

### **FERC or State Jurisdiction: FERC**

**AD10-5**

#### **RTO/ISO Performance Metrics**

On December 6, 2010, the six ISOs/RTOs submitted the 2010 ISO/RTO Metrics Report, which reflects the content outlined in the October 21, 2010 Commission Staff Report on ISO/RTO Performance Metrics, as applicable and as information is available for each entity. The ISOs/RTOs combined their data and narratives into one report.

**AD11-1**

#### **Reliability Monitoring, Enforcement and Compliance Issues**

Several entities submitted post-technical conference comments concerning the November 18, 2010 Technical Conference to explore issues associated with reliability monitoring, enforcement and compliance, as announced in the Commission's order issued September 16, 2010 that accepted the North American Electric Reliability Corporation's initial assessment in Docket No. RR09-7-000 of its performance as the nation's Electric Reliability Organization (ERO), and performance by the Regional Entities, under their delegation agreements with the ERO.

**AD11-6**

#### **Priorities for Addressing Risks to the Reliability of the Bulk-Power System**

On December 16, 2010, FERC issued a Notice of Technical Conference. The technical conference will be held on February 8, 2011, to discuss policy issues related to reliability of the Bulk-Power System, including priorities for addressing risks to reliability.

**CE10-199.001**

#### **Paul McCoy's et. al Request for Critical Energy Infrastructure Information (Additional Requesters)**

On December 13, 2010, Paul McCoy, President of Trans-Elect Development Co., LLC, and on behalf of Atlantic Grid Development Co., LLC, filed a FERC CEII request on behalf of 20 additional requesters employed by Teshmont Consultants, LP and Siemens-PTI to obtain a copy of all FERC Form No. 715 data, as noticed December 13, 2010.

SPP submitted comments on this request December 20, 2010.

**CE11-28**

#### **Request for Critical Energy Infrastructure Information Jinxiang Zhu, et al. - ABB, Inc.**

On November 9, 2010, Jinxiang Zhu, Sr. Principal Engineer of ABB Inc., filed a FERC CEII request to obtain a copy of all FERC Form No. 715 data, as noticed December 1, 2010.

On December 6, 2010, SPP submitted comments on this request.

**CE11-31**

#### **Request of Jessica DeLuca, et al., for Critical Energy Infrastructure Information - AWS Truepower, LLC**

On November 12, 2010, Jessica DeLuca, HR & Administration Manager of AWS Truepower, filed a FERC CEII request to obtain a copy of all FERC Form No. 715 data, on behalf of herself and 6 other requesters, as noticed by a letter dated December 1, 2010 and transmitted by email to SPP on December 2, 2010.

On December 9, 2010, SPP submitted comments on this request.

- EL10-55**                    **Notice of Complaint, Louisiana Public Service Commission ("LPSC") v. Entergy Corporation, Entergy Services, Inc., Entergy Louisiana, LLC, Entergy Arkansas, Inc., Entergy Mississippi, Inc., Entergy New Orleans, Inc., Entergy Gulf States Louisiana, LLC, and Entergy Texas, Inc.**
- On December 20, 2010, Council of the City of New Orleans, Entergy Services, Inc. and FERC Commission Trial Staff filed Initial Briefs.
- On December 20, 2010, the Arkansas Public Service Commission and Louisiana Public Service Commission filed Initial Briefs.
- ER04-48**                    **RTO Approval Docket**
- On December 8, 2010, 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.
- 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 8, 2010, 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.
- ER09-555**                **Entergy Services, Inc. Filing of Proposed Revisions to Attachment V of Entergy's Open Access Transmission Tariff ("OATT")**
- On December 15, 2010, SPP submitted the ICT's WPP Quarterly Report. This covers the period of September 2010 through November 2010.
- ER09-1254**                **SPP Submission of Revisions to Open Access Transmission Tariff to Reform Generation Interconnection Procedures ("Queue Reform Filing")**
- On December 20, 2010, SPP submitted its compliance filing, in Docket No. ER11-2415, in accordance with the November 18, 2010 Order issued in Docket No. ER09-1254.
- An effective date of June 2, 2009 was requested.
- 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 December 3, 2010, FERC issued a letter order approving the settlement filed on September 29, 2010.
- ER10-794**                **Entergy Services, Inc. Submission of Revisions to its OATT to Implement Supplemental Curtailment Procedures ("SCP") and Local Area Procedures ("LAP")**
- On December 7, 2010, FERC issued an Order on Rehearing.
- FERC granted SPP's rehearing request filed on May 24, 2010. FERC clarified that it does not compel identical curtailment of non-interchange and interchange non-firm transactions at present, and that no further changes to the Supplemental Curtailment Procedures or the NERC TLR process beyond that specified in the April 23, 2010 Order are required.

FERC granted in part and denied in part Entergy's rehearing request filed on May 24, 2010. FERC denied Entergy's rehearing request concerning the ICT's suggested approach for implementation of the Supplemental Curtailment Procedures ("SCPs") and exemption of QF puts from curtailment under the SCPs. FERC granted rehearing concerning implementation of non-discriminatory procedures for non-interchange transactions when NERC TLR Procedures do not sufficiently mitigate constraints. FERC granted rehearing and provided clarification concerning immediate use of Generator to Load Distribution Factor rather than Generator Shift Factor.

On December 14, 2010, FERC issued a letter order accepting the tariff revisions, effective April 25, 2010, subject to Entergy submitting them as tariff records in accordance with Order No. 714 through Entergy's e-Tariff system.

Entergy's compliance filing is due December 29, 2010.

ER10-1069

### **SPP Submission of Tariff Revisions to Adopt a "Highway/Byway" Regional Transmission Upgrade Cost Allocation Methodology**

On December 1, 2010, Nebraska Public Power District filed an answer in support of the Joint Protestor's November 18, 2010 Motion for Official Notice.

On December 3, 2010, SPP filed an answer in response to the Motion for Official Notice submitted by the Joint Protestors on November 18, 2010.

SPP stated that the Commission should reject the Joint Protestors' Motion as an improper attempt to introduce additional non-probative evidence into a record that has been closed for several months and to supplement the Joint Protestors' request for rehearing of the Commission's June 17, 2010 order in this proceeding,

ER10-1697

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

On December 7, 2010, Mid-Kansas Electric Company, LLC submitted a Motion for Leave to Intervene Out-of-Time, Answer, and Protest. MKEC stated that the reclassification of 34.5 kV facilities requires a State Commission proceeding at the Kansas Corporation Commission, not FERC.

On December 15, 2010, the Kansas Corporation Commission ("KCC") filed a Motion to Intervene Out-of-Time and Answer to Protest of Kansas Power Pool.

Specifically, the KCC requested that the Commission reject the KPP's November 19, 2010 Protest because KPP's proposal would interfere with the KCC's exclusive jurisdiction over the subject MKEC facilities and rates.

On December 22, 2010, Kansas Power Pool filed an answer in response to the Kansas Corporation Commission's and Mid-Kansas Electric Company's motions.

KPP opposes the motions of KCC and MKEC to answer KPP's protest. KPP asked the Commission to deny the motions for leave to answer, and therefore reject the portions of the answers that comprise their substantive responses to KPP's protest. KPP also asked that

the Commission reject MKEC's protest.

**ER10-2748**

**Entergy Services, Inc. ("ESI") Filing to Extend on an Interim Basis the Independent Coordinator of Transmission ("ICT") Arrangement for a Period of Two Years**

On December 16, 2010, Entergy Services, Inc. submitted a notice that due to an issue with ESI's eTariff software, ESI was unable to submit the amended tariff sheets through the Commission's eTariff system on December 16, 2010. If ESI is unable to submit the compliance filing by December 30, 2010, ESI will file another status report at that time.

**ER10-2820**

**E.ON U.S. LLC ("E.ON") Submission of Tariff Revisions to Implement Interim Large and Small Generator Interconnection Service**

On December 1, 2010, E.ON submitted its compliance filing in response to the November 19, 2010 Order.

**ER11-119**

**SPP Submission of Ministerial Filing to Reflect Bylaws Language, Accepted in Docket No. ER09-1192, in the Electronic Version of SPP's Bylaws**

On November 30, 2010, FERC issued an order accepting the ministerial revisions to SPP's Bylaws and Tariff, effective August 5, 2010 as requested.

This order constitutes final agency action.

**ER11-120**

**SPP Submission of Ministerial Filing to Reflect Order No. 719 Tariff Language, Accepted in Docket Nos. ER09-1050 and ER09-1192, in SPP's Electronic Tariff**

On November 30, 2010, FERC issued an order accepting the ministerial revisions to SPP's Bylaws and Tariff, effective August 5, 2010 as requested.

This order constitutes final agency action.

**ER11-126**

**SPP Submission of Tariff Revisions to Eliminate Market Monitor Data Retention Auditing Requirement**

On November 30, 2010, FERC issued an order accepting the tariff revisions to eliminate a requirement that the independent market monitor audit SPP Market Participant compliance with data retention policies.

An effective date of December 14, 2010 was granted.

This order constitutes final agency action.

**ER11-1856**

**Generator Interconnection Agreement ("GIA") between Broken Bow Wind, LLC ("Broken Bow") as Interconnection Customer and Nebraska Public Power District ("NPPD") as Transmission Owner**

On December 6, 2010, FERC issued a letter order accepting the agreement, effective September 27, 2010 as requested.

This order constitutes final agency action.

**ER11-1923 Entergy Services, Inc. Submission of Tariff Revisions to Incorporate Authority Granted to the Entergy Regional State Committee ("E-RSC")**

On December 16, 2010, FERC issued an Order accepting Entergy's October 27, 2010 filing containing revisions to its Open Access Transmission Tariff ("OATT") in order to incorporate the authority granted to the E-RSC.

An effective date of December 26, 2010 was granted.

**ER11-1928 SPP Ministerial Filing to Reflect Tariff Language Accepted in Docket No. ER10-1014 in Electronic Tariff**

On December 6, 2010, FERC issued a letter order accepting the ministerial tariff revisions, effective August 15, 2010 as requested.

This order constitutes final agency action.

**ER11-1930 SPP Revisions to Open Access Transmission Tariff to Reflect an Update of the Annual Values Used in the Calculation of Offer Caps**

On December 8, 2010, FERC issued a letter order accepting the updates of annual values used in the calculation of offer caps for all pivotal resources in SPP's real-time energy imbalance service market, effective January 1, 2011 as requested

This order constitutes final agency action.

**ER11-1941 Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Sunflower Electric Power Corporation ("Sunflower") as both Network Customer and Host Transmission Owner, and Mid-Kansas Electric Company, LLC ("MKEC"), ITC Great Plains, LLC ("ITC"), and Midwest Energy, Inc. ("Midwest Energy") as Host Transmission Owners**

On December 21, 2010, FERC issued a letter order accepting the agreement, effective November 1, 2010 as requested.

This order constitutes final agency action.

**ER11-1958 Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, and Westar Energy, Inc. ("Westar") as Network Customer and Host Transmission Owner**

On December 8, 2010, FERC issued a letter order accepting the agreement, effective October 1, 2010 as requested.

This order constitutes final agency action.

**ER11-1972 Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, KCP&L Greater Missouri Operations Company ("KCPL-GMO") as Network Customer and Host Transmission Owner, and Westar Energy, Inc. ("Westar") as Host Transmission Owner**

On December 21, 2010, FERC issued a letter order accepting the agreement, effective October 1, 2010 as requested.

FERC also accepted the Notice of Cancellation of SPP Service Agreement No. 1804, which was originally filed in Docket No. ER09-1140.

This order constitutes final agency action.

**ER11-2101**

**SPP Submission of Revisions to its Membership Agreement to Modify Transmission Owner Definition**

On December 1, 2010, NextEra Energy Resources, LLC filed a Motion to Intervene.

On December 3, 2010, ITC Great Plains, LLC, Prairie Wind Transmission, LLC, Sharyland Utilities, L.P., Western Farmers Electric Cooperative, and Xcel Energy Services, Inc. submitted Motions to Intervene.

**ER11-2103**

**SPP Submission of Tariff Revisions to Modify Transmission Owner Definition**

On December 1, 2010, NextEra Energy Resources, LLC filed a Motion to Intervene.

On December 3, 2010, ITC Great Plains, LLC, Sharyland Utilities, L.P., Western Farmers Electric Cooperative, and Xcel Energy Services, Inc. submitted Motions to Intervene.

On December 8, 2010, Prairie Wind Transmission, LLC filed a Motion to Intervene Out-of-Time.

**ER11-2147**

**Large Generator Interconnection Agreement ("LGIA") between Kansas City Power & Light Company ("KCPL") as Interconnection Customer and Transmission Owner**

On December 21, 2010, FERC issued a letter order accepting the agreement, effective October 20, 2010 as requested.

This order constitutes final agency action.

**ER11-2188**

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

On December 2, 2010, SPP submitted an errata filing to request an effective date of October 29, 2010. SPP inadvertently requested an effective date of November 1, 2010 in the November 24, 2010 Filing.

**ER11-2190**

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

On December 2, 2010, SPP submitted an errata filing to request an effective date of October 29, 2010. SPP inadvertently requested an effective date of November 1, 2010 in the November 24, 2010 Filing.

**ER11-2205**

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

On November 30, 2010, SPP submitted revised pages to its OATT to implement rate changes for Lincoln Electric System and Omaha Public Power District, which are transmission owners under the SPP Tariff. Specifically, this filing tracks the rate updates calculated by LES and OPPD based on their respective transmission cost of service formula rates.

An effective date of August 1, 2010 was requested.

On December 17, 2010, Omaha Public Power District filed a Motion to Intervene and comments in support of SPP's November 30, 2010 filing.

On December 21, 2010, Lincoln Electric System filed a Motion to Intervene and comments in support of SPP's November 30, 2010 filing.

ER11-2220

**SPP Submission of Revisions to OATT to Implement Rate Changes for Grand River Dam Authority ("GRDA")**

On November 30, 2010, SPP submitted revised pages to its OATT to implement rate changes for Grand River Dam Authority, which is a transmission owner under the SPP Tariff. This is a ministerial filing to incorporate the transmission formula rate adopted by GRDA's Board of Directors on February 10, 2010.

An effective date of August 1, 2010 was requested.

ER11-2291

**SPP Submission of Revisions to OATT to Implement Rate Changes for Southwestern Public Service Company ("SPS")**

On December 3, 2010, SPP submitted revised pages to its OATT to implement rate changes for Southwestern Public Service Company, which is a transmission owner under the SPP Tariff.

Specifically, this filing: (a) corrects the SPS formula rate provisions in SPP's Tariff so that they correctly state when the SPS formula rate is posted and updated, as well as how the SPS formula rate is referenced; and (b) tracks a rate update calculated by SPS based on its transmission cost of service formula rate in accordance with a settlement agreement accepted by the Commission on August 26, 2010 in Docket Nos. ER08-313.

An effective date of January 1, 2009 was requested for the Tariff revisions in Attachments H and T relating to the posting and updating of SPS's annual rates, as well as the references in Attachment T to Attachment O - SPS of the Xcel Energy OATT.

An effective date of September 1, 2010 was requested for the Tariff revisions in Attachment H updating SPS's rate and incorporating the revised SPS formula rate and protocols.

On December 27, 2010, Golden Spread Electric Cooperative, Inc. filed a Motion to Intervene and Comment.

On December 28, 2010, Xcel Energy Services, Inc. filed a Motion to Intervene.

ER11-2303

**SPP Submission of Tariff Revisions to Implement New Daily Non-Firm On- and Off-Peak Point-To-Point Transmission Service**

On December 6, 2010, SPP submitted revisions to its OATT to implement a new Daily

Non-Firm On-Peak Point-To-Point and a new Daily Non-Firm Off-Peak Point-To-Point transmission service.

An effective date of March 1, 2011 was requested.

On December 14, 2010, Xcel Energy Services, Inc. filed a Motion to Intervene.

ER11-2308

**SPP Submission of Tariff Revisions to Permit Owners of Jointly Owned Resources Registered in SPP Energy Imbalance Service Market ("EIS Market") to Have Separate Meter Agents**

On December 7, 2010, SPP submitted an amendment to Section 1.2.2(e) of Attachment AE of its OATT to permit owners of jointly owned resources registered in the SPP Energy Imbalance Service Market to have separate meter agents.

An effective date of February 6, 2011 was requested.

ER11-2309

**SPP Submission of Revisions to OATT to Implement Rate Changes for Midwest Energy, Inc.**

On December 7, 2010, SPP submitted revised pages to its OATT to implement rate changes for Midwest Energy, Inc., which is a transmission owner and pricing zone under the SPP Tariff.

The purpose of this filing is to incorporate a transmission formula rate being proposed by Midwest Energy, which is substantially similar to Midwest Energy's formula rate for retail transmission service that was approved by the KCC.

An effective date of September 1, 2010 was requested.

On December 22, 2010, SPP submitted an errata filing to correct the revenue requirement for Network Integration Transmission Service for Grand River Dam Authority, which is another transmission owner and pricing zone under the SPP Tariff.

An effective date of September 1, 2010 was requested.

ER11-2315

**SPP Submission of Tariff Revisions to Clarify Treatment of Load Under Grandfathered Agreements in the Calculation of Resident Load**

On December 8, 2010, SPP submitted revisions to its OATT in order to clarify the treatment of load under Grandfathered Agreements in the calculation of Resident Load.

An effective date of December 9, 2010 was requested.

ER11-2317

**SPP Submission of Revisions to OATT to Implement Rate Changes for ITC Great Plains, LLC ("ITC Great Plains"), Nebraska Public Power District ("NPPD"), Oklahoma Gas and Electric Company ("OG&E"), Southwestern Public Service Company ("SPS"), and Westar Energy, Inc. ("Westar")**

On December 8, 2010, SPP submitted revised pages to its OATT to implement rate changes for ITC Great Plains, LLC, Nebraska Public Power District, Oklahoma Gas and Electric Company, Southwestern Public Service Company, and Westar Energy, Inc., which are transmission owners within SPP. Specifically, this filing tracks the rate updates calculated by



the Transmission Owners based on their transmission cost of service formula rates.

An effective date of January 1, 2011 was requested.

On December 10, 2010, Westar Energy, Inc. filed a Motion to Intervene.

On December 22, 2010, SPP submitted an errata filing to correct the revenue requirement for Network Integration Transmission Service for Grand River Dam Authority, which is another transmission owner and pricing zone under the SPP Tariff.

An effective date of January 1, 2011 was requested.

On December 27, 2010, ICT Great Plains, LLC filed a Motion for Leave to Intervene.

ER11-2345

**SPP Submission of Revisions to OATT to Implement Rate Changes for Kansas City Power & Light Company ("KCPL") and KCP&L Greater Missouri Operations Company ("KCPL-GMO")**

On December 13, 2010, SPP submitted revised pages to its OATT to implement rate changes for Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company, which are transmission owners and pricing zones under the SPP Tariff. Specifically, this filing implements the transmission formula rate included in the Offer of Settlement accepted by the Commission on December 3, 2010 in Docket No. ER10-230.

An effective date of January 6, 2010 was requested for the revisions incorporating the formula rate template. An effective date of January 1, 2011 was requested for the updated rates for the KCP&L/GMO zones.

On December 23, 2010, SPP submitted an errata filing to correct the revenue requirement for Network Integration Transmission Service for Grand River Dam Authority, which is another transmission owner and pricing zone under the SPP Tariff.

An effective date of January 1, 2011 was requested for the updated rates for the KCP&L/GMO zones.

ER11-2385

**Two Firm Point-To-Point Transmission Service Agreement between SPP as Transmission Provider and City of Burlingame ("Burlingame") and OG&E Electric Services ("OG&E") as Transmission Customers; One Non-Firm Point-To-Point Transmission Service Agreement between SPP as Transmission Provider and City of Burlingame ("Burlingame") as Transmission Customer**

On December 16, 2010, SPP submitted two executed service agreements for Firm Point-To-Point Transmission Service between SPP as Transmission Provider and City of Burlingame and OG&E Electric Services as Transmission Customers. Also, SPP submitted an executed service agreement for Non-Firm Point-To-Point Transmission Service between SPP as Transmission Provider and City of Burlingame as Transmission Customer. SPP Service Agreement Nos. 1899, 1795, and 1900.

An effective date of January 1, 2010 was requested for the two City of Burlingame agreements. An effective date of June 1, 2009 was requested for the OG&E agreement.

- ER11-2401**                    **SPP Submission of Ministerial Filing to Reflect Tariff Language Accepted in Docket No. ER09-1254-002**
- On December 17, 2010, SPP submitted a ministerial filing to reflect language accepted in ER09-1254-002.
- An effective date of July 26, 2010 was requested.
- ER11-2415**                    **SPP Compliance Filing in Accordance with November 18, 2010 Order Issued in Docket No. ER09-1254-002 (Queue Reform Filing)**
- On December 20, 2010, SPP submitted its compliance filing, in Docket No. ER11-2415, in accordance with the November 18, 2010 Order issued in Docket No. ER09-1254.
- An effective date of June 2, 2009 was requested.
- ER11-2425**                    **SPP Submission of Tariff Revisions to Simplify the Election Process for Loss Compensation in Attachments M and N**
- On December 21, 2010, SPP submitted revisions to its OATT in order to simplify the election process for loss compensation in Attachments M and N. The changes will eliminate the annual election of loss compensation method required from each Transmission Customer under the provisions of Attachment M.
- An effective date of February 19, 2011 was requested.
- ER11-2428**                    **SPP Submission of Tariff Revisions to Clarify How Real Power Losses Caused by Transmission Service Customers are Determined and Recovered**
- On December 21, 2010, SPP submitted revisions to its OATT to clarify how the Real Power Losses that must be replaced by transmission service customers are determined and recovered.
- An effective date of March 1, 2011 was requested.
- On December 27, 2010, SPP submitted an errata filing to include a revision to the title for Appendix 1 to Attachment M of SPP's Tariff clarifying that the figures specified in Appendix 1 are the Average Loss Factors for each of SPP's pricing zones.
- An effective date of March 1, 2011 was requested.
- ER11-2525**                    **SPP Submission of Tariff Revisions to Revise the Process for Identifying the Designated Balancing Authority Responsible for Accounting for Self-Provided Losses Relating to Transactions Through SPP Region**
- On December 27, 2010, SPP submitted revisions to its OATT to modify the process for identifying the Designated Balancing Authority responsible for accounting for self-provided Real Power Losses relating to transactions through the SPP Region.
- An effective date of January 1, 2011 was requested.
- ER11-2528**                    **SPP Filing of an Unexecuted Generator Interconnection Agreement ("GIA") between North Buffalo Wind, LLC ("North Buffalo") as Interconnection Customer and Oklahoma Gas and Electric Company ("OG&E") as Transmission Owner**

On December 17, 2010, SPP submitted an unexecuted GIA between SPP as Transmission Provider, North Buffalo Wind, LLC as Interconnection Customer, and Oklahoma Gas and Electric Company as Transmission Owner. SPP Service Agreement No. 2068.

SPP is filing the North Buffalo GIA because North Buffalo declined to execute it due to a dispute concerning certain language North Buffalo proposed to include in Appendices B and C of the North Buffalo GIA.

An effective date of December 10, 2010 was requested.

**OA09-5**

### **SPP Tariff Revisions Pursuant to Order 890-B**

On December 15, 2010, FERC issued a letter order accepting SPP's Order No. 890-B compliance filing, effective October 6, 2008 as requested.

This order constitutes final agency action.

**RM01-5**

### **Electronic Tariff Filings**

On December 22, 2010, FERC issued a Notice of Technical Conference, to be held on January 21, 2011 from 9 AM to 12 PM EST, in order to discuss issues relating to the electronic filing of tariff and tariff related material pursuant to Order No. 714.

The technical conference will cover the following areas: (1) the addition to the Type of Filing CSV file of the FERC regulatory citation for each filing type as used by the Commission's eLibrary Description for eTariff filings; (2) an explanation and discussion of the eTariff Viewer's Export file format and data elements which is being developed; (3) a change in the description for Type Of Filing Codes 1120 and 1150 from "Market-Based Rate Request and Triennial Review" to "Market-Based Rate Triennial Review", to become effective January 24, 2011, in order to make clear that these filing codes should not be used for initial requests for market based rates; and (4) a discussion with FERC staff of lessons learned since the implementation of eTariff.

**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 30, 2010, NERC submitted its third quarter 2010 compliance filing in response to Paragraph 629 of Order No. 693 and Request to Terminate Compliance Filing Obligation.

On December 1, 2010, NERC submitted an informational filing a report entitled "2009/2010 Post-Winter Reliability Assessment."

On December 1, 2010, NERC submitted an informational filing a report entitled "2010/2011 Winter Reliability Assessment."

On December 2, 2010, NERC submitted an informational filing a report entitled "Reliability Considerations from the Integration of Smart Grid."

On December 16, 2010, FERC issued an Order accepting NERC's October 25, 2010 compliance filing in response to the May 13, 2010 order directing that NERC submit a proposed schedule for developing a frequency response requirement.

- 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 16, 2010, FERC issued an Order denying the request for rehearing, filed on April 19, 2010, of the Commission's order addressing violation severity level assignments for critical infrastructure protection (CIP) reliability standards, issued March 18, 2010.
- RM08-11**                    **Notice of Proposed Rulemaking - Version Two Facilities Design, Connections and Maintenance Reliability Standards**
- On December 7, 2010, FERC issued a letter accepting NERC's May 29, 2009 and July 6, 2009 compliance filings in Response to Order No. 722.
- 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 December 1, 2010, NERC submitted its compliance filing in response to Paragraph 274 of Order No. 729.
- RM09-18**                    **Revision to Electric Reliability Organization ("ERO") Definition of Bulk Electric System**
- On December 16, 2010, Wisconsin Electric Power Company filed a Request for Clarification of Order No. 743, Final Rule on Revisions to Electric Reliability Organization Definition of Bulk Electric System issued on November 18, 2010.
- The issue raised by Wisconsin Electric is whether the Commission's statements regarding the classification of step-down transformers with sub-100kV equipment constitute a ruling on the merits, or whether the classification of such transformers remains to be developed in the exemption process at the North American Electric Reliability Corporation.
- On December 20, 2010, numerous entities filed Requests for Clarification or Rehearing of Order No. 743, Final Rule issued on November 18, 2010.
- RM09-25**                    **System Personnel Training Reliability Standards**
- On December 17, 2010, Public Service Electric and Gas Company filed a Request for Clarification of Order No. 742.
- Specifically, PSE&G requested clarification that in Paragraph 90 of the November 18, 2010 Order, FERC did not intend to place a reporting and records retention requirement upon Transmission Owners ("TO") rather than Transmission Operators ("TOP"). Thus, PSE&G requests that the Commission clarify that these requirements only apply to registered TOPs rather than TOs.
- On December 20, 2010, ISO New England, Inc. and National Grid USA filed a Motion to Correct the Record.
- Pursuant to the Transmission Operation Agreement ("TOA") with the New England Participating Transmission Owners, several of New England's Participating Transmission Owners operate LCCs that carry out the functions described in Section 3.06(a)(ii) of the TOA. Contrary to the language in Paragraph 62 of Order No. 742, each of these LCC operators is in

fact registered with NERC as a Transmission Operator. ISO-NE requested that the Commission to correct the record for this proceeding in accordance with those facts.

**RM10-5 Interpretation of Protection System Reliability Standard**

On December 16, 2010, FERC issued a Notice of Proposed Rulemaking in which FERC proposes to accept the NERC proposed interpretation of Requirement R1 of Reliability Standard PRC-005-1, and proposes to direct NERC to develop modifications to the PRC-005-1 Reliability Standard, as discussed below, through its Reliability Standards development process to address gaps in the Protection System maintenance and testing standard, highlighted by the proposed interpretation.

Comments are due February 25, 2011.

**RM10-8 Electric Reliability Organization Interpretations of Interconnection Reliability Operations and Coordination and Transmission Operations Reliability Standards**

On December 16, 2010, FERC issued a Notice of Proposed Rulemaking in which the Commission proposes to approve the North American Electric Reliability Corporation's proposed interpretation of certain specific requirements of the Commission-approved Reliability Standards, TOP-005-1, Operational Reliability Information, and IRO-005-1, Reliability Coordination - Current-Day Operations. Specifically, the interpretation addresses whether a Special Protection System (or SPS) that is operating with only one communication channel in service is "degraded" under these standards. The Commission proposes to approve the interpretation, discussed in the NOPR, as being consistent with and not expanding or changing the existing Reliability Standards. However, to address Commission concerns that the interpretation fails to specify that a Special Protection System that has lost a communication channel be reported, the Commission also proposes to direct NERC pursuant to section 215 (d)(5) of the FPA to develop modifications to the TOP-005-1 and IRO-005-1 Reliability Standards through its Reliability Standards development process.

Comments are due February 7, 2010.

**RM10-11 Notice of Inquiry Regarding Integration of Variable Energy Resources ("VER")**

On December 6, 2010, Edison Electric Institute submitted a Motion to Extend the Period for Filing Comments Until March 2, 2011.

On December 8, 2010, Bonneville Power Administration filed a Motion to Extend the Period for Filing Comments. Bonneville supports Edison Electric Institute's request for a 30-day extension to file comments.

On December 8, 2010, FERC issued a Notice Shortening Answer Period. Answers to Edison Electric Institute's motion for an extension of time must be filed no later than December 13, 2010.

On December 16, 2010, FERC issued a Notice Extending Comment Period to March 2, 2011 for parties to file comments in response to the November 18, 2010 NOPR.

**RM10-13 Notice of Proposed Rulemaking: Credit Reforms in Organized Wholesale Electric Markets**

On December 8, 2010, the New York Transmission Owners ("NYTOs") submitted an answer in response to New York ISO's November 22, 2010 clarification request. NYTOs agree with

NYISO's request. In addition, the NYTOs state that Commission should clarify that Order No. 741 requires market participants to provide a security interest in their transactions in order to establish collateral requirements based on net exposure across products or markets

On December 20, 2010, FERC issued an Order Granting Rehearing for Further Consideration of Order No. 741, Final Rule issued on October 21, 2010.

**RM11-2**

### **Smart Grid Interoperability Standards**

On December 21, 2010, FERC issued a Notice of Technical Conference to be held on January 31, 2011.

The purpose of the technical conference is to obtain further information to aid the Commission's determination of whether there is "sufficient consensus" that the five families of standards posted by the National Institute of Standards and Technology and included in this proceeding are ready for Commission consideration in a rulemaking proceeding, as directed by section 1305(d) of the Energy Independence and Security Act of 2007.

**RR09-7**

### **NERC Three-Year Electric Reliability Organization Performance Assessment Report**

On December 23, 2010, NERC submitted an Informational Filing in Response to Paragraph 773 of Order No. 672 Regarding the Initial Three Year Regional Entity Audits and Plan for Future Audits.

NERC reported that it has completed initial audit activities of five of the eight Regional Entities and expects to complete the initial audit activities for the remaining three Regional Entities by December 31, 2011.

**RR10-7**

### **NERC Petition for Approval of Compliance Monitoring and Enforcement Agreements Between SERC Reliability Corporation, Florida Reliability Coordinating Council and Southwest Power Pool Regional Entity and Related Amendments to Delegation Agreements**

On December 1, 2010, FERC issued an Order Granting Rehearing and Accepting Filing.

FERC granted the August 6, 2010 rehearing request filed in Docket No. RR10-7 by NERC, SERC, FRCC, and the SPP Regional Entity. NERC should submit a compliance filing consistent with this determination by January 10, 2011.

In addition, the Commission accepts the proposed changes to Section 9(j) and Section 5 of Exhibit E of the pro forma Delegation Agreement, which pertain to the treatment of penalty monies.

**RR10-11**

### **NERC Petition for Approval of Revised Pro Forma Delegation Agreement, Revised Delegation Agreements with the Eight Regional Entities, Amendments to the NERC Rules of Procedure, and Amendments to the Bylaws of Several of the Regional Entities**

On December 1, 2010, FERC issued an Order Granting Rehearing and Accepting Filing.

FERC granted the August 6, 2010 rehearing request filed in Docket No. RR10-7 by NERC, SERC, FRCC, and the SPP Regional Entity. NERC should submit a compliance filing consistent with this determination by January 10, 2011.

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In addition, the Commission accepts the proposed changes to Section 9(j) and Section 5 of Exhibit E of the pro forma Delegation Agreement, which pertain to the treatment of penalty monies.

On December 22, 2010, FERC issued an Order Granting Rehearing for Further Consideration of the October 21, 2010 Order.

On December 23, 2010, NERC submitted an Informational Filing in Response to Paragraph 773 of Order No. 672 Regarding the Initial Three Year Regional Entity Audits and Plan for Future Audits.

NERC reported that it has completed initial audit activities of five of the eight Regional Entities and expects to complete the initial audit activities for the remaining three Regional Entities by December 31, 2011.

**RT04-1**

### **RTO Approval Docket**

On December 8, 2010, 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.

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

**08-001-U**

**In the Matter of the Application of Southwestern Electric Power Company ("SWEPCO") for a Certificate of Environmental Capability and Public Need ("CECPN") for the Construction, Ownership, Operation and Maintenance of a 138 kV Transmission Line Originating at the Southeast Texarkana Station Located in Texarkana, Arkansas and Terminating at a Proposed Station to be Constructed at the John W. Turk, Jr. Generation Facility Located in Hempstead County, Arkansas and for the Proposed Turk Station and Related Facilities**

On November 30, 2010, Hempstead County Hunting Club, Inc., et. al, submitted a Motion to Strike or Compel and Motion for Stay Pending Review by Arkansas Supreme Court.

The Intervenor moved to strike the testimony of Bob Tumilty, Venita McCellon-Allen, and Joseph Paul Hassink, which seek to establish a "need" for the transmission lines with the Turk Plant being constructed as a merchant generation facility. The Intervenor also moved to strike the Supplemental Testimony of George Carpenter which identified two variances from the transmission routes approved by the Commission.

In the event the Commission fails to strike the testimony filed by SWEPCO, Intervenor requested that the Commission compel SWEPCO to respond to discovery that was propounded to determine the basis for the statements contained in that testimony.

On November 30, 2010, Clark D. Cotten submitted Supplemental Testimony on behalf of the APSC in order to address whether SWEPCO's decision to construct the Turk Generating facility as a merchant generation facility changes or affects the need for the transmission lines and associated facilities.

On December 9, 2010, SWEPCO submitted its response to the Motion to Strike or Compel and Motion for Stay Pending Review by Arkansas Supreme Court. SWEPCO requested that the Intervenor's motion be denied.

On December 9, 2010, SWEPCO, Peggy Cullipher Mahurin and Mike Mahurin, and James H. Day submitted a Joint Petition for Variance Along the Approved Route for the Authorized New 138 KV Transmission Line.

On December 10, 2010, the APSC General Staff filed its Response to Motion to Strike or Compel and Motion for Stay.

Staff requested that the Commission deny the Motion to Strike or Compel and Motion for Stay Pending Review by Arkansas Supreme Court, filed by Intervenor on November 30, 2010.

On December 17, 2010, the APSC issued Order No. 20 establishing a comment due date of January 18, 2011, in response to the December 9, 2010 Joint Petition for Variance Along the Approved Route for Authorized New 138 kV Transmission Line.

**08-002-U**

**In the Matter of the Application of Southwestern Electric Power Company ("SWEPCO") for a Certificate of Environmental Capability and Public Need ("CECPN") for the Construction, Ownership, Operation and Maintenance of a 138 kV Transmission Line Originating at the Sugar Hill Station Located Near Texarkana, Arkansas and Terminating at a Proposed Station to be Constructed at the John W. Turk, Jr. Generation Facility Located in Hempstead County, Arkansas and for the Proposed Turk**



### Station and Related Facilities

On November 30, 2010, Hempstead County Hunting Club, Inc., et. al, submitted a Motion to Strike or Compel and Motion for Stay Pending Review by Arkansas Supreme Court.

The Intervenor moved to strike the testimony of Bob Tumilty, Venita McCellon-Allen, and Joseph Paul Hassink, which seek to establish a "need" for the transmission lines with the Turk Plant being constructed as a merchant generation facility. The Intervenor also moved to strike the Supplemental Testimony of George Carpenter which identified two variances from the transmission routes approved by the Commission.

In the event the Commission fails to strike the testimony filed by SWEPCO, Intervenor requested that the Commission compel SWEPCO to respond to discovery that was propounded to determine the basis for the statements contained in that testimony.

On November 30, 2010, Clark D. Cotten submitted Supplemental Testimony on behalf of the APSC in order to address whether SWEPCO's decision to construct the Turk Generating facility as a merchant generation facility changes or affects the need for the transmission lines and associated facilities.

On December 9, 2010, SWEPCO submitted its response to the Motion to Strike or Compel and Motion for Stay Pending Review by Arkansas Supreme Court. SWEPCO requested that the Intervenor's motion be denied.

On December 10, 2010, the APSC General Staff filed its Response to Motion to Strike or Compel and Motion for Stay.

Staff requested that the Commission deny the Motion to Strike or Compel and Motion for Stay Pending Review by Arkansas Supreme Court, filed by Intervenor on November 30, 2010.

08-098-U

**In the Matter of the Application of Southwestern Electric Power Company ("SWEPCO") for a Certificate of Environmental Capability and Public Need ("CECPN") for the Construction, Ownership, Operation and Maintenance of a 345 kV Transmission Line Originating at the NW Texarkana Station Located Near Leary, Bowie County, Texas and Terminating at a Proposed Station to be Constructed at the John W. Turk, Jr. Generation Facility Located in Hempstead County, Arkansas**

On November 30, 2010, Hempstead County Hunting Club, Inc., et. al, submitted a Motion to Strike or Compel and Motion for Stay Pending Review by Arkansas Supreme Court.

The Intervenor moved to strike the testimony of Bob Tumilty, Venita McCellon-Allen, and Joseph Paul Hassink, which seek to establish a "need" for the transmission lines with the Turk Plant being constructed as a merchant generation facility. The Intervenor also moved to strike the Supplemental Testimony of George Carpenter which identified two variances from the transmission routes approved by the Commission.

In the event the Commission fails to strike the testimony filed by SWEPCO, Intervenor requested that the Commission compel SWEPCO to respond to discovery that was propounded to determine the basis for the statements contained in that testimony.

On November 30, 2010, Clark D. Cotten submitted Supplemental Testimony on behalf of the APSC in order to address whether SWEPCO's decision to construct the Turk Generating facility as a merchant generation facility changes or affects the need for the transmission lines

and associated facilities.

On December 9, 2010, SWEPCO submitted its response to the Motion to Strike or Compel and Motion for Stay Pending Review by Arkansas Supreme Court. SWEPCO requested that the Intervenor's motion be denied.

On December 10, 2010, the APSC General Staff filed its Response to Motion to Strike or Compel and Motion for Stay.

Staff requested that the Commission deny the Motion to Strike or Compel and Motion for Stay Pending Review by Arkansas Supreme Court, filed by Intervenor on November 30, 2010.

08-135-R

**In the Matter of Amendments to the Rules of Practice and Procedure ("RPPs") of the Arkansas Public Service Commission**

On December 7, 2010, Arkansas Electric Cooperative Corporation submitted a Motion to Amend Procedural Schedule. AECC requested that Reply Comments be due by Noon on December 17, 2010, instead of December 10, 2010.

On December 8, 2010, the APSC issued Order No. 11 granting AECC's request for Reply Comments to be due December 17, 2010, instead of December 10, 2010.

Several parties submitted Reply Comments, pursuant to Order No. 7, concerning proposed Rules and Practice and Procedure and Minimum Filing Requirements.

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 December 16, 2010, SPP filed the WPP Quarterly Report for September 2010 through November 2010.

On December 21, 2010, SPP filed the November 2010 State of the Market Report pursuant to Order No. 2.

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 December 10, 2010, the APSC issued Order No. 14, Order Approving Joint Utility Motion for Lost Contributions to Fixed Costs, as Modified.

On December 10, 2010, the APSC issued Order No. 15, Order Regarding Utility Energy Efficiency Incentives.

This Order approved a general policy under which the Commission will approve incentives to reward achievement in the delivery of essential energy conservation services by investor owned public utilities in Arkansas. This Order also established energy savings goals.

On December 10, 2010, the APSC issued an Order Establishing a Collaborative to Develop an Evaluation, Measurement and Verification Protocol and Propose EM&V Amendments to the Commission's Rules for Conservation and Energy Efficiency Programs.

The Commission directed that an EM&V expert be engaged and to work with Staff to suggest EM&V rule changes requiring the implementation of EM&V in accordance with NAPEE best

practices on or before June 1, 2011.

**08-144-U**

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

On December 10, 2010, the APSC issued the Sustainable Energy Resources Action Guide.

On December 10, 2010, the APSC issued Order No. 17, an Order Defining "Comprehensive" in the Planning, Approval and Implementation of Essential Energy Efficiency Services.

On December 10, 2010, the APSC issued an Order Establishing a Collaborative to Develop an Evaluation, Measurement and Verification Protocol and Propose EM&V Amendments to the Commission's Rules for Conservation and Energy Efficiency Programs.

The Commission directed that an EM&V expert be engaged and to work with Staff to suggest EM&V rule changes requiring the implementation of EM&V in accordance with NAPEE best practices on or before June 1, 2011.

On December 10, 2010, the APSC issued an Order Addressing Smart Grid, Advanced Metering Infrastructure, and Related Demand Response Technologies.

In this Order, the Commission established Docket No. 10-102-U, In the Matter of the Consideration of Smart Grid, Advanced Metering Infrastructure, and Related Demand Response Technologies.

On December 10, 2010, the APSC issued an Order Opening Docket to Consider Issues Related to Electric and Natural Gas Vehicles.

In this Order, the Commission established Docket No. 10-103-U, In the Matter of the Consideration of Electric Vehicles and Natural Gas Vehicles.

On December 10, 2010, the APSC issued an Order Opening Docket to Consider Energy Efficiency on the Utility Side of the Meter.

In this Order, the Commission established Docket No. 10-104-U, In the Matter of the Consideration of Energy Efficiency on the Utility Side of the Meter.

**10-010-U**

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

On December 10, 2010, the APSC issued an Order Establishing Participation Options for Commercial and Industrial Customers in Utility Energy Efficiency Programs and Portfolios, and Opening a Rulemaking to Develop Amendments to the Rules for Conservation and Energy Efficiency Programs that Create a Self-Directed Option for Large Consumers of Electric and Gas Utilities.

On December 10, 2010, the APSC issued an Order Establishing a Collaborative to Develop an Evaluation, Measurement and Verification Protocol and Propose EM&V Amendments to the Commission's Rules for Conservation and Energy Efficiency Programs.

The Commission directed that an EM&V expert be engaged and to work with Staff to suggest EM&V rule changes requiring the implementation of EM&V in accordance with NAPEE best practices on or before June 1, 2011.

On December 10, 2010, the APSC issued Order No. 11, in which the Commission declined to

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adopt Full Fuel Cycle Efficiency as an energy efficiency program justification under the Commission's Rules for Conservation and Energy Efficiency.

On December 10, 2010, the APSC issued Order No. 12, in which the Commission declined to pursue an Independent Administrator to implement EE programs at this time in order to monitor the success of new policies adopted by the Commission contemporaneous with this Order.

10-011-U

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

On December 1, 2010, Southwestern Electric Power Company submitted its response to SPP's Amended Motion for Protective Order of Non-Disclosure. SWEPCO has no objections.

On December 1, 2010, Hugh T. McDonald submitted Supplemental Direct Testimony on behalf of Entergy Arkansas, Inc.

Pursuant to Order No. 1, Mr. McDonald is required to file Supplemental Testimony on the first business day of each month detailing (a) Entergy's and EAI's progress toward the development of a new Entergy System Agreement and (b) the progress of the EAI stand-alone study.

On December 1, 2010, Entergy Arkansas and SPP submitted their joint response to Order No. 2 for the month of November. As of March 31, 2010, the Seams Agreement addressed all areas targeted for coordination through the ESI/SPP seams agreement. Entergy Transmission and SPP are actively pursuing timely implementation of the Seams Agreement.

On December 1, 2010, in response to Order No. 11, SPP submitted its status report detailing:

- 1) the progress of the addendum Arkansas-only study, including any outstanding SPP or Charles River Associates ("CRA") data requests submitted to Entergy Corporation ("Entergy")/Entergy Arkansas, Inc. ("EAI") for which Entergy/EAI have either failed to submit timely responses or have submitted responses that are either incomplete, inaccurate or non-responsive or have refused to provide the requested response or data; and
- 2) those discussions or meetings between SPP and EAI regarding the option of EAI as a stand-alone Operating Company becoming a member of SPP.

On December 3, 2010, the APSC issued Order No. 27, in which the Commission responds to EAI's Petition for Clarification of Order No. 20 filed on September 29, 2010.

On December 6, 2010, the APSC General Staff filed its response to SPP's Amended Motion for Protective Order. Staff did not object to the Commission entering an interim protective order for the Confidential Information described in SPP's Amended Motion if Staff is reserved the right to contest at a future date SPP's entitlement to a protective order for all or portions of the information.

On December 7, 2010, Arkansas Electric Cooperative Corporation to SPP's Amended Motion for Protective Order. AECC does not object to the issuance of such a protective order, provided that the Commission clarifies that such order and all other protective orders issued in this proceeding will be reasonably interpreted to allow access to Highly Sensitive Protected Information to reviewing representatives who do not buy or sell in the competitive market for electric energy and capacity and do to represent other individuals who do.

On December 9, 2010, Entergy filed a Motion to Modify Procedural Schedule.

EAI recommended the following schedule/deadlines for review of EAI's evaluation of its strategic options:

- 1) March 22 2011 - Technical Conference (instead of Jan. 11, 2010 as currently scheduled) (an errata filing was submitted on December 13, 2010 correcting the proposed date from March 15 to March 22);
- 2) May 12, 2011 - EAI Supplemental Direct Testimony providing an initial assessment of its strategic options;
- 3) July 12, 2011 - Staff and Intervenor Rebuttal Testimony;
- 4) August 9, 2011 - EAI Surrebuttal Testimony; and
- 5) August 23, 2010 - Public Hearing

EAI stated that the changes proposed will afford all parties reasonable opportunities to comment on EAI's evaluation of its strategic options, and they will afford the Commission a reasonable opportunity to review the testimony of the parties, conduct hearings, and render a decision on the issues presented.

On December 9, 2010, Hugh McDonald submitted Supplemental Direct Testimony, on behalf of Entergy Arkansas, in support of Entergy's Motion to Modify Procedural Schedule.

On December 9, 2010, John Hurstell submitted Supplemental Direct Testimony, on behalf of Entergy Arkansas, in support of Entergy's Motion to Modify Procedural Schedule.

On December 13, 2010, Entergy submitted an errata page for EAI's Motion to Modify Procedural Schedule filed on Thursday, December 9, 2010. The proposed technical conference date was misstated as March 15, 2011, rather than the correct date of March 22, 2011.

On December 15, 2010, SPP filed its Reply to the Response of Arkansas Electric Cooperative Corporation to Amended Motion for Protective Order. SPP stated that it determines access to confidential information based on an individual's job functions and not based on the entity he or she works for, or represents. SPP is in the process of revising its own internal procedures and non-disclosure agreements to comply with this approach.

On December 15, 2010, Entergy Arkansas submitted its Reply to Response of Arkansas Electric Cooperative Corporation to Amended Motion for Protective Order. EAI requested that the Commission grant SPP's Amended Motion for Protective Order of Non-Disclosure restricting access to HSPI information to reviewing representatives who are able to represent that they are not themselves participants in the competitive electric energy and capacity market nor do they represent others who are participants in the competitive electric energy and capacity market.

On December 16, 2010, the Consumer Utilities Rate Advocacy Division of the Arkansas Attorney General's Office submitted its response to EAI's Motion to Modify Procedural Schedule. The AG objected to EAI's request to reduce Staff and Intervenor opportunities to present testimony from three rounds to one.

On December 16, 2010, Arkansas Electric Cooperative Corporation filed its response to EAI's Motion to Modify Procedural Schedule. AECC requested that the Commission (1) preserve the right of Staff and Intervenor to file testimony on January 28 (or February 11) for the purpose of addressing subjects that can be addressed at that time; and (2) modify the proposed dates for the filing of subsequent testimony.

On December 16, 2010, the APSC General Staff filed its Response to Entergy Arkansas, Inc.'s Motion to Modify Procedural Schedule. Staff did not oppose moving the technical conference now scheduled for January 11, 2011, to March 22, 2011. Staff recommended the following procedural schedule:

- 1) May 12, 2011 (by Noon) - EAI assessment Testimony (per Order No. 24);
- 2) July 12, 2011 (by Noon) - Staff and Intervenors Supplemental Initial Testimony;
- 3) August 2, 2010 (by Noon) - EAI Rebuttal Testimony;
- 4) August 16, 2011 (by Noon) - Staff and Intervenors Surrebuttal Testimony;
- 5) August 23, 2011 (by Noon) - EAI Sur-surrebuttal Testimony;
- 6) September 7, 2011 (9:30 AM) - Hearing.

On December 17, 2010, the APSC General Staff filed its Staff Response and Brief to Entergy Arkansas, Inc.'s Response and Supplemental Motion for Protective Order. Staff requested that the Commission not withdraw its subpoena, and that the Commission continue its protective order modified as suggested in this filing.

On December 17, 2010, the Attorney General's Office submitted its Legal Brief in Response to Order No. 26.

On December 17, 2010, EAI submitted its Response to Staff's and Attorney General's Revisions to EAI's Proposed Procedural Schedules. EAI requested that the Commission grant the revisions to the procedural schedule recommended by the Staff and AG.

On December 20, 2010, the APSC issued Order No. 28, which established an Interim Protective Order pursuant to SPP's motions filed on November 10 and November 29, 2010.

Arkansas Electric Cooperative Corporation's proposed clarification of the Commission's standing Highly Sensitive Protected Information access restrictions was denied.

10-041-U

**In the Matter of the Application of Plains and Eastern Clean Line LLC for a Certificate of Public Convenience and Necessity to Operate as an Electric Transmission Public Utility in the State of Arkansas**

A hearing was held on December 7, 2010.

10-074-U

**In the Matter of the Application of Southwestern Electric Power Company for a Certificate of Environmental Compatibility and Public Need for the Construction, Ownership, Operation and Maintenance of the Proposed Flint Creek to Shipe Road Project and Associated Facilities to be Located in Benton County, Arkansas**

On December 3, 2010, Ashley N. Beasley, Jr. submitted Rebuttal Testimony on behalf of SWEPCO.

10-100-R

**In the Matter of a Rulemaking to Adopt an Evaluation, Measurement, and Verification Protocol and Propose EM&V Amendments to the Commission's Rules for Conservation and Energy Efficiency Programs**

On December 10, 2010, the APSC issued an Order Establishing a Collaborative to Develop an Evaluation, Measurement and Verification Protocol and Propose EM&V Amendments to the Commission's Rules for Conservation and Energy Efficiency Programs.

The Commission directed that an EM&V expert be engaged and to work with Staff to suggest

EM&V rule changes requiring the implementation of EM&V in accordance with NAPEE best practices on or before June 1, 2011.

10-101-R

**In the Matter of the Institution of a Rulemaking to Adopt Amendments to the Commission's Rules on Conservation & Energy Efficiency to Allow Self-Directed Programs for Large Consumers**

On December 10, 2010, the APSC issued an Order Establishing Participation Options for Commercial and Industrial Customers in Utility Energy Efficiency Programs and Portfolios, and Opening a Rulemaking to Develop Amendments to the Rules for Conservation and Energy Efficiency Programs that Create a Self-Directed Option for Large Consumers of Electric and Gas Utilities.

On December 10, 2010, the APSC issued an Order Establishing a Collaborative to Develop an Evaluation, Measurement and Verification Protocol and Propose EM&V Amendments to the Commission's Rules for Conservation and Energy Efficiency Programs.

The Commission directed that an EM&V expert be engaged and to work with Staff to suggest EM&V rule changes requiring the implementation of EM&V in accordance with NAPEE best practices on or before June 1, 2011.

10-102-U

**In the Matter of the Consideration of Smart Grid, Advanced Metering Infrastructure, and Related Demand Response Technologies**

On December 10, 2010, the APSC issued an Order Addressing Smart Grid, Advanced Metering Infrastructure, and Related Demand Response Technologies.

In this Order, the Commission established Docket No. 10-102-U, In the Matter of the Consideration of Smart Grid, Advanced Metering Infrastructure, and Related Demand Response Technologies.

10-103-U

**In the Matter of the Consideration of Electric Vehicles and Natural Gas Vehicles**

On December 10, 2010, the APSC issued an Order Opening Docket to Consider Issues Related to Electric and Natural Gas Vehicles.

In this Order, the Commission established Docket No. 10-103-U, In the Matter of the Consideration of Electric Vehicles and Natural Gas Vehicles.

10-104-U

**In the Matter of the Consideration of Energy Efficiency on the Utility Side of the Meter**

On December 10, 2010, the APSC issued an Order Opening Docket to Consider Energy Efficiency on the Utility Side of the Meter.

In this Order, the Commission established Docket No. 10-104-U, In the Matter of the Consideration of Energy Efficiency on the Utility Side of the Meter.

SC10-1094

**Hempstead County Hunting Club, Inc. v. Southwestern Electric Power Company**

Briefs are currently being filed by the parties.





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

**U-28155**                    **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 December 1, 2010, Entergy submitted a Status Report on Matters Relating to the Expiration of the Independent Coordinator of Transmission Arrangement.

On December 17, 2010, SPP filed a Petition of Intervention.

**U-31509**                    **Application of Entergy Louisiana, LLC and Entergy Gulf States Louisiana, LLC for Approval of Certain Proposed Modifications to the Independent Coordinator of Transmission ("ICT") Arrangement**

On December 9, 2010, the LPSC issued an order approving Entergy's Application for Approval of Certain Proposed Modifications to the ICT Arrangement.

In the Application, the Entergy Operating Companies proposed to modify the current ICT arrangement to give the Entergy Regional State Committee ("E-RSC") the authority, by unanimous vote by all E-RSC members, to direct the Entergy Operating Companies (1) to make a filing pursuant to Section 205 of the Federal Power Act to change the way transmission upgrade costs are allocated under the Entergy Open Access Transmission Tariff; and (2) to add specific projects to the Entergy Construction Plan.

Also in conjunction with the issuance of this Order, the Commission authorized Commissioner Field, as the Commission E-RSC Board of Directors representative, to vote to adopt and approve the Memorandum of Understanding between Entergy and the E-RSC, the new Attachment X, and the Amendment to the E-RSC Bylaws substantially in the form presented to the LPSC in this proceeding and at the October 2010 E-RSC meeting.

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

**EO-2011-0128**

**In the Matter of the Application of Union Electric Company for Authority to Continue the Transfer of Functional Control of Its Transmission System to Midwest Independent Transmission System Operator, Inc.**

On December 7, 2010, the MoPSC issued an order granting SPP's Application to Intervene.

On December 7, 2010, the MoPSC issued an order scheduling a prehearing conference beginning at 2:00 p.m. on December 22, 2010

**EX-2010-0368**

**In the Matter of the Consideration and Implementation of Section 393.1075, the Missouri Energy Efficiency Investment Act**

Several entities submitted comments in response to the proposed rules for implementation of Section 393.1075, as published in the Missouri Register on November 15, 2010.

A hearing was held on December 20, 2010, to discuss Electric Utility Demand-Side Programs.

**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 December 13, 2010, SPP submitted the Integrated Transmission Plan 20-Year Assessment Report in accordance with Section 15 of the Uncontested Stipulation in NMPRC Case No. 07-00390-UT.

**10-00143-UT                    In the Matter of the Petition of Lea County Electric Cooperative, Inc. ("LCEC") For Approval to Transfer Certain Transmission Assets Under the Southwest Power Pool, Inc. Open Access Transmission Tariff**

On December 9, 2010, the Hearing Examiner submitted a Certification of Stipulation to the NMPRC. The Hearing Examiner recommended that the Commission approve and adopt the Stipulation in its entirety, and approve LCEC's participation in the SPP RTO on an interim basis.

On December 16, 2010, the New Mexico Public Regulation Commission issued a Final Order Adopting Certification of Stipulation.

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

**38906**

**PUC Proceeding on Transmission Projects and Costs in the Southwest Power Pool**

On December 20, 2010, SPP submitted comments in response to the November 19, 2010 Request for Comments on Transmission Projects and Costs in the Southwest Power Pool.

On December 20, 2010, American Electric Power Service Corporation, East Texas Cooperatives, Southwestern Public Service Company, and Texas Industrial Energy Consumers submitted comments in response to the November 19, 2010 Request for Comments on Transmission Projects and Costs in the Southwest Power Pool.

On December 28, 2010, SPP submitted Reply Comments.