



Operations Policy Committee (“MOPC”).<sup>3</sup> In addition, given the nature of the relief requested, and the scheduling uncertainties that SPP seeks to resolve, SPP respectfully requests that the Commission shorten the answer period to five days and act on this motion by Monday, November 26, 2012, consistent with Order No. 769.<sup>4</sup>

## **I. BACKGROUND**

On February 29, 2012, as amended on May 15, 2012, SPP filed revisions to its Tariff to transition from its current Energy Imbalance Service (“EIS”) Market to an Integrated Marketplace. As proposed, the significant components of the Integrated Marketplace include day-ahead and real-time energy and operating reserve markets with locational marginal pricing, a market-based congestion management program for the allocation of ARRs, a market for the auction of TCRs, formation of a new SPP Balancing Authority to consolidate and assume the responsibilities of the 16 separate balancing authorities currently operating within the SPP footprint, and a market power monitoring and mitigation plan based on conduct and impact thresholds. SPP requested a March 1, 2014 effective date for the implementation of the Integrated Marketplace.

In the October 18 Order, the Commission commended SPP and its stakeholders on their efforts to develop the Integrated Marketplace, but conditioned the acceptance of SPP’s proposal on further Tariff and system modifications. Specifically, the October 18 Order identified several filings SPP would have to make to ensure that the Integrated

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<sup>3</sup> The MOPC consists of a representative officer or employee from each SPP Member and reports to the SPP Board of Directors. Among its responsibilities, the MOPC recommends modifications to the SPP Tariff and has authority over SPP planning and operations. *See* Bylaws § 6.1.

<sup>4</sup> *Filing of Privileged Materials and Answers to Motions*, Order No. 769, 141 FERC ¶ 61,049, at P 85 (2012) (modifying the Commission’s regulations to adopt a five-day answer period for procedural motions), *modified by*, Errata Notice, Docket No. RM12-2-000 (Nov. 5, 2012).

Marketplace functions properly and is ready for successful launch on March 1, 2014, as proposed. Relevant to this motion, the October 18 Order directed SPP to make a compliance filing within 90 days (i.e., January 16, 2013) that includes revisions to its Tariff and provides additional support for specific components of the Integrated Marketplace proposal.<sup>5</sup>

## **II. MOTION FOR EXTENSION OF TIME**

SPP requests a 30-day extension of the January 16, 2013 deadline for the 90-day compliance filing, to February 15, 2013, so that SPP can develop and receive approval of the necessary Tariff revisions through SPP's stakeholder process. As it has done in similar circumstances, the Commission should find that good cause exists to grant the requested extension to allow for SPP's stakeholder process to proceed under its previously-established meeting schedule.

In the Integrated Marketplace filing, SPP described the various stakeholder committees that were involved in the development and approval of the proposed market protocols and Tariff revisions, including the MOPC and the Board of Directors, as well as several task forces and working groups that report to these committees. As with its EIS Market and other milestone achievements presented to and approved by the Commission, SPP's Integrated Marketplace filing was the product of extensive stakeholder collaboration, with active involvement from all market and membership sectors.

The same level of stakeholder collaboration will be required again to develop appropriate Tariff revisions required by the October 18 Order. Substantial effort is

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<sup>5</sup> The October 18 Order also included an obligation for SPP to submit a 90-day informational filing to report on the status of settlement negotiations to integrate remaining grandfathered agreements into the Integrated Marketplace. Because the informational filing will not require any action by the SPP Board of Directors, SPP is not seeking an extension of that compliance deadline at this time.

already underway within SPP's working groups and task forces, with the goal of presenting a slate of compliant Tariff revisions to the SPP Board of Directors for approval. However, more time is needed beyond the 90-day compliance deadline for the stakeholder process to run its course fully and effectively and to accommodate the current Board of Directors meeting schedule.

Specifically, the SPP Board of Directors meeting schedule is established more than a year in advance, and other stakeholder committees are scheduled around the Board of Directors meetings so that issues being considered by the Board of Directors can be vetted by various stakeholder committees prior to being addressed by the Board of Directors. Under the current schedule, the SPP Board of Directors is scheduled to meet on December 11, 2012, and January 29, 2013. The meeting on December 11, 2012 is for the limited purpose of addressing certain discrete corporate matters, and therefore, is not planned to address matters related to the Integrated Marketplace filing. Additionally, the MOPC, which typically meets two weeks prior to the Board of Directors, is currently not scheduled to meet until January 15-16, 2013, and the RSC, which typically meets the day before the Board of Directors, is not scheduled to meet until January 28, 2013. Thus, under the current meeting schedule, the earliest that SPP could expect to have the Tariff revisions required by the October 18 Order drafted, vetted, and ready for final approval by the SPP Board of Directors would be at the January 29, 2013 meeting.

Accordingly, without the requested extension, SPP will be forced to schedule a series of special interim meetings of the Board of Directors, MOPC, RSC, and other working groups for the sole purpose of consideration and approval of the ordered Tariff revisions by January 16, 2013 (i.e., the 90-day compliance filing deadline). Requiring such interim meetings will place an unnecessary burden on the resources of SPP and its

stakeholders to coordinate and travel to several additional meetings that are duplicative of the relevant stakeholder committees and Board of Directors meetings that are already scheduled to occur just before or very shortly after the current compliance filing deadline. Meetings of groups such as the MOPC, the RSC, and Board of Directors are widely attended by SPP members, customers, state regulators, and other interested parties, meaning that many diverse parties would be impacted by the scheduling of the series of special interim meetings that would be required if the Commission denies the requested extension.

The Commission previously has granted SPP's requests for extensions of compliance filing deadlines to accommodate regularly-scheduled meetings of SPP Board of Directors and stakeholder groups.<sup>6</sup> A similar extension is warranted here. As discussed above, the Tariff revisions required by the October 18 Order cannot be developed and approved prior to the 90-day compliance filing deadline under SPP's current stakeholder meeting schedule.

Good cause therefore exists for the Commission to grant SPP's request for a 30-day extension. This will allow SPP's stakeholder process to consider the necessary Tariff revisions, culminating in a final vote of approval by the Board of Directors during its January 29, 2013 meeting without unduly burdening SPP and its stakeholders, and allow

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<sup>6</sup> See, e.g., *Sw. Power Pool, Inc.*, Notice of Extension of Time, Docket No. RM10-23-000 (July 13, 2012) (granting SPP an extension of time to submit a compliance filing due to previously-scheduled stakeholder meetings); *Sw. Power Pool, Inc.*, Notice of Extension of Time, Docket Nos. ER09-659-002 and EL12-2-000 (Mar. 29, 2012) (granting SPP an extension of time to enable SPP to utilize previously-scheduled Board of Directors and stakeholder meetings to develop a compliance filing); *Sw. Power Pool, Inc.*, Notice of Extension of Time, Docket Nos. ER08-1419-003 and -004 (Jan. 31, 2012) (granting SPP a 90-day extension to submit a compliance filing following a previously-scheduled meeting of the Board of Directors).

SPP sufficient time to prepare the compliance filing following the vote of the Board of Directors.

### **III. REQUEST FOR EXPEDITED CONSIDERATION AND SHORTENED COMMENT PERIOD**

SPP respectfully requests that the Commission shorten the answer period on this motion to five days and act on this motion, after the requisite answer period, by November 26, 2012. The Commission's expedited consideration of this motion by November 26, 2012 will enable SPP and its stakeholders to consider and react appropriately to the Commission's disposition of this motion. Moreover, a five-day answer period is consistent with the Commission's recent decision in Order No. 769 to modify the Commission's regulations to establish a five-day answer period for motions for extension of time.<sup>7</sup>

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<sup>7</sup> See Order No. 769 at P 85 ("We find that the five day answer period strikes an appropriate balance for the need to expedite action on such requests while preserving interested parties['] ability to respond to such requests. Since motions regarding time periods are not controversial or complex, five days provides a reasonable time for answers."). SPP acknowledges that Order No. 769 and the modified regulations adopted therein are not yet in effect. However, the same considerations that led the Commission to adopt in its regulations a shortened answer period for motions for extension of time apply here.

#### IV. CONCLUSION

For the foregoing reasons, SPP respectfully requests that the Commission grant SPP a 30-day extension, to February 15, 2013, to submit the Tariff revisions that the October 18 Order directed SPP to submit within 90 days, and that the Commission act on this motion by November 26, 2012.

Respectfully submitted,

/s/ Matthew J. Binette

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C., this 16th day of November, 2012.

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