

Southwest Power Pool, Inc.

Regulatory Status Report

FERC or State Jurisdiction: FERC

- AD10-5** **RTO/ISO Performance Metrics**
- On February 3, 2010, FERC issued a Notice Requesting Comments on RTO/ISO Performance Metrics.
- Commission staff requested comments on whether the proposed performance metrics will effectively track the performance of ISO/RTO operations and markets. Comments are due March 5, 2010, with Reply Comments due March 19, 2010.
- CE09-183.002** **Victor Babbitt, et al.'s Request for Critical Energy Infrastructure Information - Renewable Energy Systems Americas, Inc. (Additional Requesters)**
- On February 10, 2010, Doug Nieb submitted a request on behalf of Jeff Fine to add seven additional employees of Renewable Energy Systems Americas, Inc. to the original group request in this docket.
- SPP submitted comments on this request February 16, 2010.
- CE10-35** **John Thomasen, et al.'s Request for Critical Energy Infrastructure Information - Madison Gas & Electric Company**
- FERC issued a Notice of Intent to Release on February 17, 2010.
- CE10-46** **Shawn Sapp's Request for Critical Energy Infrastructure Information - Ventyx**
- FERC issued a Notice of Intent to Release February 4, 2010.
- CE10-48** **Nehal Divekar's Request for Critical Energy Infrastructure Information - Renewable Energy Systems America, Inc.**
- FERC issued a Notice of Intent to Release February 4, 2010.
- CE10-50** **Nicholas Hiza's Request for Critical Energy Infrastructure Information - Atlas Renewables, LLC**
- SPP submitted comments on this request February 5, 2010.
- CE10-54** **Kathleen O'Brien, et al.'s Request for Critical Energy Infrastructure Information - Entergy Services, Inc.**
- On January 13, 2010, Kathleen O'Brien filed a FERC CEII request to obtain a copy of "[t]ransmission line information, power flow cases and maps published by transmission owners, operators and ISOs" on behalf of herself and four additional employees of Entergy Services, Inc., as noticed February 1, 2010.
- SPP submitted comments on this request February 12, 2010. FERC Headquarters were closed February 5 -11, 2010, due to weather.
- CE10-56** **Mark Saviers, et al.'s Request for Critical Energy Infrastructure Information - Sage Partners on behalf of Fibrowatt, LLC**
- On January 13, 2010, Michael Saviers filed a FERC CEII request on behalf of himself and two additional requesters to obtain a copy of SPP's transmission map, as noticed February 1,

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2010. Mr. Saviers is a partner with Sage Partners and has filed this request on behalf of Fibrowatt, LLC.

SPP submitted comments on February 12, 2010, as FERC Headquarters were closed February 5 -11, 2010, due to weather.

CE10-57 Brian Curley's Request for Critical Energy Infrastructure Information - Ecolution Capital

SPP submitted comments on this request February 1, 2010.

CE10-58 Anthony "Wayne" Galli's Request for Critical Energy Infrastructure Information - Clean Line Energy Partners

SPP submitted comments on this request February 1, 2010.

CE10-59 Xiaohuan Tan's Request for Critical Energy Infrastructure Information - Quanta Technology, Inc.

SPP submitted comments on this request February 1, 2010.

CE10-61 Ryan Thomas' Request for Critical Energy Infrastructure Information - Erie Boulevard Hydropower

On January 29, 2010, Ryan Thomas, an electrical engineer representing Erie Boulevard Hydropower, filed a FERC CEII request to obtain all FERC Form No. 715 data, as noticed February 1, 2010.

SPP submitted comments on this request February 12, 2010, as FERC Headquarters were closed February 5 -11, 2010, due to weather.

EL08-59 Complaint Requesting Fast Track Processing on ConocoPhillips ("Conoco") Company against Entergy Services, Inc.

On February 16, 2010, Entergy Services, Inc. filed a Petition for Review with the United States Court of Appeals in Case No. 10-1043.

EL10-22 Tres Amigas LLC Petition for Disclaimer of Jurisdiction (Pursuant to Rule 207)

On January 28, 2010, Tres Amigas filed an answer in response to Occidental's motion for leave to submit answer. Tres Amigas responded to Occidental's assertion that Tres Amigas had changed its position in the proceeding.

On February 1, 2010, Occidental filed an answer in response to Tres Amigas' January 28, 2010 answer. Occidental asked that the Commission approve its January 27, 2010 motion.

ER05-1065 Entergy Services' New Proposal for an Independent Coordinator of Transmission ("ICT") and Extension of the ICT's Initial Term

On February 16, 2010, Occidental Chemical Corporation submitted comments in response to the ICT's Fourth Quarterly Performance Report for 2009.

On February 16, 2010, the Arkansas Cities submitted comments in response to the ICT's Fourth Quarterly Performance Report for 2009.

On February 17, 2010, SPP and Entergy Services, Inc. filed the Differences Report Between ICT Base Plan and Entergy Construction Plan. The report is regarding the differences between the 2010 ICT Base Plan and the 2010-2012 Entergy Construction Plan, as required by FERC's

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orders approving the establishment of the ICT and Entergy's OATT.

On February 17, 2010, FERC filed in this proceeding a letter dated February 8, 2010, from Lanny Nickell, SPP Vice President of Operations, concerning electric reliability concerns in the "Acadiana Load Pocket" area in Louisiana.

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 February 3, 2010, FERC issued a letter order approving the Settlement.

The Settlement does not resolve the issues raised in requests for rehearing and clarification in Docket No. ER09-548-001.

ER09-1254

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

On February 12, 2010, E.ON Climate & Renewables North America Inc. filed a Protest in response to SPP's January 19, 2010 compliance filing.

E.ON asked the Commission to reject SPP's proposal and direct SPP to adopt (or address why it should not adopt) one of the simpler alternative approaches to demonstrate site control.

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 January 29, 2010, Kansas Power Pool filed an answer in response to SPP's January 19 answer.

On February 5, 2010, FERC issued a deficiency letter in response to SPP's December 10, 2009 Filing.

SPP's response is due February 25, 2010.

ER10-191

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

On February 3, 2010, E.ON U.S. LLC filed a Motion to Lodge in this proceeding an order of the Kentucky Public Service Commission ("KPSC"), issued February 2, 2010, because it demonstrates the KPSC's approval of E.ON U.S.' proposal to transfer certain functions from SPP as the ITO back to E.ON U.S.

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 February 4, 2010, Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company filed a Request for Rehearing of the Commission's January 5, 2010 Order.

On February 17, 2010, FERC issued a Settlement Status Report and Setting New Date for Settlement Conference. The settlement conference scheduled for February 10, 2010 was

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canceled due to inclement weather. The settlement conference will now be held on March 11, 2010.

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 February 4, 2010, FERC issued a letter order accepting the agreement, effective November 1, 2009 as requested.

This order constitutes final agency action.

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 January 29, 2010, FERC issued an Order Conditionally Accepting Tariff Revisions Addressing Interim Interconnection Service. In this order, the Commission conditionally accepts the filing effective December 2, 2009 as requested.

SPP was directed to submit a compliance filing on March 1, 2010 to include the following changes:

- 1) Revise Section 11A of the interim interconnection procedures to include the milestone requirements contained in Section 11.3 of the interconnection procedures and make the appropriate reference within the Recitals of the Interim LGIA.
- 2) Remove the statement from Appendix D concerning NERC reliability standards.

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 January 28, 2010, FERC issued an Order Accepting and Suspending Formula Rates, Subject to Refund, and Establishing Hearing and Settlement Judge Procedures.

AEP's proposed tariff sheets were accepted for filing, suspended for five months, to be effective July 1, 2010, subject to refund and condition, and to the outcome of hearing and settlement judge procedures.

On February 2, 2010, FERC issued an Order of Chief Judge Designating Settlement Judge and Scheduling Settlement Conference.

A settlement conference with Judge David H. Coffman is scheduled for February 23, 2010.

ER10-396

Tres Amigas Application for Authorization to Sell Transmission Rights at Negotiated Rates for Related Relief

On February 4, 2010, the PSEG Companies filed a Motion for Leave to Answer and Answer in response to various statements made by Tres Amigas that relate to its Application for Negotiable Transmission Rates.

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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 February 2, 2010, FERC issued a letter order accepting the agreement, effective November 10, 2009, and July 11, 2008 as requested.

This order constitutes final agency action.

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 February 12, 2010, FERC issued a letter order accepting the agreement, effective December 1, 2009 as requested.

This order constitutes final agency action.

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 January 29, 2010, SPP filed a Motion to Withdraw the NITSA filing for Doniphan Electric Cooperative, designated Original Service Agreement No. 1886. SPP was informed by Westar that it was premature to include the agreement in the December 30, 2009 filing as it had not yet been approved by the Rural Utilities Service ("RUS"). SPP asked FERC to accept the remaining service agreements in the filing.

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 January 29, 2010, FERC issued a letter order accepting the agreement, effective December 1, 2009 as requested.

This order constitutes final agency action.

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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 February 3, 2010, American Electric Power Service Corporation filed a Motion to Intervene Out-of-Time.

On February 12, 2010, SPP filed an answer in response to the East Texas Cooperatives' January 21, 2010 comments.

SPP states:

- 1) requiring SPP to be a party to local distribution facilities agreements would violate the Federal Power Act and would be inconsistent with Commission precedent;
- 2) the justifications cited by the East Texas Cooperatives for requiring SPP to sign local distribution facility agreements are unfounded; and
- 3) requiring SPP to sign local distribution facility agreements will impose unnecessary burdens upon SPP and the Commission.

ER10-578

SPP Filing of an Executed Meter Agent Services Agreement between Basin Electric Power Cooperative ("Basin Electric") as Market Participant and Western Area Power Administration ("WAPA") as Meter Agent

On February 1, 2010, Western Area Power Administration filed a Motion to Intervene and comments in support of SPP's January 11, 2010 filing.

ER10-618

SPP Submission of Revisions to OATT to Incorporate Revised Point-to-Point Transmission Service Rates for Mid-Kansas Electric Company ("MKEC") Pricing Zone (ITC Great Plains, LLC Revenue Requirement)

On February 12, 2010, ITC Great Plains, LLC filed Motion for Leave to Intervene.

ER10-664

SPP Submission of Revisions to OATT to Implement Rate Changes for Southwestern Public Service Company

On January 28, 2010, SPP submitted revised pages to its OATT to implement rate changes for Southwestern Public Service Company. SPP submitted this filing to (a) implement a monthly demand charge for network transmission service in the SPS pricing zone; and (b) track the rate update calculated by SPS based on its transmission cost of service formula rate.

An effective date of January 1, 2009 is requested for the monthly demand charge Tariff revisions. An effective date of January 1, 2010 is requested for the Tariff revisions tracking SPS's rate update.

ER10-678

SPP Submission of Non-Substantive "Clean Up" Revisions to its OATT

On January 29, 2010, SPP submitted non-substantive "clean up" revisions to numerous pages of its OATT.

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An effective date of March 31, 2010 is requested.

On February 2, 2010, SPP submitted an errata to its January 29, 2009 filing to include one additional revision.

ER10-680

Large Generator Interconnection Agreement ("LGIA") between SPP and Southwestern Electric Power Company ("SWEPCO") as both Interconnection Customer and Transmission Owner

On January 29, 2010, SPP submitted an executed LGIA between SPP as Transmission Provider and Southwestern Electric Power Company as both Interconnection Customer and Transmission Owner. SPP Service Agreement No. 1898.

This restated SWEPCO LGIA replaces the existing LGIA designated SPP Service Agreement No. 1510.

An effective date of December 30, 2009 is requested.

ER10-681

SPP Submission of Revisions to Attachment V of the OATT to Implement Interconnection Procedures for Small Generators

On January 29, 2010, SPP submitted revisions to its OATT to incorporate interconnection procedures for small generators into Attachment V.

An effective date of March 31, 2010 is requested.

ER10-682

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

On January 29, 2010, SPP submitted an executed Network Integration Transmission Service Agreement and Network Operating Agreement between SPP as Transmission Provider and Sunflower Electric Power Corporation as both Network Customer and Host Transmission Owner. SPP Service Agreement No. 1913.

An effective date of January 1, 2010 is requested.

ER10-692

Network Integration Transmission Service Agreement ("NITSA") between SPP, Golden Spread Electric Cooperative ("Golden Spread") as Network Customer, and Southwestern Public Service Company ("SPS") as Host Transmission Owner, as well as a Network Operating Agreement ("NOA")

On February 1, 2010, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, Golden Spread Electric Cooperative, as

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Network Customer, as well as a Network Operating Agreement with Southwestern Public Service Company as Host Transmission Owner. SPP Service Agreement No. 1907.

An effective date of January 1, 2010 is requested.

ER10-693

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 February 1, 2010, 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 Empire District Electric Company as Host Transmission Owner. SPP Service Agreement No. Second Revised 1622.

An effective date of January 1, 2010 is requested.

ER10-694

Network Integration Transmission Service Agreement ("NITSA") between SPP, Tex-La Electric Cooperative of Texas, Inc. ("Tex-La") as Network Customer, and American Electric Power Company ("AEP") as Host Transmission Owner, as well as a Network Operating Agreement ("NOA")

On February 1, 2010, SPP submitted an unexecuted Network Integration Transmission Service Agreement between SPP as Transmission Provider, Tex-La Electric Power Cooperative of Texas, Inc., as Network Customer, as well as a Network Operating Agreement with American Electric Power Company as Host Transmission Owner. SPP Service Agreement No. First Revised 1065.

The agreement was filed on an unexecuted basis because time constraints prevented the parties from finalizing the terms and conditions of the revised service agreement at this time.

An effective date of January 1, 2010 is requested.

ER10-695

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

On February 1, 2010, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider and Board of Public Utilities, Springfield, Missouri as both Network Customer and Host Transmission Owner. SPP Service Agreement No. Fourth Revised 549.

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An effective date of January 1, 2010 is requested.

ER10-696

Network Integration Transmission Service Agreement ("NITSA") between SPP, Northeast Texas Electric Cooperative, Inc. ("NTEC") as Network Customer, and American Electric Power Company ("AEP") as Host Transmission Owner, as well as a Network Operating Agreement ("NOA")

On February 1, 2010, SPP submitted an unexecuted Network Integration Transmission Service Agreement between SPP as Transmission Provider, Northeast Texas Electric Cooperative, Inc., as Network Customer, as well as a Network Operating Agreement with American Electric Power Company as Host Transmission Owner. SPP Service Agreement No. Second Revised 1066.

The agreement was filed on an unexecuted basis because time constraints prevented the parties from finalizing the terms and conditions of the revised service agreement at this time.

An effective date of January 1, 2010 is requested.

ER10-697

SPP Submission of a Notice of Cancellation of the Point-to-Point Transmission Service Agreement between SPP and Kansas Municipal Energy Agency

On February 1, 2010, SPP submitted a Notice of Cancellation for the Point-to-Point Transmission Service Agreement between SPP as Transmission Provider and Kansas Municipal Energy Agency as Transmission Customer. SPP Service Agreement No. 1698.

An effective date of January 1, 2010 is requested.

ER10-698

Network Integration Transmission Service Agreement ("NITSA") between SPP, East Texas Electric Cooperative, Inc. ("ETEC") as Network Customer, and American Electric Power Company ("AEP") as Host Transmission Owner, as well as a Network Operating Agreement ("NOA")

On February 1, 2010, SPP submitted an unexecuted Network Integration Transmission Service Agreement between SPP as Transmission Provider, East Texas Electric Cooperative, Inc., as Network Customer, as well as a Network Operating Agreement with American Electric Power Company as Host Transmission Owner. SPP Service Agreement No. First Revised 1067.

The agreement was filed on an unexecuted basis because time constraints prevented the parties from finalizing the terms and conditions of the revised service agreement at this time.

An effective date of January 1, 2010 is requested.

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ER10-699 **Network Integration Transmission Service Agreement ("NITSA") between SPP, Kansas Municipal Energy Agency ("KMEA") as Network Customer, and Sunflower Electric Power Corporation ("Sunflower") as Host Transmission Owner, as well as a Network Operating Agreement ("NOA")**

On February 1, 2010, SPP submitted an executed Network Integration Transmission Service Agreement between SPP as Transmission Provider, Kansas Municipal Energy Agency as Network Customer, as well as a Network Operating Agreement with Sunflower Electric Power Corporation as Host Transmission Owner. SPP Service Agreement No. 1914.

An effective date of January 1, 2010 is requested.

ER10-700 **SPP Submission of an Executed Agreement for Wholesale Distribution Service Charges between Kansas Electric Power Cooperative, Inc. ("KEPCO") and Empire District Electric Company ("Empire")**

On February 1, 2010, SPP submitted an executed Agreement for Wholesale Distribution Service Charges between Kansas Electric Power Cooperative, Inc. and Empire District Electric Company. SPP Service Agreement No. Second Revised 1120.

An effective date of January 1, 2010 is requested.

ER10-738 **SPP Filing of an Executed Meter Agent Services Agreement between Kansas Power Pool ("KPP") as Market Participant and Sunflower Electric Power Corporation ("Sunflower") as Meter Agent**

On February 12, 2010, SPP submitted an executed Meter Agent Services Agreement between Kansas Power Pool as the Market Participant and Sunflower Electric Power Corporation as the Meter Agent. SPP Service Agreement No. 1882.

An effective date of April 1, 2008 is requested.

ER10-739 **Large Generator Interconnection Agreement ("LGIA") between Kansas City Power & Light Company ("KCPL") as Interconnection Customer and Mid-Kansas Electric Power Company, LLC ("MKEC") as Transmission Owner**

On February 12, 2010, SPP submitted an executed LGIA between SPP as Transmission Provider, Kansas City Power & Light Company as Interconnection Customer, and Mid-Kansas Electric Power Company, LLC as Transmission Owner. SPP Service Agreement No. 1911.

SPP also filed a cancellation for SPP Service Agreement No. 1651, also known as the Spearville II LGIA.

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An effective date of January 15, 2010 is requested.

ER10-754

Network Integration Transmission Service Agreement ("NITSA") between SPP, Southwestern Public Service Company ("SPS") as both Network Customer and Host Transmission Owner, as well as a Network Operating Agreement ("NOA")

On February 5, 2010, SPP submitted an executed Network Integration Transmission Service Agreement and Network Operating Agreement between SPP as Transmission Provider and Southwestern Public Service Company as both Network Customer and Host Transmission Owner. SPP Service Agreement No. 1910.

An effective date of January 1, 2010 is requested.

ER10-760

SPP Submission of a Notice of Cancellation of the Point-to-Point Transmission Service Agreement between SPP as Transmission Provider and Southwestern Public Service Company ("SPS") as Transmission Customer

On February 16, 2010, SPP submitted a Notice of Cancellation of the Point-to-Point Transmission Service Agreement between SPP as Transmission Provider and Southwestern Public Service Company as Transmission Customer. The agreement was filed in Docket No. ER07-243.

SPS will now take network service for this transmission service instead of point-to-point service. Therefore, it is necessary to terminate this agreement.

An effective date of January 1, 2010 is requested.

ER10-762

Small Generator Interconnection Agreement ("SGIA") between DWS Frisco, LLC ("DWS Frisco") as Interconnection Customer and Southwestern Public Service Company ("SPS") as Transmission Owner

On February 16, 2010, SPP submitted an executed SGIA between SPP as Transmission Provider, DWS Frisco, LLC as Interconnection Customer, and Southwestern Public Service Company as Transmission Owner. SPP Service Agreement No. Third Revised 1517.

An effective date of January 14, 2010 is requested for the revised SGIA.

In addition, SPP also filed the original SGIA which was executed on September 21, 2007. The original agreement contains the same non-conforming provisions as the revised SGIA.

An effective date of September 21, 2007 is requested for the original SGIA.

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RM06-22 **Mandatory Reliability Standards for the Bulk-Power System to Process the Proposed Reliability Standards Submitted by NERC on April 4, 2006**

On February 12, 2010, Exelon Corporation filed comments in response to NERC's January 19, 2010 filing. Exelon requested that the Commission condition the effective date of its approval of NERC's CIP Version 1 Implementation Plan for nuclear GO/GOPs based on the actual date that NERC and NRC finalize the Bright-Line determination of their respective jurisdictions over the systems and finalize guidance for the NERC exemption process. Exelon also requested that the Commission require NERC to allow an ongoing exemptions process to avoid potential regulatory conflicts caused by implementation of NERC CIP Standards in parallel with NRC 10 CFR § 73.54 activities.

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 January 29, 2010, NERC filed its Quarterly Report Regarding Analysis of Reliability Standards Voting Results for October 1, 2009 through December 31, 2009.

RR09-4 **NERC Petition for Approval of Proposed Revisions to Bylaws of SPP**

On January 28, 2010, FERC accepted NERC's and SPP's December 1, 2009 compliance filing in response to the September 17, 2009 Order.

The December 1 filing included: 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).

This order constitutes final agency action.

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FERC or State Jurisdiction: State of Arkansas

08-136-U

In the Matter of an Inquiry into Electric Transmission Issues within the Areas Served by the Southwest Power Pool Regional Transmission Organization and the Entergy Corporation as such Issues Affect Electric Service within Arkansas

On February 1, 2010, SPP and Entergy filed the monthly progress report for January, detailing the progress made toward the completion of a seams agreement, pursuant to Order No. 15.

On February 11, 2010, the APSC issued Order No. 21 in this proceeding. This order also opens Docket No. 10-011-U titled "In the Matter of a Show Cause Order Directed to Entergy Arkansas, Inc. Regarding Its Continued Membership in the Current Entergy System Agreement, or Any Successor Agreement Thereto, and Regarding the Future Operation and Control of Its Transmission Assets".

The overall intent of this order is to give Entergy Arkansas, Inc. ("EAI") notice that the Commission's stated purpose is to conduct an investigation regarding the prudence of EAI entering into successor Entergy System Agreement ("ESA") as opposed to becoming a stand-alone utility upon its exit from the ESA, and whether EAI, as a stand-alone utility, should join the SPP RTO.

Any future Entergy-related filings, including seams agreements filings, should be filed in 10-011-U. However, the EIS Monthly State of the Market Report and Entergy Weekly Procurement Process ("WPP") filings, among others, shall be filed in 08-136-U.

On February 11, 2010, the APSC issued Order No. 22 in this proceeding. Entergy Arkansas, Inc. ("EAI") and SPP are ordered to file a seams agreement in Docket No. 10-011-U, by March 1, 2010, reflecting whatever issues have been agreed upon when they file their monthly seams progress report for February 2010. In addition, EAI and SPP are to provide a detailed status report regarding the progress made to date on all remaining issues and also provide what needs to be done to complete work on these issues.

All future seams agreement related filings are to be filed in Docket No. 10-011-U.

08-137-U

In the Matter of the Consideration of Innovative Approaches to Ratebase, Rate of Return Ratemaking Including, but not limited to, Annual Earnings Reviews, Formula Rates, and Incentive Rates for Jurisdictional Electric and Natural Gas Public Utilities

On February 3, 2010, the APSC issued Order No. 7. On February 3, 2010 in an omnibus "roadmap" order, the Commission announced the establishment of a new Energy Efficiency Notice of Inquiry Docket (No. 10-010-U) and redirected a series of 11 issues to other dockets for action during 2010. One of the issues was transferred to this proceeding.

In the roadmap order, the Commission committed to the task of vetting in this Innovative Ratemaking Docket a group of inter-related issues that are common to all of the Energy Efficiency, Tariff Filing, and Reporting Dockets: Lost Contributions to Fixed Costs, Avoided Costs of Energy Efficiency Resources, and Shareholder Incentives for Program Performance. The Commission committed to resolution and determination of its inquiry by December 31,

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2010.

Gas and electric utilities, including the electric cooperatives and other interested parties, are directed to file comments, testimony and legal pleadings, as appropriate, on the subject on or before Noon on Friday, March 26, 2010. Reply comments, testimony, and legal pleadings are due on or before Noon on Friday, April 16, 2010.

A public hearing will be scheduled on this subject.

08-144-U

In the Matter of a Notice of Inquiry regarding the Expanded Development of Sustainable Energy Resources in Arkansas

On February 3, 2010, the APSC issued Order No. 13. On February 3, 2010 in an omnibus "roadmap" order, the Commission announced the establishment of a new Energy Efficiency Notice of Inquiry Docket (No. 10-010-U) and redirected a series of 11 issues to other dockets for action during 2010. Two of the issues were transferred to this proceeding.

In the roadmap order, the Commission committed to the task of vetting in this Sustainable Energy Resources Docket two issues that are common to the Energy Efficiency Dockets: 1) Defining the Term "comprehensive" in the context of the Energy Efficiency plans and portfolios of the state's regulated electric and gas utilities; and 2) Further exploring the promise and potential in Arkansas of the Smart Grid, Demand Response, and Advanced Metering Infrastructure ("AMI"). The Commission committed to resolution and determination of its inquiry by December 31, 2010.

On or before Noon on Tuesday, March 2, 2010, all parties are directed to file comments, testimony and legal pleadings, as appropriate, on the subject of the meaning "comprehensive" in Energy Efficiency planning under the Commission's Rules for Conservation and Energy Efficiency Programs ("C&EE Rules") issued in Docket No. 06-004-R, and integrating comprehensive and robust Energy Efficiency resources into the IRP process under the IRP Guidelines adopted in Docket No. 06-028-R. Reply pleadings are due on or before Noon on Tuesday, March 16, 2010. The Commission will review these findings and conduct an evidentiary hearing and will issue a subsequent order regarding the subject by December 31, 2012.

In addition, electric utilities, including the electric cooperatives, are directed to report in detail on their current and planned use of Smart Grid, Demand Response, and AMI projects and investments in Arkansas. EAI, SWEPCO, OG&E, and Empire are also directed to report on the current and planned use of Smart Grid, Demand Response, and AMI projects and investments in other jurisdictions by their parent and/or sister companies. These reports are due on or before Noon on Tuesday, March 2, 2010.

09-074-U

In the Matter of an Investigation into Transmission Cost Recovery by Members of the Southwest Power Pool, Inc.

On February 11, 2010, the APSC issued Order No. 2 in this proceeding. The following procedural schedule was established:

- 1) Any additional entity/interested party desiring to participate as an official party must file a Petition to Intervene within 30 days of this order.
- 2) Reply comments and/or legal pleadings shall be filed by Noon on March 17, 2010.

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- 3) Sur-Reply comments are due by Noon on March 26, 2010.
- 4) An evidentiary hearing is scheduled to begin at 9:30 AM on April 22, 2010.

On February 16, 2010, the APSC issued Order No. 3, an errata order changing the evidentiary hearing to April 28, 2010.

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 February 1, 2010, the Commission issued Order No. 1 which grants permission for SPP to issue secured and non-secured promissory notes with an aggregate principal amount that will not exceed \$150,000,000.

SPP must file in this docket a full and complete copy of any lending company agreement transaction within 30 days of the issuance or effective date of the proposed transaction.

10-010-U

In the Matter of a Notice of Inquiry into Energy Efficiency ("EE NOI Docket")

On February 3, 2010, the APSC issued Order No. 1. On February 3, 2010 in an omnibus "roadmap" order, the Commission announced the establishment of a new Energy Efficiency Notice of Inquiry Docket (the "EE NOI Docket") and redirected a series of 11 issues to existing dockets for action during calendar year 2010. Seven of the issues were transferred to this proceeding.

The Commission committed to the task of vetting and deciding, by December 31, 2010, in the new EE NOI Docket issue numbers 4-10 discussed in the roadmap order that are common to the Energy Efficiency ("EE") Dockets:

- 4) Full Fuel Cycle Efficiency;
- 5) Independent Administration;
- 6) Commercial and Industrial "Opt Out";
- 7) Administrative Costs and EE Reporting Needs;
- 8) "Best Practices" - National Action Plan for Energy Efficiency;
- 9) Utility EE Resources and Staffing Training within the Contractor Market and within the Utility; and
- 10) Benefits of Energy Efficiency Resources

Comments, testimony and exhibits are due on or before Noon on Tuesday, March 2, 2010, with Reply Comments due on or before Noon on Tuesday, March 16, 2010, regarding the following items: Full Fuel Cycle Efficiency, Independent Administration, Commercial and Industrial "Opt Out", and Benefits of Energy Efficiency Resources.

In addition, the Working Group on Energy Efficiency Reporting Needs is to study the effort regarding the Administrative Costs and EE Reporting Needs. The Working Group is to submit a report of its findings and recommendations for strengthening and standardizing EE reporting on or before September 30, 2010, so that the Commission may finalize reporting requirements prior to April 2011.

The Working Group is also encouraged to conduct forums during 2010 on "Best Practices" - National Action Plan for Energy Efficiency. The Commission requested that the Working Group submit its report and recommendations by October 29, 2010.

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Lastly, on or before Noon on Friday, April 23, 2010, each of the EE utilities were directed to file comments in detail to Audubon's recommendations regarding the Utility EE Resources and Staffing and Training within the Contractor Market and within the Utility issue - as they apply to its own EE plans and programs. Comments are to include a plan for implementing the proposals each company believes it can undertake on or after July 1, 2010.

10-011-U

In the Matter of a Show Cause Order Directed to Entergy Arkansas, Inc. Regarding Its Continued Membership in the Current Entergy System Agreement, or Any Successor Agreement Thereto, and Regarding the Future Operation and Control of Its Transmission Assets

On February 11, 2010, the APSC issued Order No. 2 in this proceeding. Entergy Arkansas, Inc. ("EAI") and SPP are ordered to file a seams agreement in Docket No. 10-011-U, by March 1, 2010, reflecting whatever issues have been agreed upon when they file their monthly seams progress report for February 2010. In addition, EAI and SPP are to provide a detailed status report regarding the progress made to date on all remaining issues and also provide what needs to be done to complete work on these issues.

All future seams agreement related filings are to be filed in Docket No. 10-011-U instead of 08-136-U.

A public hearing will be scheduled in a subsequent order.

On February 11, 2010, the APSC issued Order No. 1 in this proceeding. The overall intent of this order is to give Entergy Arkansas, Inc. ("EAI") notice that the Commission's stated purposed is to conduct an investigation regarding the prudence of EAI entering into successor Entergy System Agreement ("ESA") as opposed to becoming a stand-alone utility upon its exit from the ESA, and whether EAI, as a stand-alone utility, should join the SPP RTO.

It is the intent of the Commission to timely and aggressively consider such steps in anticipation of initiating the stand-alone project no later than early 2012, with full implementation no later than December 19, 2013. Therefore, EAI is directed to focus all resources necessary to finalize the stand-alone study and stand-alone implementation plan for consideration by the APSC.

Beginning on March 1, 2010, EAI President Hugh McDonald is directed to file, on the first business day of each month, supplemental testimony addressing the following in detail: 1) Entergy's and EAI's progress toward the development of a new ESA; and 2) the progress of the EAI stand-alone study. In addition, Mr. McDonald should be prepared to testify and the Show Cause Evidentiary Hearings scheduled in this proceeding.

EAI may file testimony and exhibits on any other matters relevant to this proceeding it would like the Commission to consider no later than Noon on March 1, 2010.

By March 3, 2010, EAI must file all documents, data, studies or analyses related to potential successor agreements furnished to the LPSC or the LPSC Staff in LPSC Docket No. U-29764. EAI must also file any future submissions or filings related to successor agreements in this proceeding.

Also by March 3, EAI is directed to file copies of any draft successor agreement to the ESA as well as copies of any communications between EAI (or EAI employees) and ESI or other

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EOCs regarding a successor agreement to the ESA, as well as such future communications and drafts.

The Commission will consider all filings to date at the Show Cause Evidentiary hearing scheduled for 9:30 AM on March 11, 2010.

Rebuttal Testimony by APSC General Staff and Intervenors are due by Noon on March 30, 2010.

Surrebuttal Testimony by EAI is due by Noon on April 14, 2010.

A second Show Cause Evidentiary Hearing is scheduled for May 11, 2010.

On February 16, 2010, the APSC issued Order No. 3, an errata order changing the second Show Cause Evidentiary Hearing to May 10, 2010 beginning at 9:30 AM.

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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 January 28, 2010, the MoPSC issued an Order Directing Filing of Proposed Schedule. The proposed schedule for workshops is due no later than February 25, 2010.

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 January 28, 2010, the MoPSC issued an Order Directing Filing of Proposed Schedule. The proposed schedule for workshops is due no later than February 25, 2010.

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 January 28, 2010, the MoPSC issued an Order Directing Filing of Proposed Schedule. The proposed schedule for workshops is due no later than February 25, 2010.

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 February 8, 2010, SPP submitted an informational filing as to the status of its FERC Order 719 and 719-A compliance filings.

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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 February 2, 2010, the NMPRC issued a Final Order Approving Certification of Stipulation. The Final Order is effective immediately.