency docket; and
- 4) Order consideration of Standards (18) and (19) as part of a separate smart grid docket.

On November 20, 2009, Staff filed the Matrix for PURPA Section 111(d)(16)-(19) Standards.

On November 23, 2009, the MoPSC issued an Order Finding Consideration/Implementation of New Federal Standards through Workshop and Rulemaking Procedures is Required. The Commission orders that 1) the workshops ongoing for consideration of the new standards encompassed within the Energy Independence and Security Act of 2007 ("EISA") shall continue; 2) the Public Utilities Regulatory Policy Act's prior state action exemption is inapplicable to the new EISA standards.

On December 1, 2009, the Missouri Department of Natural Resources filed its response to Staff's Matrix for PURPA Section 111(d)(16)-(19) Standards.

On December 1, 2009, AmerenUE filed its response to Staff's Matrix for PURPA Section 111(d)(16)-(19) Standards.

**EW-2009-0292**

### **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**

On October 2, 2009, Union Electric Company filed a Motion for Extension of Time to Reply to the Staff's September 22, 2009 Response.

On October 5, 2009, the MoPSC issued an Order Granting Motion for an Extension of Time to file responses to Staff's September 22, 2009 report. Responses are due October 26, 2009.

On October 26, 2009, Union Electric Company d/b/a AmerenUE filed its reply to the Staff's September 22, 2009 Response. Ameren asks that the Commission:

- 1) Find that there has been no prior state action regarding all four PURPA standards;
- 2) Order consideration of the IRP planning Standard (Standard 16) as part of the IRP rewrite efforts;
- 3) Order consideration of Standard (17) in connection with a separate energy efficiency docket; and
- 4) Order consideration of Standards (18) and (19) as part of a separate smart grid docket.

On November 20, 2009, Staff filed the Matrix for PURPA Section 111(d)(16)-(19) Standards.

On November 23, 2009, the MoPSC issued an Order Finding Consideration/Implementation of New Federal Standards through Workshop and Rulemaking Procedures is Required. The Commission orders that 1) the workshops ongoing for consideration of the new standards encompassed within the Energy Independence and Security Act of 2007 ("EISA") shall continue; 2) the Public Utilities Regulatory Policy Act's prior state action exemption is inapplicable to the new EISA standards.

On December 1, 2009, the Missouri Department of Natural Resources filed its response to Staff's Matrix for PURPA Section 111(d)(16)-(19) Standards.

On December 1, 2009, AmerenUE filed its response to Staff's Matrix for PURPA Section 111(d)(16)-(19) Standards.

# Southwest Power Pool, Inc.

## Regulatory Status Report

EW-2010-0187

### **In the Matter of an Investigation into the Coordination of State and Federal Regulatory Policies for Facilitating the Deployment of all Cost-Effective Demand-Side Savings to Electric Customers of All Classes Consistent with the Public Interest**

On January 6, 2010, the Missouri Public Service Commission issued an Order Opening a Case to Investigate Implementation of Various Demand-Side Programs.

The MoPSC invites comments regarding several questions it has regarding the Missouri Energy Efficiency Act ("MEEIA") and Aggregators of Retail Customers ("ARCs") that it asks participants to address. After comments are collected, the Commission will schedule a workshop for discussion of these matters.

This case was established to investigate how the Commission may achieve its new responsibilities under the MEEIA, within the background of FERC policies that eliminate barriers to demand response and that direct MISO and SPP to accommodate state policy regarding retail customer demand-side activity.

# 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 16, 2009, SPP filed Testimony Supporting Uncontested Stipulation of Les Dillahunty.

On October 16, 2009, Prasad Potturi filed Direct Testimony in Support of Stipulation.

On October 16, 2009, SPS filed Testimony Supporting Uncontested Stipulation of David Hudson.

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.

On December 4, 2009, Southwestern Public Service Company and Commission Utility Division Staff filed a Proposed Certification of Uncontested Stipulation.

On December 21, 2009, the Hearing Examiner issued a Certification of Stipulation, recommending that the Commission approve the Stipulation.

# Southwest Power Pool, Inc.

## Regulatory Status Report

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

37344

#### **Information Related to the Entergy Regional State Committee ("ERSC")**

On October 8, 2009, East Texas Electric Cooperatives filed comments in support of the formation of the ERSC.

On October 19, 2009, the final version of the Entergy Cost Benefit Analysis scope document was posted in this docket.

On October 20, 2009, the Request for Proposal for the Entergy CBA study was posted in this docket.

On December 4, 2009, East Texas Electric Cooperatives filed comments in support of the formation of an Enhanced ICT.

On December 16, 2009, the ERSC Bylaws, ERSC 2010 and 2011 estimated budget, and ERSC Working Group Update were posted in this docket.