

## *FERC or State Jurisdiction: FERC*

- AD10-13**                    **Third-Party Provision of Ancillary Services; Accounting and Financial Reporting for New Electric Storage Technologies**
- On September 16, 2013, FERC issued an Order Granting Rehearing for Further Consideration of Order No. 784.
- AD11-9**                    **Inquiry into Recent Outages in Texas and the Southwest**
- On September 25, 2013, FERC issued a letter requesting the Texas Reliability Entity, Western Electricity Coordinating Council, and SPP Regional Entity to provide responses to the enclosed request for data and documents.
- Responses are due on November 25, 2013.
- AD12-12**                    **Coordination between Natural Gas and Electricity Markets**
- On September 19, 2013, Commission Staff presented its Gas-Electric Coordination Quarterly Report to the Commission.
- AD12-16**                    **Capacity Deliverability Across the Midwest Independent Transmission System Operator, Inc. ("MISO")/PJM Interconnection, L.L.C. ("PJM") Seam**
- On September 26, 2013, PJM Interconnection, L.L.C. and the Midcontinent Independent System Operator, Inc. submitted an informational filing to provide a description of, and schedule for, Joint and Common Market initiatives.
- AD13-7**                    **Centralized Capacity Markets in Regional Transmission Organizations and Independent System Operators**
- On September 24, 2013, FERC issued a Supplemental Notice of Technical Conference, attaching an updated final agenda.
- On September 25, 2013, a technical conference was held in order to consider how current centralized capacity market rules and structures are supporting the procurement and retention of resources necessary to meet future reliability and operational needs.
- CE09-119.005**                    **Apoorya Bansal, et al.'s Request for Critical Energy Infrastructure Information - General Electric International, Inc. (Additional Requestors)**
- On September 10, 2013, SPP submitted comments on this request.
- CE11-27.003**                    **Apoorya Bansal, et al.'s Request for Critical Energy Infrastructure Information - Energy Consulting on behalf of General Electric International, Inc., Energy Consulting (Additional Requestors)**
- On September 9, 2013, SPP submitted comments on this request.
- CE11-27.004**                    **Request of Joseph Armalt, et al. for Critical Energy Infrastructure Information - GE Energy Consulting. (Additional Requestors)**
- On September 17, 2013, Denise Benoit, Senior Contract Manager of Energy Consulting on Behalf of General Electric International, Inc., on behalf of four additional requestors, filed a

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FERC CEII request to obtain a copy of all FERC Form No. 715 data, as noticed DATE.

On September 27, 2013, SPP submitted comments on this request.

**CE12-106.002**

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

On September 9, 2013, SPP submitted comments on this request.

**CE12-106.003**

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

On 9/17/2013, Denise Benoit, Senior Contract Manager of General Electric International, Inc., filed a FERC CEII request on behalf of four additional requestors to obtain a copy of all FERC Form No. 715 data, as noticed September 19, 2013.

On September 27, 2013, SPP submitted comments on this request.

**CE12-139**

**Julia Sohnen's Request for Critical Energy Infrastructure Information - Graduate Student, University of California Davis**

FERC issued a Notice of Intent to Release on September 16, 2013.

**CE13-40**

**Kenney Kam's Request for Critical Energy Infrastructure Information - Vitol, Inc.**

FERC issued a Notice of Intent to Release on September 4, 2013.

**CE13-40.001**

**Marcel de Hoog, et al's Request for Critical Energy Infrastructure Information - Vitol, Inc. (Additional Requesters)**

FERC issued a Notice of Intent to Release on September 4, 2013.

**CE13-103**

**William Babcock's Request for Critical Infrastructure Information - PA Consulting Group**

FERC issued a Notice of Intent to Release on September 16, 2013.

**CE13-103.001**

**Michelle Arawawela, et al.'s Request for Critical Infrastructure Information - PA Consulting Group (Additional Requesters)**

FERC issued a Notice of Intent to Release on September 16, 2013.

**CE13-103.002**

**Chao Mao's Request for Critical Infrastructure Information - PA Consulting Group (Additional Requester)**

FERC issued a Notice of Intent to Release on September 16, 2013.

**CE13-112.001**

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

On September 4, 2013, James Platt, Counsel for EPIS, Inc., requested that Rahul Dhal be added to the original request in CE13-112.

On September 11, 2013, SPP submitted comments on this request.

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- CE13-154**      **Tanya Bodell, et al.'s Request for Critical Energy Infrastructure Information - Energzyt Analytics, LLC**
- FERC issued a Notice of Intent to Release on September 27, 2013.
- CE13-159**      **Igor Kliakhandler's Request for Critical Energy Infrastructure Information - Intergrid Mideast Group LLC**
- On September 3, 2013, SPP submitted comments on this request.
- CE13-161**      **Joseph Hayden's Request for Critical Energy Infrastructure Information - InfraREIT Capital Partners, LLC**
- On September 4, 2013, SPP submitted comments on this request.
- CE13-163**      **Aranya Chakraborty, et al.'s Request for Critical Infrastructure Information - North Carolina State University**
- On September 4, 2013, SPP submitted comments on this request.
- CE13-166**      **Robert Cleveland's Request for Critical Energy Infrastructure Information - GL Garrad Hassan**
- On September 5, 2013, SPP submitted comments on this request.
- CE13-167**      **Denise Benoit, et al.'s Request for Critical Energy Infrastructure Information - General Electric International, Inc.**
- On September 3, 2013, SPP submitted comments on this request.
- CE13-167.001**      **Denise Benoit, et al.'s Request for Critical Energy Infrastructure Information - General Electric International, Inc. (Additional Requesters)**
- On September 17, 2103, Denise Benoit, Senior Contracts Manager for General Electric International, Inc., requested that four additional requesters be added to the original request in CE13-167.
- CE13-168**      **Dawei Zhou's Request for Critical Energy Infrastructure Information - E.ON Climate and Renewable, NA**
- On September, 4, 2013, SPP submitted comments on this request.
- CE13-170**      **Leka Gjonaj and David V. Wheat's Request for Critical Energy Infrastructure Information - New York Public Service Commission**
- On August 27, 2013, Leka Gjonaj (Supervisor) and David Wheat (Principal), of New York State Public Service Commission, filed a FERC CEII request to obtain a copy of all FERC Form No. 715 data, as noticed September 6, 2013.
- On September 13, 2013, SPP submitted comments on this request.
- FERC issued a Notice of Intent to Release on September 27, 2013.
- CE13-172**      **Brian Winters's Request for Critical Energy Infrastructure Information - Wisconsin Electric Power Company**

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On August 29, 2013, Brian Winters, Attorney representing Wisconsin Electric Power Company, filed a FERC CEII request to obtain a copy of all FERC Form No. 715 data, as noticed September 13, 2013.

On September 20, 2013, SPP submitted comments on this request.

CE13-174

**Rosemarie Jorgensen, et al.'s Request for Critical Energy Infrastructure Information - Wisconsin Electric Power Company (d/b/a We Energies)**

On August 22, 2013, Rosemarie Jorgensen, Legal Assistant for Wisconsin Electric Power Company (d/b/a We Energies), filed a FERC CEII request for herself and five additional requesters to obtain a copy of all FERC Form No. 715 data, as noticed September 13, 2013.

On September 20, 2013, SPP submitted comments on this request.

EL12-59

**Complaint of Golden Spread Electric Cooperative, Inc. ("Golden Spread") Against Southwestern Public Service Company ("SPS") Regarding Rate of Return on Common Equity ("ROE") Input Value for the Formula Rate Applicable to the Replacement Power Sales Agreement ("RPSA")**

On September 5, 2013, Southwestern Public Service Company filed an answer in response to Golden Spread Electric Cooperative, Inc.'s August 23, 2013 Answer.

SPS stated:

- 1) the Return on Common Equity ("ROE") established for a utility must reflect the utility's risk;
- 2) Golden Spread has not shown, and cannot show, that SPS' current ROEs lead to unjust and unreasonable rates; and
- 3) public policy considerations warrant a rejection of the Complaint.

EL13-15

**Southwestern Public Service Company ("SPS") Complaint Seeking a Finding that the Rates in SPP Zone 11 are Unjust and Unreasonable due to the Inclusion of the Costs of Facilities of Tri-County Electric Cooperative, Inc. ("Tri-County")**

On September 17, 2013, Settlement Judge Young filed a Settlement Judge Report to the Commission and Chief Judge. A formal settlement conference was held on August 20, 2013. SPP provided redlined tariff language addressing the remaining unresolved issued on September 10, 2013. A conference call to discuss the language is scheduled for September 20, 2013. The participants will provided a status report by September 24, 2013.

EL13-35

**Southwestern Public Service Company ("SPS") Complaint Requesting Establishment of a January 1, 2013 Refund Effective Date and a Finding from the Commission that SPP has Violated the Federal Power Act by Implementing a 40% Increase in the Tri-County Electric Cooperative, Inc. ("Tri-County") Annual Transmission Revenue Requirement**

On September 17, 2013, Settlement Judge Young filed a Settlement Judge Report to the Commission and Chief Judge. A formal settlement conference was held on August 20, 2013. SPP provided redlined tariff language addressing the remaining unresolved issued on September 10, 2013. A conference call to discuss the language is scheduled for September 20, 2013. The participants will provided a status report by September 24, 2013.

EL13-84

**Kansas Municipal Energy Agency's ("KMEA") Complaint Against Sunflower Electric Power Corporation ("Sunflower"), Mid-Kansas Electric Company, LLC ("Mid-Kansas"), and SPP to Correct Sunflower's Unauthorized Registration of KMEA's Members' Load and City-Owned Generation Resources in the SPP Integrated Marketplace**

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On September 6, 2013, Kansas Municipal Energy Agency filed an answer in response to answers filed in this proceeding on August 22, 2013.

KMEA stated:

- 1) the Commission has exclusive jurisdiction over SPP's activities related to the administration and implementation of the SPP Tariff, including SPP market registration issues;
- 2) the Commission can review the Load Flowing Agreement ("LFA"), if necessary, to determine the registration issue;
- 3) the Commission has reviewed non-jurisdictional agreements for the purpose of implementing jurisdictional RTO tariffs;
- 4) Mid-Kansas Electric Company, LLC bears the burden of proving that KMEA is not the appropriate party to register as the Market Participant for the EMP2 Cities' assets;
- 5) the LFA provides no express right to Mid-Kansas to register in the Integrated Marketplace;
- 6) KMEA manages, controls, schedules, tags and delivers the EMP2 Cities' load and resources today;
- 7) the "Product" provided for in the LFA is limited in scope and does not come close to approaching a relinquishment of control over the EMP2 Cities' load and resources;
- 8) the ministerial act of "reporting by Mid-Kansas under the LFA today cannot reasonably be read to provide Mid-Kansas with "registration" rights in the Integrated Marketplace; and
- 9) contrary to Mid-Kansas' claim, it was Mid-Kansas, and not the EMP2 Cities, who terminated the prior services agreements in 2007.

On September 12, 2013, Mid-Kansas Electric Company and Sunflower Electric Power Corporation filed an answer in response to KMEA's September 6, 2013 Answer.

The parties stated that there is no longer a need for the Commission to direct SPP to register the EMP2 Generation.

On September 17, 2013, Kansas Municipal Energy Agency filed an answer in response to the answer filed by Mid-Kansas Electric Company, LLC and Sunflower Electric Power Corporation on September 12, 2013.

KMEA requested that the Commission grant the Complaint and direct SPP to accept KMEA's registration as the Market Participant for the EMP2 Cities' load and generation Resources.

On September 30, 2013, FERC issued an Order Dismissing Complaint.

**ER06-451**

### **SPP Real-Time Energy Imbalance Service ("EIS") Market**

On September 13, 2013, SPP filed an informational status report concerning its incorporation of demand-side resources into its Energy Imbalance Services Market and transmission planning process.

**ER09-35**

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

On September 30, 2013, Tallgrass Transmission LLC submitted an informational filing concerning project status.

**ER12-480**

### **Midwest Independent Transmission System Operator, Inc. ("MISO") and the MISO Transmission Owners ("MISO TOs") Filing to Amend Open Access Transmission, Energy and Operating Reserve Markets Tariff Provisions on Allocation of Network Upgrade Costs in Connection with Transition and Integration of Entergy Corporation and its Operating Companies**

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ER12-1179

On September 3, 2013, Arkansas Public Service Commission filed a Notice of Intervention.

### **SPP Submission of Tariff Revisions to Implement SPP Integrated Marketplace**

On September 10, 2013, SPP filed a Motion for Leave to File Further Reply Comments. SPP requested that the Commission accept the Offer of Settlement as filed and reject the requests and modifications proposed by Staff, Nebraska Public Power District and the Cooperatives.

On September 16, 2013, Nebraska Public Power District filed an answer in opposition to SPP's Motion for Leave to File Further Reply Comments.

NPPD stated:

- 1) GFA 494 is not a joint transmission ownership agreement, as claimed by SPP;
- 2) SPP has mischaracterized and misapplied the Commission's holding in the Resale Power Group of Iowa, Inc. case; and
- 3) the transfer of functional control of NPPD's NETS facilities to SPP is subject to the rights and obligations of NPPD and Tri-State under GFA 494.

On September 20, 2013, FERC issued an Order on Compliance Filing and Proposed Tariff Revisions.

SPP's compliance filing is due on November 19, 2013. SPP was directed to:

- 1) clarify section 2.11.1 of Attachment AE and clearly delineate (a) what the screening process for verification of the day-ahead must-offer requirement entails, and (b) how the Market Monitor will conduct this screening process, particularly the Market Monitor's responsibility in regard to verification and the values the Market Monitor is comparing when making its determination; SPP must also include conforming changes to section 3.9 of Attachment AF to be consistent with section 2.11.1 of Attachment AE (P 39);
- 2) remove sections 3.9.A(2) and 3.9.A(3) from Attachment AF (P 41);
- 3) revise the Tariff in section 2.11.1 of Attachment AE to allowed load transfers and/or bilateral contracts to count toward must-offer obligations; clarify the net resource capacity definition in section 2.11.1 of Attachment AE to account for the full range of firm purchases subject to the day-ahead must-offer obligation (P 50);
- 4) revise the Tariff to provide that wholesale customers may be aggregated into a larger demand response resource, including any associated aggregation requirements (P 55);
- 5) revise section 2.8(2)(a) of Attachment AE to state that end-use customers may be aggregated into a single dispatchable or block demand response resource behind an aggregated price node containing multiple electrically equivalent points, in accordance with section 2.2(2) of Attachment AE; revise sections 4.1.2.1(1) and 4.1.2.1(2) of Attachment AE, which contain demand response provisions, to reflect the aggregated price node option specified in section 2.2(2), and to make any additional related Tariff revisions, as necessary; SPP was also directed to assess whether additional revisions are necessary to section 2.2(3) of Attachment AE to accommodate the revision made to section 2.2(2) in the March 2013 Filing (P 63);
- 6) submit an explanation of its methodology for determining SPP's output forecasts for dispatchable Variable Energy Resources ("VERs"), its meteorological data requirements for VERs, and corresponding Tariff revisions; SPP was also directed to explain why and how its data requirements for dispatchable VERs that execute Generator Interconnection Agreements ("GIA") on or after June 16, 2013, are consistent with the pro forma GIA revisions that were conditionally accepted in that order (P 82);
- 7) include Tariff revisions to use SPP's output forecast, rather than the maximum output limit submitted by a wind-powered VER, in the event that the limit is not updated, is not submitted,

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or exceeds the resource's physical operating limit in the real-time market and not in the Resource Unit Commitment ("RUC") processes (P 83);

8) remove all proposed Tariff provisions that (a) allow a local transmission operator to directly commit resources in situations outside of emergency situations, and (b) allow a local transmission operator to directly commit resources that affect the facilities modeled by SPP, including the transmission system; SPP must also submit Tariff revisions that limit manual commitments made by local transmission operators to "Emergency Conditions," as defined in the Tariff (P 108);

9) revise the Tariff to require SPP, the local transmission operator, and the owner of the generator to establish operating guides to address known and recurring reliability issues that are associated with manual commitments; SPP should explain the bases for its manual commitments, when the commitments will be made, and how SPP will determine which units to commit (P 110);

10) submit Tariff revisions that: (a) apply identical factors to SPP for assessing whether manual commitments made by SPP are discriminatory, as are applied to local transmission operators; and (b) clarify that the Market Monitor will review the manual commitments made by both SPP and the local transmission operators (P 111);

11) revise the Tariff to provide that the Commission's Office of Enforcement or successor organization is to be notified of any suspected discrimination (P 113);

12) submit a compliance filing to remove "or local transmission operator" from section 6.1.2(3) of Attachment AE (P 115);

13) revise section 8.6.5 of Attachment AE to limit RUC make whole payment eligibility in cases where a resource is committed by a local transmission operator (in a manner consistent with the discussion in PP 108-114) to cases where the local transmission operator commits the resource to address an emergency-related reliability issue on facilities not monitored by SPP (P 118);

14) provide a clear definition of "Settlement Area"; remove the phrase "will be determined" the first time it appears in the sentence in the third sentence of section 8.6.7 of Attachment AE; in section 8.6.7(A)(1), move the phrase "to address a Local Reliability Issue" after the phrase "excluding make whole payments made to Resources committed" in order to clarify that all commitments to address local reliability issues are excluded from the system-wide RUC make whole payment distribution (P 129);

15) explain why SPP assumes that all Out-of-Merit Energy ("OOME") payment amounts pertain to Local Reliability Issues and could not possibly pertain to reliability issues affecting the Transmission System; and if OOME payment amounts could pertain to reliability issues affecting the Transmission System, revise the Tariff so that local OOME payment amounts are included in local allocations and regional OOME payment amounts are included in regional allocations (P 130);

16) provide more specific information in the Tariff regarding what constitutes a "Local Reliability Issue" and on what basis SPP will make its commitment decisions to address Local Reliability Issues (P 132);

17) remove virtual energy bids from the RUC make whole payment cost allocation methodology (P 137);

18) add the words "or reduce output of" in between "provide" and "energy" in section 6.4.1.1(7) of Attachment AE (P 146);

19) provide additional justification with regard to proposed sections 4.1.2.4(2)(a) and 4.1.2.5(5)(a) of Attachment AE in the March 2013 Filing, which specify that dispatchable and non-dispatchable VERs for which SPP is calculating an output forecast are not eligible to receive RUC make whole payments; FERC found that SPP has failed to support its proposal that these resources be ineligible to recover their variable costs if, for example, SPP issues a curtailment instruction to the resource (i.e., SPP has not demonstrated why a VER should be

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- ineligible to recover any revenues that it may otherwise have received had it not been curtailed) (P 147);
- 20) revise section 8.6.6(1) of Attachment AE, which governs OOME manual dispatch instructions to generators that are instructed to increase production but that result in an under-recovery, to move the phrase "multiplied by the OOME MW" in the first sentence to the end of that sentence (P 150);
- 21) refine the definition of "economic operating point" in section 8.6.6(1) of Attachment AE; FERC stated that for purposes of calculating the cap on compensation for under recovery in section 8.6.6(1) of Attachment AE, the difference in the energy offer curve and LMP should be multiplied by the difference between the (a) lesser of the actual resource output or the resource's OOME manual dispatch instruction MW, and (b) the MW output at which the energy offer curve first exceeds the LMP (P 151);
- 22) submit an alternative proposal for refunding marginal loss surpluses ( P 158);
- 23) revise section 8.3.4.2 of Attachment AE to modify SPP's methodology for calculating prices during shortage events (P 169);
- 24) revise the definitions of regulation-down and regulation-up such that they do not preclude otherwise-qualified resources from providing regulation-down and regulation-up service (P 173);
- 25) revise the Tariff so that transmission customers with rights to roll over their agreement will be able to obtain ARRs in the Annual Allocation Process without requiring them to give more than one year notice (P 179);
- 26) submit a compliance filing that provides that Transmission Congestion Rights ("TCR") auctions will also be subject to mitigation, as needed (P 181);
- 27) modify section 7.1.3(1) to make clarifying revisions to the nomination cap; SPP was also directed to revise section 7.1.3(3) to conform to the revised Tariff provisions for section 7.1.3(1) so that the nomination cap will also apply to the Auction Revenue Rights ("ARRs") nomination caps for grandfathered agreements ("GFAs") (P 196);
- 28) explain whether point-to-point transmission customers subject to re-dispatch during a peak period (e.g., summer) should be entitled to off-peak ARRs during the peak period with the overloads (P 198);
- 29) revise the Tariff in relation to Bilateral Settlement Schedules (PP 221-227);
- 30) modify section 2.14.5 of the Tariff to sufficiently explain the process for determining which Reserve Zone to assign a registered External Dynamic Resource during the registration process (P 239);
- 31) modify section 3.1 of Attachment AF so that local market power is found when at least one of the following conditions are met: (1) the resource is located in a Frequently Constrained Area, as defined in Section 3.1.1, and one or more of the transmission constraints that define the Frequently Constrained Areas is binding or the Reserve Zone that defines the area is binding; (2) the resource is not in a Frequently Constrained Area and (a) has a Resource-to-Load-Distribution factor less than or equal to negative five percent relative to a binding transmission constraint, or (b) is in a binding Reserve Zone; (3) the resource is manually committed by the Resource Provider or selected for commitment by a local transmission operator in the Day-Ahead or Intra-day RUC processes (P 259);
- 32) remove the word "caps" from the following phrase in section 3.7 of Attachment AF: "After an initial market solution is computed with no mitigation measures caps in place...." (P 261);
- 33) modify the last sentence in section 3.1.1 of Attachment AF to clarify that any designation or change in designation for Frequently Constrained Areas is subject to prior approval by the Commission; modify that last sentence of section 3.1.1 so that it reads: "Any new or modifications to existing Frequently Constrained Areas are subject to prior Commission approval." (P 272);
- 34) modify section 3.1.1.1 of Attachment AF to provide that a supplier is pivotal in relation to the energy output or provision of operating reserves by "any or some of its resources jointly" rather than by "any of its resources"; SPP must address whether and how a demand



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response resource can be determined to be a pivotal supplier under section 3.1.1.1 given that it is unclear how each of the conditions therein applies to demand response resources; SPP must address the applicability of each of the provisions under 3.1.1.1 to demand response resources as potential pivotal suppliers (P 273);

35) modify section 3.2(A)(2) of Attachment AF to refer to section 3.2(A)(1) (P 274);

36) provide examples that show how mitigation of affiliated resources would occur given the pivotal supplier designation and given the language in section 3.2.2 that SPP proposes to remove in Attachment AF (P 276);

37) revise the Tariff regarding certain aspects of the mitigated offer proposals, especially surrounding the calculation of opportunity costs (PP 295-304);

38) explain how certain costs that are to be used in the development of mitigated offers, including fuel costs, fuel-related costs (e.g., emissions costs), opportunity costs, variable operations and maintenance ("VOM") costs, and start-up and no-load costs, will be consistently developed by market participants (P 321);

39) provide in the Tariff, consistent with its Market Protocols, that if a market participant submits a dispute over its mitigated offer, the previously approved mitigated offer is used until the dispute is resolved; propose language for the Commission to review that establishes any additional measures that will occur if and when the dispute is resolved in the market participant's favor such as what will occur with respect to market settlements that have occurred while the disputed mitigated offers were in effect, and explain the proposed approach (P 322);

40) submit Tariff revisions specifying that the Market Monitor will verify that the resource offer has been modified to an acceptable level, such that the amended sentence reads: "Mitigation measures will remain in place until such time that the Market Participant demonstrates the validity of the Resource Offer parameter or the Market Participant notifies the Market Monitor that the Resource Offer parameter has been changed to a value that is within the tolerance band as described above, and the Market Monitor has verified that this change has occurred" (P 323);

41) submit a compliance filing to demonstrate whether SPP's monitoring and mitigation measures for economic withholding, physical withholding, unavailability of facilities and/or uneconomic production are appropriate for dispatchable and/or non-dispatchable VERs and under which circumstances; address how these measures would be applied; and file any tariff revisions necessary to provide these clarifications (P 326);

42) further clarify and revise the Tariff regarding the proposal for monitoring and mitigating demand response resources (PP 335-340);

43) revise the Tariff to limit the reporting of non-mitigation after a pre-offer consultation occurs under section 3.8(B) of Attachment AF, to instances when the resulting offer violates both the conduct and impact threshold (P 361);

44) provide that the screen for uneconomic production will include not only the existing criteria in

section 3.6 of Attachment AF, and to insert language in section 4.6.1 of Attachment AG providing that it will monitor for uneconomic production being accomplished (1) via the energy offer where the incremental energy offer price for the resource is less than 50 percent of the applicable reference level and (2) via time-based or other resource offer parameters (non-time and non-dollar based), including in situations when the resource has a positive Resource-to-Load Distribution Factor; SPP also must clarify that the language (which addresses economic withholding) in Attachment AF section 3.2B which reads "An Energy Offer below \$25/MWh will not be subject to mitigation measures" by adding the clause "for economic withholding" such that it reads "An Energy Offer below \$25/MWh will not be subject to mitigation measures for economic withholding." (P 369);

45) remove certain conditions from the determination of physical withholding that is reported to the Commission (P 379);

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- 46) remove specific conditions from the reporting of potential physical withholding by transmission facilities in section 4.6.4.2 of Attachment AG and add to the determination of physical withholding of transmission facilities in section 4.6.4.2 that the Market Monitor will also identify a pattern of scheduling outages resulting in increased market costs compared to an alternative and lower cost impact outage schedule (P 380);
- 47) further explain the proposed definition of "electrically similar as any settlement location that fails the divergence test" under section 4.6.3 of Attachment AG, and propose modification to section 4 of Attachment AF that would implement SPP's intention (P 383);
- 48) clarify the first sentence of section 4.5 of Attachment AG to read: "The [M]arket [M]onitor shall monitor Markets and Services for the exercise of transmission market power by...." (P 391);
- 49) modify section 4.5 of Attachment AG to remove language associated with referrals of perceived market design flaws to the Office of Enforcement (while retaining the language on referral of instances of suspected market power exercise) (P 392);
- 50) modify the Readiness Plan to provide its Market Monitor implementation plan to ensure that the Market Monitor has access to sufficient market data, resources, and personnel to carry out its functions in the Integrated Market; SPP must include a timeline that ensures that appropriate operations, staff, and resources are in place for the Market Monitor by the Integrated Marketplace's proposed effective date (P 400);
- 51) explain how the transition of functional responsibilities will not adversely affect reliability, in a compliance filing due 60 days after the date of this order (P 402); and
- 52) revise the Reversion Plan to clarify that the window for invoking its plan will start again upon the restart of the Integrated Marketplace (P 403).

SPP is required to include in its informational report due 15 months after commencement of the Integrated Marketplace:

- 1) whether SPP's ten percent forecasting error has had a disproportionate impact on smaller load-serving entities; whether expressing the acceptable forecasting error as a percentage deviation and as a minimum MW absolute error is warranted based on market observations; and, if so, a possible MW value for this minimum absolute error (P 40, n. 39);
- 2) report on whether the penalty provisions in section 3.9 of Attachment AF have ensured that sufficient resources are available to cover the load and operating reserve obligations of load-serving entities, as well as the extent to which the Market Monitor has had to assess penalties under section 3.9 during the first year of market operations (P 42);
- 3) the number of registered aggregated demand response resources in the Integrated Marketplace; SPP should also report on its experience with any problems relating to the aggregated price node concept specified in section 2.2(2) of Attachment AE (for both demand response and non-conforming load) (P 64);
- 4) analysis of whether dispatchable VERs may reliably provide regulation-up and/or contingency reserves (P 80);
- 5) an analysis addressing whether the Uninstructed Resource Deviation tolerance band continues to be appropriate based on actual operating experience (P 93);
- 6) report on and discuss any shortage conditions and resulting prices that have occurred, overall demand response participation, and to provide analysis of how its shortage pricing provisions have impacted the entry and exit of demand response and other supply resources (P 170); and
- 7) report on the conduct and impact thresholds; SPP must address whether the conduct and impact thresholds for the various products and under the various circumstances (i.e. non-Frequently Constrained Areas, Frequently Constrained Areas, and where there are manual commitments as described in section 3.1(4)) appropriately identify conduct that needs to be mitigated (P 357).

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Additionally, SPP was directed to

- 1) document its progress toward launch of the Integrated Marketplace by filing informational reports with the Commission every 60 days from the date of this order (P 402); and
- 2) file a certification of readiness 60 days prior to market launch (P 402).

FERC rejected SPP's proposed revisions to section 3.1.1 of Attachment AE regarding removing oversight authority from the SPP Board of Directors for the establishment, modification, or deletion of a Market Hub. FERC also found that SPP has not supported including these procedures in its Market Protocols, rather than in its Tariff.

On September 23, 2013, SPP submitted tariff revisions to submit and justify its Virtual Energy Transaction Fee proposed in the Integrated Marketplace Filing consistent with the October 18, 2012 Order in Docket No. ER12-1179.

SPP requested that the Commission issue an order on this filing by November 18, 2013.

On September 30, 2013, FERC issued an Order Conditionally Approving Settlement in Part, Establishing Further Hearing and Settlement Judge Procedures in Part and Denying Request for Rehearing.

The Commission conditionally approved in part the offer of settlement filed on July 31, 2013. However, the Commission severed and established hearing and settlement judge procedures as to the issue concerning whether grandfathered agreement ("GFA") 494 should be included in Schedule 1 of the Settlement.

The Commission found that with the exception of the issue concerning GFA No. 494, the Settlement resolves all other outstanding issues concerning the treatment of GFAs in the Integrated Marketplace.

The Commission denied in part and dismissed as moot in part Nebraska Public Power District's June 19, 2013 Motion for Clarification, or in the Alternative Rehearing.

SPP was directed to submit a compliance filing to include a revised settlement agreement reflecting a revision to the standard of review provision. SPP's compliance filing is due on October 30, 2013.

ER12-2292

### **SPP Submission of Tariff Revisions to Attachment AE to Facilitate the Systematic Rather than Manual Curtailment of Non-Dispatchable Resources in the Energy Imbalance Services Market ("EIS Market") During Period of Congestion**

On September 20, 2013, FERC issued an Order on Rehearing, Compliance Filing and Waivers.

The Commission denied Acciona Wind Energy USA LLC's request for rehearing.

The Commission granted SPP's request for temporary limited waiver filed on February 13, 2013, to delay implementation of systematic and automated curtailment rules, contained in Section 4.3 of Attachment AE, for new non-dispatchable resources that became commercially operable on or after October 15, 2012.

The Commission granted SPP's request for waiver filed on March 18, 2013 in Docket No. ER13-1123. SPP requested a waiver to delay implementation of systematic and automated

## Regulatory Status Report

curtailment rules for the Ensign Wind resource for the period from March 19, 2013 to June 1, 2013.

The Commission accepted SPP's March 1, 2013 Compliance Filing, effective March 19, 2013, subject to a further compliance filing. The Commission conditionally accepted the revisions to Sections 4.3(i) and 5.5(f). The Commission noted that there are several incorrect references to October 15, 2013 as the effective date for systematic and automated curtailment of existing non-dispatchable resources. The September 20, 2013 Order ordered the systematic and automated curtailment of existing non-dispatchable resources to be effective on year form the date of the September 20 Order (i.e. September 20, 2013). SPP was directed to modify the date.

Section 4.3(i)(ii) was conditionally accepted, subject to a compliance filing, to exempt from its systematic and automated curtailment procedures wind-powered non-dispatchable resources that began commercial operations before October 15, 2012 and executed interconnection agreements on or before May 21, 2011.

SPP's compliance filing is due on October 21, 2013.

ER12-2681

**Joint Application of ITC Holdings Corp. ("ITC") and Entergy Corporation ("Entergy") for Authorization of Acquisition and Disposition of Jurisdictional Transmission Facilities, Approval of Transmission Service Formula Rate and Certain Jurisdictional Agreements, and Petition for Declaratory Order on Application of Section 305(a) of the Federal Power Act (Docket Nos. ER12-2681, EC12-145, and EL12-107)**

On September 13, 2013, Entergy Services, Inc. filed its compliance filing pursuant to the June 20, 2013 Order.

On September 13, 2013, ITC Holdings Corp. filed its compliance filing pursuant to the June 20, 2013 Order.

On September 19, 2013, FERC issued a Second Settlement Status Report. A settlement conference was held on July 16, 2013. The next settlement conference is scheduled for December 11, 2013.

On September 26, 2013, FERC issued a Notice of Extension of Time until October 18, 2013 to file comments in response to the September 13, 2013 compliance filing.

ER13-366

**SPP Submission of Tariff Revisions to Comply with Order No. 1000 Regional Planning and Cost Allocation Requirements**

On September 17, 2013, FERC issued an Order Granting Rehearing for Further Consideration of the July 18, 2013 Order.

ER13-367

**SPP Submission of Revisions to its Membership Agreement to Comply with Order No. 1000**

On September 17, 2013, FERC issued an Order Granting Rehearing for Further Consideration of the July 18, 2013 Order.

ER13-665

**Midwest Independent Transmission System Operator, Inc. Submission of Tariff Revisions to Revise Provisions on Long-Term Transmission Rights ("LTTRs") and Auction Revenue Rights ("ARRs") to Address Integration of Second Planning Area**

## Regulatory Status Report

On September 16, 2013, FERC issued an order accepting MISO's April 29, 2013 Compliance Filing, effective March 29, 2013.

ER13-948

**Entergy Services, Inc. ("ESI") and the Midwest Independent Transmission System Operator, Inc. ("MISO") Filing of Six Attachment O Templates to the MISO Open Access Transmission, Energy and Operating Reserve Markets Tariff to Establish Formula Rates for the Entergy Operating Companies' Recovery of Transmission Revenue Requirements**

On September 19, 2013, FERC issued a Second Settlement Status Report. A settlement conference was held on July 16, 2013. The next settlement conference is scheduled for December 11, 2013.

ER13-1123

**Petition for Waiver of Tariff Provisions Accepted in Docket No. ER12-2292 for Ensign Wind**

On September 20, 2013, FERC issued an Order on Rehearing, Compliance Filing and Waivers.

The Commission denied Acciona Wind Energy USA LLC's request for rehearing.

The Commission granted SPP's request for temporary limited waiver filed on February 13, 2013, to delay implementation of systematic and automated curtailment rules, contained in Section 4.3 of Attachment AE, for new non-dispatchable resources that became commercially operable on or after October 15, 2012.

The Commission granted SPP's request for waiver filed on March 18, 2013 in Docket No. ER13-1123. SPP requested a waiver to delay implementation of systematic and automated curtailment rules for the Ensign Wind resource for the period from March 19, 2013 to June 1, 2013.

The Commission accepted SPP's March 1, 2013 Compliance Filing, effective March 19, 2013, subject to a further compliance filing. The Commission conditionally accepted the revisions to Sections 4.3(i) and 5.5(f). The Commission noted that there are several incorrect references to October 15, 2013 as the effective date for systematic and automated curtailment of existing non-dispatchable resources. The September 20, 2013 Order ordered the systematic and automated curtailment of existing non-dispatchable resources to be effective on year form the date of the September 20 Order (i.e. September 20, 2013). SPP was directed to modify the date.

Section 4.3(i)(ii) was conditionally accepted, subject to a compliance filing, to exempt from its systematic and automated curtailment procedures wind-powered non-dispatchable resources that began commercial operations before October 15, 2012 and executed interconnection agreements on or before May 21, 2011.

SPP's compliance filing is due on October 21, 2013.

ER13-1173

**SPP Submission of Tariff Revisions to Modify Certain Aspects of the SPP Integrated Marketplace**

On September 20, 2013, FERC issued an Order on Compliance Filing and Proposed Tariff Revisions in Docket Nos. ER12-1179 and ER13-1173.

## Regulatory Status Report

SPP's compliance filing is due on November 19, 2013.

ER13-1819

**Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Kansas Municipal Energy Agency ("KMEA") as Network Customer, and Mid-Kansas Electric Company, LLC ("MKEC") and Sunflower Electric Power Corporation ("Sunflower") as Host Transmission Owners**

On September 19, 2013, Southwest Power Pool, Inc., submitted its Compliance Filing pursuant to the August 23, 2013 Order.

ER13-1864

**Joint Operating Agreement ("JOA") between SPP and the Midcontinent Independent System Operator, Inc. ("MISO") to Include Market-to-Market ("M2M") Terms and Conditions (SPP Rate Schedule FERC No. 9)**

On September 6, 2013, Entergy Services, Inc. filed an answer in response to the answer filed by the SPP Transmission Owners on August 21, 2013.

Entergy stated the SPP TO's contention that the Commission's "traditional" policy on loop flow compensation does not apply to the Operating Companies' integration into the Midcontinent Independent System Operator, Inc. because that integration will allegedly produce "intentional" flows on the SPP transmission system.

ER13-1872

**Unexecuted Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Kansas Municipal Energy Agency ("KMEA") as Network Customer, and Westar Energy, Inc. ("Westar") as Host Transmission Owner**

On September 3, 2013, Westar Energy, Inc. filed a Motion to Intervene Out-of-Time.

On September 5, 2013, the City of Eudora filed an Unopposed Motion to Hold Settlement Proceedings and Appointment of a Settlement Judge in Abeyance. The Parties are finalizing a settlement agreement that the Parties anticipate filing with the Commission before September 30, 2013.

On September 6, 2013, FERC issued an Order of Chief Judge Holding Settlement Proceedings and Appointment of Settlement Judge in Abeyance. The appointment of a settlement judge and initiation of settlement judge procedures are held in abeyance until September 30, 2013, pending the filing of the settlement documents with the Commission. If a settlement is not filed on or before September 30, 2013, Eudora was directed to file a report on the status of the settlement negotiations.

On September 19, 2013, FERC issued an Order of Chief Judge Granting Motion to Intervene Out-of-Time of Westar Energy, Inc.

On September 30, 2013, the City of Eudora, Kansas filed an Unopposed Motion for Interim Rate Relief and Request for Expedited Action.

On September 30, 2013, the City of Eudora, Kansas and Westar Energy, Inc. filed an Offer of Settlement and Settlement Agreement that will resolve all issues before the Commission in this proceeding.

ER13-1914

**SPP Submission of Tariff Revisions to Clarify the Determination of Credits and Distribution of Credit Revenue for Creditable Upgrades**

## Regulatory Status Report

ER13-1928

On September 6, 2013, FERC issued a Deficiency Letter requiring additional information in order to process the filing. SPP's response is due on October 7, 2013.

### **Duke Energy Carolinas, LLC's and Duke Energy Progress, Inc.'s Order 1000 Interregional Filing**

On September 9, 2013, SPP filed a Motion for Leave to Intervene.

Numerous parties filed Motions to Intervene.

On September 9, 2013, the Midwest TDUs filed a Motion to Intervene.

On September 9, 2013, Natural Resources Defense Council, Inc., Sierra Club, Southern Environmental Law Center and Sustainable FERC Project filed a Motion to Intervene and Protest in SPP's, MISO's, SERTP's and PJM's Order No. 1000 Interregional Compliance dockets.

The parties stated that the proposals (1) do not include a formal procedure for joint identification and evaluation; (2) lack procedures for harmonizing differences in data between regions; (3) do not provide details for data exchange procedures and may arbitrarily limit exchange; and (4) lack sufficient transparency.

In addition, the parties stated that the cost allocation provisions: (a) fail to include an actual interregional cost allocation method and (b) fail to satisfy Order No. 1000's first cost allocation principle that costs must be allocated in a manner roughly commensurate with benefits.

On September 24, 2013, the American Wind Energy Association, Wind on the Wires and The Wind Coalition filed a Motion for Leave to File Comments Out of Time and Comments concerning the SERTP-RTO Order No. 1000 interregional compliance filings.

The parties stated that the proposed coordination provisions and interregional cost allocation approaches do not meet the Commission's requirements.

ER13-1930

### **Louisville Gas and Electric Company's and Kentucky Utilities Company's Order 1000 Interregional Filing**

On September 9, 2013, Natural Resources Defense Council, Inc., Sierra Club, Southern Environmental Law Center and Sustainable FERC Project filed a Motion to Intervene and Protest in SPP's, MISO's, SERTP's and PJM's Order No. 1000 Interregional Compliance dockets.

The parties stated that the proposals (1) do not include a formal procedure for joint identification and evaluation; (2) lack procedures for harmonizing differences in data between regions; (3) do not provide details for data exchange procedures and may arbitrarily limit exchange; and (4) lack sufficient transparency.

In addition, the parties stated that the cost allocation provisions: (a) fail to include an actual interregional cost allocation method and (b) fail to satisfy Order No. 1000's first cost allocation principle that costs must be allocated in a manner roughly commensurate with benefits.

On September 9, 2013, the Indiana Office of Utility Consumer Counselor filed a Motion to Intervene.

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On September 9, 2013, SPP filed a Motion for Leave to Intervene.

On September 9, 2013, the Midwest TDUs filed a Motion to Intervene.

Numerous parties filed Motions to Intervene.

On September 24, 2013, the American Wind Energy Association, Wind on the Wires and The Wind Coalition filed a Motion for Leave to File Comments Out of Time and Comments concerning the SERTP-RTO Order No. 1000 interregional compliance filings.

The parties stated that the proposed coordination provisions and interregional cost allocation approaches do not meet the Commission's requirements.

ER13-1937

### **Joint Operating Agreement ("JOA") between SPP and the Midcontinent Independent System Operator, Inc. ("MISO") to Comply with Interregional Requirements of Order No. 1000 (SPP Rate Schedule FERC No. 9)**

On September 9, 2013, the Organization of MISO States filed a Notice of Intervention and Comments.

OMS stated that regarding MISO's regional cost allocation change for reliability projects and the impacts on interregional transmission planning and cost allocation, there are two options:

- 1) Option 1: MISO's proposed changes to the JOA and Cost Allocation Methodology regarding reliability projects should be accepted; and
- 2) Option 2: MISO and SPP should have an Interregional Project Type specifically focused on reliability issues.

OMS stated that other issues are:

- 1) use of the term "transmission issue" throughout the JOA needs to be addressed;
- 2) lack of clarity in either MISO's and SPP's filing about whether or not cost overruns on projects would be shared equally; and
- 3) OMS recommends that MISO clarify how the proposed interregional cost allocation with SPP will be applicable during the Entergy Integration in MISO.

On September 9, 2013, the Midcontinent Independent System Operator, Inc. filed a Protest.

MISO stated:

- 1) Market Efficiency Projects eligibility criteria under MISO's Tariff properly frame MISO's consideration of potential interregional projects with SPP; and
- 2) MISO's regional compliance filing addresses the process for identifying potential impacts on other transmission planning regions.

On September 9, 2013, the Midwest TDUs filed a Motion to Intervene.

On September 9, 2013, the Indiana Utility Regulatory Commission filed a Notice of Intervention and Protest.

The IURC stated it protests the lack of interregional reliability projects and interregional cost allocation for such projects along the MISO and SPP seam. The IURC also protested the ineligibility of MISO baseline reliability projects to be interregional transmission projects. The IURC stated it supports the broader interregional project criteria proposed by SPP.

On September 9, 2013, Xcel Energy Services Inc. filed a Motion to Intervene and Limited



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Protest.

Xcel stated that it generally supports the proposals for compliance with the requirements of Order No. 1000 relating to interregional activities between SPP and MISO, two items raised in the SPP filings are of particular concern: SPP's proposed allocation of the SPP portion of interregional projects; and SPP's attempts to force MISO to change its regional planning process to consider alternative benefits for development of interregional transmission projects. Xcel requested that the Commission require SPP to modify these aspects of the proposed revisions to the Joint Operating Agreement and SPP Tariff through a compliance filing.

On September 9, 2013, Arkansas Electric Cooperative Corporation filed a Motion to Intervene and Protest.

AECC stated:

- 1) MISO's proposal to limit facilities designated as approved interregional projects to market efficiency projects fails to comply with Order No. 1000; and
- 2) neither MISO nor SPP proposes a solution to the problems posed by rate pancaking between the RTOs.

On September 9, 2013, the Indiana Office of Utility Consumer Counselor filed a Motion to Intervene.

On September 9, 2013, Climate & Energy Project and Sustainable FERC Project filed a Motion to Intervene and Protest.

The parties stated that the coordination provisions:

- 1) lack a procedure to harmonize models, assumptions and data for purposes of interregional coordination;
- 2) lack sufficient transparency requirements, including a requirement for MISO and SPP to post all relevant data on their web sites and a commitment to provide sufficient status updates;
- 3) limit the opportunities for conducting an interregional study; and
- 4) impose a high burden on third parties who identify potential transmission issues for study.

On September 9, 2013, Western Farmers Electric Cooperative filed a Motion to Intervene and Comments.

WFEC stated that the Commission should find that (1) SPP's proposal satisfies the interregional requirements of Order No. 1000, and (2) MISO's proposal is incomplete and therefore non-compliant with Order No. 1000 due to MISO's (a) apparent oversight of the reliability and public policy benefits of potential interregional projects, (b) failure to adopt metrics that would allow for the quantification of such benefits (Interregional Cost Allocation Principle 1), and (c) failure to address the impacts of interregional projects on neighboring regions (Interregional Cost Allocation Principle 4).

On September 9, 2013, the SPP Transmission Owners filed Comments.

The SPP TOs stated:

- 1) MISO's proposal would unduly restrict interregional planning;
- 2) MISO's proposal unduly limits assessment of benefits of interregional projects; and
- 3) SPP's proposed provision 9.3.3.4.1 ensures compliance with Interregional Cost Allocation Principle 4.

On September 9, 2013, the East Texas Cooperatives filed a Motion to Intervene, Supporting

## Regulatory Status Report

Comments and Protest.

The Cooperatives stated:

- 1) they support SPP's compliance filing; and
- 2) unlike SPP's proposal, MISO unnecessarily restricts the scope of interregional projects contrary to the requirements of Order No. 1000.

On September 9, 2013, Duke-American Transmission Company, LLC, American Transmission Company LLC and Duke Energy Transmission Holding Company, LLC filed a Protest and Comments.

The parties stated:

- 1) the Commission should require MISO and SPP to establish a required minimum frequency for conducting coordinated system plan studies; and
- 2) the proposed JOA revisions should require the RTOs to study all proposed interregional transmission projects.

On September 9, 2013, the MISO Transmission Owners filed a Motion to Intervene and Protest.

The MISO TOs stated:

- 1) SPP's proposal would create conflicts with MISO's Tariff;
- 2) MISO's proposal provides valuable clarity and consistency; and
- 3) a tie-line based approach would be preferable to SPP's proposal.

Numerous parties filed doc-less Motions to Intervene.

On September 24, 2013, the American Wind Energy Association, Wind on the Wires and The Wind Coalition filed a Motion for Leave to File Comments Out of Time and Comments in SPP's and MISO's Order No. 1000 interregional compliance dockets.

The parties stated:

- 1) the compliance filing proposed coordination provisions largely address the Commission's requirements;
- 2) MISO's proposed interregional cost allocation does not meet the requirements of Order No. 1000;
- 3) SPP's proposed interregional cost allocation generally meets Order No. 1000's cost allocation requirements; and
- 4) the lack of agreement between MISO and SPP regions on proposed cost allocation requires additional strong direction from the Commission.

On September 24, 2013, SPP filed an answer in response to Protests filed by the Midcontinent Independent System Operator, Inc. and the MISO Transmission Owners on September 9, 2013.

SPP stated:

- 1) the Protesters mischaracterize the merits of SPP's proposal to allocate the costs of interregional transmission projects commensurate with the benefits; and
- 2) SPP's proposal is superior to the tie-line methodology proposed by the MISO TOs.

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ER13-1938

### **Midcontinent Independent System Operator, Inc. ("MISO") Submission of Joint Operating Agreement ("JOA") between SPP and MISO to Comply with Interregional Requirements of Order No. 1000**

On September 9, 2013, the Indiana Office of Utility Consumer Counselor filed a Motion to Intervene.

On September 9, 2013, the SPP Transmission Owners filed Comments.

The SPP TOs stated:

- 1) MISO's proposal would unduly restrict interregional planning;
- 2) MISO's proposal unduly limits assessment of benefits of interregional projects; and
- 3) SPP's proposed provision 9.3.3.4.1 ensures compliance with Interregional Cost Allocation Principle 4.

On September 9, 2013, Climate & Energy Project and Sustainable FERC Project filed a Motion to Intervene and Protest.

The parties stated that the coordination provisions:

- 1) lack a procedure to harmonize models, assumptions and data for purposes of interregional coordination;
- 2) lack sufficient transparency requirements, including a requirement for MISO and SPP to post all relevant data on their web sites and a commitment to provide sufficient status updates;
- 3) limit the opportunities for conducting an interregional study; and
- 4) impose a high burden on third parties who identify potential transmission issues for study.

On September 9, 2013, Duke-American Transmission Company, LLC, American Transmission Company LLC and Duke Energy Transmission Holding Company, LLC filed a Protest and Comments.

The parties stated:

- 1) the Commission should require MISO and SPP to establish a required minimum frequency for conducting coordinated system plan studies; and
- 2) the proposed JOA revisions should require the RTOs to study all proposed interregional transmission projects.

On September 9, 2013, the East Texas Cooperatives filed a Motion to Intervene, Supporting Comments and Protest.

The Cooperatives stated:

- 1) they support SPP's compliance filing; and
- 2) unlike SPP's proposal, MISO unnecessarily restricts the scope of interregional projects contrary to the requirements of Order No. 1000.

On September 9, 2013, the MISO Transmission Owners filed a Motion to Intervene and Comments in support of MISO's July 10, 2013 Filing.

On September 9, 2013, Western Farmers Electric Cooperative filed a Motion to Intervene and Comments.

WFEC stated that the Commission should find that (1) SPP's proposal satisfies the interregional requirements of Order No. 1000, and (2) MISO's proposal is incomplete and therefore non-compliant with Order No. 1000 due to MISO's (a) apparent oversight of the

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reliability and public policy benefits of potential interregional projects, (b) failure to adopt metrics that would allow for the quantification of such benefits (Interregional Cost Allocation Principle 1), and (c) failure to address the impacts of interregional projects on neighboring regions (Interregional Cost Allocation Principle 4).

On September 9, 2013, the Midwest TDUs filed a Motion to Intervene.

On September 9, 2013, Arkansas Electric Cooperative Corporation filed a Motion to Intervene and Protest.

AECC stated:

- 1) MISO's proposal to limit facilities designated as approved interregional projects to market efficiency projects fails to comply with Order No. 1000; and
- 2) neither MISO nor SPP proposes a solution to the problems posed by rate pancaking between the RTOs.

On September 9, 2013, the Indiana Utility Regulatory Commission filed a Notice of Intervention and Protest.

The IURC stated it protests the lack of interregional reliability projects and interregional cost allocation for such projects along the MISO and SPP seam. The IURC also protested the ineligibility of MISO baseline reliability projects to be interregional transmission projects. The IURC stated it supports the broader interregional project criteria proposed by SPP.

On September 9, 2013, the Organization of MISO States filed a Notice of Intervention and Comments.

OMS stated that regarding MISO's regional cost allocation change for reliability projects and the impacts on interregional transmission planning and cost allocation, there are two options:

- 1) Option 1: MISO's proposed changes to the JOA and Cost Allocation Methodology regarding reliability projects should be accepted; and
- 2) Option 2: MISO and SPP should have an Interregional Project Type specifically focused on reliability issues.

OMS stated that other issues are:

- 1) use of the term "transmission issue" throughout the JOA needs to be addressed;
- 2) lack of clarity in either MISO's and SPP's filing about whether or not cost overruns on projects would be shared equally; and
- 3) OMS recommends that MISO clarify how the proposed interregional cost allocation with SPP will be applicable during the Entergy Integration in MISO.

On September 9, 2013, SPP filed a Motion for Leave to Intervene and Comments.

Numerous parties filed doc-less Motions to Intervene.

On September 24, 2013, the American Wind Energy Association, Wind on the Wires and The Wind Coalition filed a Motion for Leave to File Comments Out of Time and Comments in SPP's and MISO's Order No. 1000 interregional compliance dockets.

The parties stated:

- 1) the compliance filing proposed coordination provisions largely address the Commission's requirements;
- 2) MISO's proposed interregional cost allocation does not meet the requirements of Order No.

1000;

3) SPP's proposed interregional cost allocation generally meets Order No. 1000's cost allocation requirements; and

4) the lack of agreement between MISO and SPP regions on proposed cost allocation requires additional strong direction from the Commission.

ER13-1939

### **SPP Submission of Tariff Revisions to Comply with Order No. 1000 Interregional Coordination and Cost Allocation Requirements**

On September 6, 2013, Tennessee Valley Authority filed a Motion for Leave to Intervene.

On September 6, 2013, the North Carolina Utilities Commission filed a Notice of Intervention.

On September 9, 2013, the Midwest TDUs filed a Motion to Intervene.

On September 9, 2013, Arkansas Electric Cooperative Corporation filed a Motion to Intervene and Protest.

AECC stated:

1) MISO's proposal to limit facilities designated as approved interregional projects to market efficiency projects fails to comply with Order No. 1000; and

2) neither MISO nor SPP proposes a solution to the problems posed by rate pancaking between the RTOs.

On September 9, 2013, the SERTP Sponsors filed a Protest, requesting that the Commission reject SPP's proposed Sections 1.3.2 and 2.1.B and, instead, accept the SERTP's proposed versions.

On September 9, 2013, Xcel Energy Services Inc. filed a Motion to Intervene and Limited Protest.

Xcel stated that it generally supports the proposals for compliance with the requirements of Order No. 1000 relating to interregional activities between SPP and MISO, two items raised in the SPP filings are of particular concern: SPP's proposed allocation of the SPP portion of interregional projects; and SPP's attempts to force MISO to change its regional planning process to consider alternative benefits for development of interregional transmission projects. Xcel requested that the Commission require SPP to modify these aspects of the proposed revisions to the Joint Operating Agreement and SPP Tariff through a compliance filing.

On September 9, 2013, Natural Resources Defense Council, Inc., Sierra Club, Southern Environmental Law Center and Sustainable FERC Project filed a Motion to Intervene and Protest in SPP's, MISO's, SERTP's and PJM's Order No. 1000 Interregional Compliance dockets.

The parties stated that the proposals (1) do not include a formal procedure for joint identification and evaluation; (2) lack procedures for harmonizing differences in data between regions; (3) do not provide details for data exchange procedures and may arbitrarily limit exchange; and (4) lack sufficient transparency.

In addition, the parties stated that the cost allocation provisions: (a) fail to include an actual interregional cost allocation method and (b) fail to satisfy Order No. 1000's first cost allocation principle that costs must be allocated in a manner roughly commensurate with benefits.

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On September 9, 2013, Climate & Energy Project and Sustainable FERC Project filed a Motion to Intervene and Protest.

The parties stated that the coordination provisions:

- 1) lack a procedure to harmonize models, assumptions and data for purposes of interregional coordination;
- 2) lack sufficient transparency requirements, including a requirement for MISO and SPP to post all relevant data on their web sites and a commitment to provide sufficient status updates;
- 3) limit the opportunities for conducting an interregional study; and
- 4) impose a high burden on third parties who identify potential transmission issues for study.

On September 9, 2013, the MISO Transmission Owners filed a Motion to Intervene and Protest.

The MISO TOs stated:

- 1) SPP's proposal would create conflicts with MISO's Tariff;
- 2) MISO's proposal provides valuable clarity and consistency; and
- 3) a tie-line based approach would be preferable to SPP's proposal.

On September 9, 2013, Western Farmers Electric Cooperative filed a Motion to Intervene and Comments.

WFEC stated that it generally supports the SPP Filing, including SPP's request for waiver of the Order

No. 1000 interregional requirements as they relate to SPP's seam with SERTP and, in the event the Commission denies the waiver request, SPP's conditional proposals on stakeholder participation and joint evaluation of interregional projects. However, WFEC stated it disagrees with part of SPP's proposed allocation of the costs of interregional projects selected through the joint evaluation process on a region-wide basis. WFEC believes the region-wide cost allocation should be limited to only those "Highway" (300 kV and above) facilities for which regional cost allocation is justified.

On September 9, 2013, the Indiana Office of Utility Consumer Counselor filed a Motion to Intervene.

Numerous parties filed doc-less Motions to Intervene.

On September 24, 2013, the American Wind Energy Association, Wind on the Wires and The Wind Coalition filed a Motion for Leave to File Comments Out of Time and Comments concerning the SERTP-RTO Order No. 1000 interregional compliance filings.

The parties stated that the proposed coordination provisions and interregional cost allocation approaches do not meet the Commission's requirements.

On September 24, 2013, the American Wind Energy Association, Wind on the Wires and The Wind Coalition filed a Motion for Leave to File Comments Out of Time and Comments in SPP's and MISO's Order No. 1000 interregional compliance dockets.

The parties stated:

- 1) the compliance filing proposed coordination provisions largely address the Commission's requirements;
- 2) MISO's proposed interregional cost allocation does not meet the requirements of Order No.

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1000;

3) SPP's proposed interregional cost allocation generally meets Order No. 1000's cost allocation requirements; and

4) the lack of agreement between MISO and SPP regions on proposed cost allocation requires additional strong direction from the Commission.

On September 24, 2013, SPP filed an answer in response to the Protest filed by the SERTP Sponsors filed on September 9, 2013.

SPP stated:

1) the SERTP Protest misinterprets the Waiver Request and reinforces the need for Commission clarification on the matter; and

2) the SERTP Protest misinterprets SPP's Testimony.

**ER13-1940**

### **Ohio Valley Electric Corporation's Order 1000 Interregional Filing**

On September 9, 2013, the Indiana Office of Utility Consumer Counselor filed a Motion to Intervene.

On September 9, 2013, Natural Resources Defense Council, Inc., Sierra Club, Southern Environmental Law Center and Sustainable FERC Project filed a Motion to Intervene and Protest in SPP's, MISO's, SERTP's and PJM's Order No. 1000 Interregional Compliance dockets.

The parties stated that the proposals (1) do not include a formal procedure for joint identification and evaluation; (2) lack procedures for harmonizing differences in data between regions; (3) do not provide details for data exchange procedures and may arbitrarily limit exchange; and (4) lack sufficient transparency.

In addition, the parties stated that the cost allocation provisions: (a) fail to include an actual interregional cost allocation method and (b) fail to satisfy Order No. 1000's first cost allocation principle that costs must be allocated in a manner roughly commensurate with benefits.

On September 9, 2013, SPP filed a Motion for Leave to Intervene.

Numerous parties filed Motions to Intervene.

On September 24, 2013, the American Wind Energy Association, Wind on the Wires and The Wind Coalition filed a Motion for Leave to File Comments Out of Time and Comments concerning the SERTP-RTO Order No. 1000 interregional compliance filings.

The parties stated that the proposed coordination provisions and interregional cost allocation approaches do not meet the Commission's requirements.

**ER13-1941**

### **Southwestern Company Services, Inc.'s Order 1000 Interregional Filing**

Numerous parties filed Motions to Intervene.

On September 9, 2013, SPP filed a Motion for Leave to Intervene.

On September 9, 2013, the Midwest TDUs filed a Motion to Intervene.

On September 9, 2013, Natural Resources Defense Council, Inc., Sierra Club, Southern Environmental Law Center and Sustainable FERC Project filed a Motion to Intervene and

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Protest in SPP's, MISO's, SERTP's and PJM's Order No. 1000 Interregional Compliance dockets.

The parties stated that the proposals (1) do not include a formal procedure for joint identification and evaluation; (2) lack procedures for harmonizing differences in data between regions; (3) do not provide details for data exchange procedures and may arbitrarily limit exchange; and (4) lack sufficient transparency.

In addition, the parties stated that the cost allocation provisions: (a) fail to include an actual interregional cost allocation method and (b) fail to satisfy Order No. 1000's first cost allocation principle that costs must be allocated in a manner roughly commensurate with benefits.

On September 24, 2013, the American Wind Energy Association, Wind on the Wires and The Wind Coalition filed a Motion for Leave to File Comments Out of Time and Comments concerning the SERTP-RTO Order No. 1000 interregional compliance filings.

The parties stated that the proposed coordination provisions and interregional cost allocation approaches do not meet the Commission's requirements.

ER13-1990

### **Submission of Tariff Revisions to Clarify Attachment T References for Balanced Portfolio Reallocation**

On September 23, 2013, FERC issued an order accepting the tariff revisions to modify Attachment T to clarify that rates for Point-to-Point Transmission Service specified in Attachment T shall be adjusted to recognize Zonal Annual Transmission Revenue Requirements which are reallocated pursuant to the Balanced Portfolio in accordance with Section IV.A of Attachment J.

On September 24, 2013, FERC issued an errata to the September 23, 2013 Letter Order in order to correct the effective date to September 30, 2013.

ER13-1996

### **Submission of Tariff Revisions to Attachment T to Update Stated Point-to-Point Transmission Rates for City Utilities of Springfield, Missouri and Notification of Implementation of Year-Two Reallocation of Revenue Requirements Pursuant to Attachments J and O for the Balanced Portfolio**

On September 30, 2013, FERC issued an order accepting the Tariff revisions to Attachment T to properly reflect the stated Point-to-Point Transmission Service rates for City Utilities of Springfield, Missouri, and to implement the year-two reallocation of revenue requirements in accordance with the Balanced Portfolio process pursuant to Attachments J and O of the Tariff.

An effective date of October 1, 2013 was granted.

FERC also noted that it expects SPP to uphold its commitment to respond to inquiries and issues pertaining to the implementation of the Balanced Portfolio process on an individual member basis and, as appropriate, through the general stakeholder process.

ER13-2011

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

On September 16, 2013, FERC issued a letter order accepting the agreement, effective June 24, 2013 as requested.



## Regulatory Status Report

This order constitutes final agency action.

ER13-2025

**Meter Agent Services Agreement between Kansas Municipal Energy Agency ("KMEA") as Market Participant and Westar Energy, Inc. ("Westar") as Meter Agent**

On September 18, 2013, FERC issued a letter order accepting the agreement, effective July 1, 2013 as requested.

This order constitutes final agency action.

ER13-2028

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

On September 18, 2013, FERC issued a letter order accepting the agreement, effective July 1, 2013 as requested.

This order constitutes final agency action.

ER13-2031

**Submission of Revisions to Bylaws and Membership Agreement to Implement Withdrawal Obligations and Revisions to Provide Greater Flexibility Regarding the Functions of Various SPP Committees Reporting to the Board of Directors**

On September 19, 2013, FERC issued an Order on Proposed Revisions to Tariff, Bylaws, and Membership Agreement. The Commission conditionally accepted the proposed revisions for filing, effective September 23, 2013, subject to SPP filing additional revisions.

The Commission found that the proposed revisions are unclear regarding whether non-transmission owning members would be obligated for costs of transmission facilities approved before their withdrawal. SPP was directed to file revisions to clarify that the withdrawal obligation for the costs of transmission facilities is limited to transmission owning members.

SPP's compliance filing is due on October 21, 2013.

ER13-2033

**Submission of Tariff Revisions to Clarify Withdrawal Obligations**

On September 19, 2013, FERC issued an Order on Proposed Revisions to Tariff, Bylaws, and Membership Agreement. The Commission conditionally accepted the proposed revisions for filing, effective September 23, 2013, subject to SPP filing additional revisions.

The Commission found that the proposed revisions are unclear regarding whether non-transmission owning members would be obligated for costs of transmission facilities approved before their withdrawal. SPP was directed to file revisions to clarify that the withdrawal obligation for the costs of transmission facilities is limited to transmission owning members.

SPP's compliance filing is due on October 21, 2013.

ER13-2039

**SPP Submission of Tariff Revisions to Update the Transmission Line Loss Factor for Westar Energy, Inc.**

On September 16, 2013, FERC issued an order accepting the Tariff revisions to incorporate an updated transmission line loss factor for Westar Energy, Inc., which is a transmission owner

## Regulatory Status Report

and pricing zone under the SPP Tariff.

An effective date of September 1, 2012 was granted.

ER13-2041

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

On September 5, 2013, FERC issued a letter order accepting the agreement, effective June 27, 2013 as requested.

This order constitutes final agency action.

ER13-2042

**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 September 25, 2013, FERC issued a letter order accepting the agreement, effective June 27, 2013 as requested.

This order constitutes final agency action.

ER13-2048

**Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Kaw Valley Electric Cooperative ("Kaw Valley") as Network Customer, and Westar Energy, Inc. ("Westar") as Host Transmission Owner**

On September 23, 2013, FERC issued a letter order accepting the agreement, effective June 27, 2013 as requested.

This order constitutes final agency action.

ER13-2056

**Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Kansas Power Pool ("KPP") as Network Customer, and Midwest Energy, Inc. ("Midwest"), Mid-Kansas Electric Company, LLC ("MKEC"), and Westar Energy, Inc. ("Westar") as Host Transmission Owners**

On September 20, 2013, FERC issued a letter order accepting the agreement, effective July 1, 2013 as requested.

This order constitutes final agency action.

ER13-2061

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

On September 24, 2013, FERC issued a letter order accepting the agreement, effective July 1, 2013 as requested.

This order constitutes final agency action.

## Regulatory Status Report

**ER13-2067**                    **Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Oklahoma Municipal Power Authority ("OMPA") as Network Customer, and American Electric Power Service Corporation ("AEP"), Oklahoma Gas and Electric Company ("OG&E") and Western Farmers Electric Cooperative ("WFEC") as Host Transmission Owners**

On September 24, 2013, FERC issued a letter order accepting the agreement, effective July 1, 2013 as requested.

This order constitutes final agency action.

**ER13-2068**                    **Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Kansas Municipal Energy Agency ("KMEA") as Network Customer, and Westar Energy, Inc. ("Westar") as Host Transmission Owner**

On September 23, 2013, FERC issued a letter order accepting the agreement, effective July 1, 2013 as requested.

This order constitutes final agency action.

**ER13-2070**                    **Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Arkansas Electric Cooperative Corporation ("AECC") as Network Customer, and Oklahoma Gas and Electric Company ("OG&E") as Host Transmission Owner**

On September 24, 2013, FERC issued a letter order accepting the agreement, effective July 1, 2013 as requested.

This order constitutes final agency action.

**ER13-2078**                    **Submission of Tariff Revisions to Address the Treatment of Grandfathered Agreements ("GFAs") "Carved-Out" from the SPP Integrated Marketplace**

On September 5, 2013, SPP filed an answer in response to comments and protests filed in this proceeding.

SPP stated that the data it will require from GFA Responsible Entities under the Tariff is the data that SPP needs to ensure that the GFA Carve Out is accurately, and appropriately, calculated.

On September 6, 2013, Midwest Energy, Inc., Westar Energy, Inc., and American Electric Power Service Corporation filed a reply to the August 21, 2013 protests of Nebraska Public Power District, Lincoln Electric System, and Basin Electric Cooperative and Tri-State Generation and Transmission Association, Inc.

The parties stated:

- 1) the protesting parties have not shown that zonal allocation of uplift charges is unjust and unreasonable;
- 2) the protesting parties have not shown that the Tariff provisions assigning administrative costs to GFA Responsible Entities are unjust and unreasonable; and
- 3) the protesting parties' procedural objections are without merit.

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On September 13, 2013, Basin Electric Power Cooperative and Tri-State Generation and Transmission Association, Inc. filed an answer in response to Midwest Energy, Inc., et al.'s September 6, 2013 Answer.

The parties requested that the Commission direct SPP to modify its tariff to provide that 1) the right to elect carve-out treatment falls to the GFA load rather than the Transmission Owner providing service under the GFA and 2) the Transmission Owner cannot assign financial responsibility for Integrated Marketplace costs to its GFA counterparty under a carved out GFA.

On September 13, 2013, Nebraska Public Power District filed an answer in opposition to the motion for leave to file an answer of Midwest Energy, Inc., Westar Energy, Inc., and American Electric Power Service Corporation filed on September 6, 2013.

NPPD stated that the Parties' allegations that NPPD has failed to take steps to convert all of its existing transmission agreements into the Integrated Marketplace, and that NPPD has been on notice to do so since at least 2009, are unsupported and untrue.

On September 18, 2013, Lincoln Electric System filed an answer in response to the reply filed by Midwest Energy, Inc., Westar Energy, Inc., and American Electric Power Service Corporation on September 6, 2013.

LES stated:

- 1) the SPP GFA proposal and the non-Nebraskan Transmission Owners' argument would largely negate that very purpose of carving out eligible GFAs;
- 2) the alleged contribution of Nebraskan loads to the congestion and marginal losses represented in the uplift is disputed in this case; and
- 3) contrary to the non-Nebraskan Transmission Owners' claim, LES does not have the burden of proving that the SPP GFA proposal is unjust and unreasonable.

On September 30, 2013, FERC issued an Order Conditionally Accepting Tariff Revisions, subject to a compliance filing, effective March 1, 2014.

SPP was directed to include in its Compliance Filing:

- 1) revised Tariff provisions governing the designation of the GFA Responsible Entity;
- 2) revised scheduling and reporting requirements; and
- 3) additional justification and Tariff revisions related to the proposal to uplift the costs of the GFA carve-out.

The Commission rejected SPP's proposal to separately charge for administrative costs associated with carved-out GFAs.

SPP's compliance filing is due on October 30, 2013.

ER13-2091

**Submission of Tariff Revisions to Enhance Market Participation Eligibility Criteria, Clarify Data Sharing with Regulatory Agencies, and Clarify Bilateral Settlement Schedules Related to Certain Integrated Marketplace Rules in Anticipation of SPP's Application for Exemption of Certain Market Transactions from Provisions of the Commodity Exchange Act ("CEA") and Commodity Futures Trading Commission ("CFTC")**

On September 30, 2013, FERC issued an Order Conditionally Accepting Tariff Revisions,

## Regulatory Status Report

subject to a compliance filing, to be effective March 1, 2014 as requested.

The Commission directed SPP to modify its phrase in section 11.2(3) of Attachment AE to state "from a source other than the Commission or its staff or the CFTC or its staff".

SPP's compliance filing is due on October 30, 2013.

ER13-2162

### **Midcontinent Independent System Operator, Inc. ("MISO") Filing of Operations Reliability Coordination Agreement ("ORCA") to Support the Reliable Integration of the MISO South Region into the MISO Balancing Authority Area**

Several parties filed Motions to Intervene.

On September 5, 2013, Entergy Services, Inc. filed a Motion to Intervene and Supporting Comments.

On September 5, 2013, the SPP Transmission Owners filed Comments (or in the Alternative, Protest).

The SPP TOs stated whereas they generally do not oppose the filing, they request that the Commission confirm their understanding that the Agreement does not confer any use rights to MISO and that the agreement between SPP and MISO in Section 1(c) of the Agreement that the Agreement and the Agreement Filing cannot be used as evidence in any proceeding related to Joint Operating Agreement issues does not apply to the SPP TOs.

On September 20, 2013, the Midcontinent Independent System Operator, Inc. filed an answer in response to Comments (or in the Alternative, Protest) of the Southwest Power Pool Transmission Owners.

MISO stated it opposed the SPP TOs' clarification requests and asked FERC that they be rejected.

ER13-2164

### **Submission of Tariff Revisions to Modify the Aggregate Study Transmission Study Process (AG Study Backlog Clearing Process Tariff Revisions)**

On September 5, 2013, Dogwood Energy LLC and Westar Energy, Inc. filed Motions to Intervene.

On September 5, 2013, the East Texas Cooperatives filed a Motion to Intervene and Comments.

The Cooperatives stated that they generally support the proposal and SPP's ongoing efforts to improve the Aggregate Transmission Service Study Process. However, the Cooperatives also stated:

- 1) the proposed third party impact provisions in SPP's backlog clearing proposal should be further improved;
- 2) other aspects of SPP's backlog clearing proposal should be further clarified.

On September 9, 2013, Xcel Energy Services Inc. filed a Motion to Intervene.

On September 20, 2013, SPP submitted an answer in response to comments filed by the East Texas Cooperatives in this proceeding.

SPP stated:

## Regulatory Status Report

- 1) the revised Aggregate Transmission Service Study ("ATSS") process for transmission service requests with third-party impacts gives an eligible customer options for proceeding in the ATSS process; and
- 2) the Cooperatives characterization of the revised ATSS process for transmission service requests with third-party impacts is misplaced.

SPP also responded to various other comments included in the Cooperatives' September 5, 2013 Comments.

**ER13-2173**      **Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, City of Mulvane, Kansas ("Mulvane") as Network Customer, and Westar Energy, Inc. ("Westar") as Host Transmission Owner**

On September 3, 2013, Kansas Power Pool filed a Motion to Intervene.

**ER13-2190**      **Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Kansas Power Pool ("KPP") as Network Customer, and Midwest Energy, Inc. ("Midwest"), Mid-Kansas Electric Company, LLC ("MKEC"), and Westar Energy, Inc. ("Westar") as Host Transmission Owners**

On September 3, 2013, Kansas Power Pool filed a Motion to Intervene.

**ER13-2293**      **EDP Renewables North America LLC ("EDP") Petition for Limited Waiver of Tariff Provision and Request for Expedited Action**

On September 12, 2013, SPP filed a Motion to Intervene and Comments.

**ER13-2326**      **Generator Interconnection Agreement ("GIA") between Buckeye Wind Energy LLC ("Buckeye Wind") as Interconnection Customer and Midwest Energy, Inc. ("Midwest") as Transmission Owner**

On September 6, 2013, SPP submitted an executed GIA between SPP as Transmission Provider, Buckeye Wind Energy LLC as Interconnection Customer, and Midwest Energy, Inc. as Transmission Owner. SPP Service Agreement No. 2573.

An effective date of August 15, 2013 was requested.

**ER13-2335**      **Submission of Revisions to Attachment AD of the Tariff to Amend Tariff Administration Agreement between SPP and Southwestern Power Administration ("Southwestern")**

On September 6, 2013, SPP submitted a revision to Attachment AD of its Tariff to extend the Tariff Administration Agreement between SPP and Southwestern Power Administration.

An effective date of September 1, 2013 was requested.

On September 27, 2013, Southwestern Power Administration filed a Motion to Intervene.

**ER13-2358**      **Cancellation of Tariff Sheets for Attachment L, Section VI and Corresponding Agreement for the Purpose of Distributing Revenues Associated with Upgrades to the LaCygne to Stilwell 345 kV Transmission Line**

On September 9, 2013, SPP submitted revisions to its Tariff to delete Section VI of Attachment L and the corresponding Agreement of Southwest Power Pool Transmission Owners and Southwest Power Pool For The Upgrade of The LaCygne to Stilwell 345 kV Transmission Line, which is incorporated into Attachment L. These Tariff sections constitute

## Regulatory Status Report

an exception to the provisions of Attachment L for the purpose of distributing revenues associated with upgrades to the LaCygne to Stilwell 345 kV line. As the LaCygne to Stilwell 345 kV line has been fully funded, Section VI and the incorporated Agreement are obsolete.

An effective date of November 8, 2013 was requested.

ER13-2359

**Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Kansas Electric Power Cooperative, Inc. ("KEPCO") as Network Customer, and Midwest Energy, Inc. ("Midwest") as Host Transmission Owner**

On September 9, 2013, SPP submitted an executed NITSA between SPP as Transmission Provider, Kansas Electric Power Cooperative, Inc. as Network Customer, as well as a NOA with Midwest Energy, Inc. as Host Transmission Owner. SPP Service Agreement No. First Revised 1637.

An effective date of June 1, 2013 was requested.

ER13-2382

**Joint Request of SPP and Tri-County Electric Cooperative, Inc. ("Tri-County") for Temporary, Limited Tariff Waiver to Permit SPP and Tri-County to Suspend Obligation to Implement the Annual Update to Tri-County's Annual Transmission Revenue Requirement ("ATRR")**

On September 16, 2013, SPP and Tri-County Electric Cooperative, Inc. filed a Joint Request for Temporary, Limited Tariff Waiver to permit SPP and Tri-County to suspend temporarily their respective obligations to implement the Annual Update to Tri-County's Annual Transmission Revenue Requirement.

ER13-2405

**Submission of Tariff Revisions to Implement a Virtual Transaction Fee**

On September 19, 2013, SPP submitted tariff revisions to submit and justify its Virtual Energy Transaction Fee proposed in the Integrated Marketplace Filing consistent with the October 18, 2012 Order in Docket No. ER12-1179.

SPP requested that the Commission issue an order on this filing by November 18, 2013.

On September 23, 2013, SPP filed a Motion to Withdraw its September 19, 2013 Filing. Due to an administrative error, the Filing was submitted in the SPP eTariff system in a new docket, rather than in existing Docket No. ER12-1179.

ER13-2430

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

On September 24, 2013, SPP submitted an executed Meter Agent Services Agreement between Kansas Power Pool as the Market Participant and Westar Energy, Inc. as the Meter Agent. SPP Service Agreement No. Thirteenth Revised 1374.

An effective date of September 1, 2013 was requested.

ER13-2433

**Notice of Cancellation of the Meter Agent Services Agreement between Occidental Power Services, Inc. ("Occidental") as Market Participant and Westar Energy, Inc. ("Westar") as Meter Agent**

On September 24, 2013, SPP submitted a Notice of Cancellation of the Meter Agent Services

## Regulatory Status Report

Agreement between Occidental Power Services, Inc. as the Market Participant and Westar Energy, Inc. as the Meter Agent. SPP Service Agreement No. 1668.

An effective date of September 1, 2013 was requested.

ER13-2438

**Meter Agent Services Agreement between Kansas Municipal Energy Agency ("KMEA") as Market Participant and Westar Energy, Inc. ("Westar") as Meter Agent**

On September 24, 2013, SPP submitted an executed Meter Agent Services Agreement between Kansas Municipal Energy Agency as the Market Participant and Westar Energy, Inc. as the Meter Agent. SPP Service Agreement No. Third Revised 2548.

An effective date of September 1, 2013 was requested.

ER13-2439

**Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Kansas Power Pool ("KPP") as Network Customer, and Midwest Energy, Inc. ("Midwest"), Mid-Kansas Electric Company, LLC ("MKEC"), and Westar Energy, Inc. ("Westar") as Host Transmission Owners**

On September 24, 2013, SPP submitted an executed NITSA between SPP as Transmission Provider, Kansas Power Pool as Network Customer, as well as a NOA with Midwest Energy, Inc., Mid-Kansas Electric Company, LLC, and Westar Energy, Inc. as Host Transmission Owners. SPP Service Agreement No. Eleventh Revised 2198.

An effective date of September 1, 2013 was requested.

ER13-2440

**Network Integration Transmission Service Agreement ("NITSA") and Network Operating Agreement ("NOA") between SPP, Kansas Municipal Energy Agency ("KMEA") as Network Customer, and Westar Energy, Inc. ("Westar") as Host Transmission Owner**

On September 25, 2013, SPP submitted an executed NITSA between SPP as Transmission Provider, Kansas Municipal Energy Agency as Network Customer, as well as a NOA with Westar Energy, Inc. as Host Transmission Owner. SPP Service Agreement No. 2606.

An effective date of September 1, 2013 was requested.

RM05-5

**Standards for Business Practices and Communication Protocols for Public Utilities**

Numerous entities filed comments in response to the Notice of Proposed Rulemaking issued on July 18, 2013.

On September 24, 2013, the ISO/RTO Council filed comments in response to the Notice of Proposed Rulemaking issued on July 18, 2013.

The IRC stated the Commission:

- 1) should clarify that, as expressly provided for in the Version 003 NAESB Standards, capacity on the original path is released for resale when a Transmission Provider confirms a redirect request;
- 2) should clarify that Transmission Providers will have twenty four months after the adoption of the new NAESB Standards to develop and implement necessary OASIS functionality;
- 3) should confirm that NAESB's proposed smart grid-related standards will not impose enforceable compliance mandates on ISOs/RTOs;



## Regulatory Status Report

4) should establish a twenty four month implementation period for NAESB's proposed public key infrastructure standards; and  
5) should attach substantial weight to NAESB statements regarding the applicability of standards when considering future ISO/RTO exemption requests.

**RM10-11 Notice of Proposed Rulemaking Regarding Integration of Variable Energy Resources ("VERs") (Order No. 764)**

On September 19, 2013, FERC issued Order No. 764-B, Order on Clarification and Rehearing. The Commission granted in part and denied in part the requests for clarification, and denied the requests for rehearing of Order No. 764-A.

**RM11-24 Third-Party Provision of Ancillary Services; Accounting and Financial Reporting for New Electric Storage Technologies**

On September 16, 2013, FERC issued an Order Granting Rehearing for Further Consideration of Order No. 784.

**RM12-3 Revisions to Electric Quarterly Report ("EQR") Filing Process (Order No. 770)**

On September 13, 2013, FERC issued a Notice of Extended Availability of Sandbox Electric Test Site.

**RM12-4 Revisions to Reliability Standard for Transmission Vegetation Management**

On September 4, 2013, FERC issued an order accepting NERC's July 12, 2013 Compliance Filing.

**RM12-16 Generator Requirements at the Transmission Interface**

On September 19, 2013, FERC issued Order No. 785, Final Rule approving Reliability Standards FAC-001-1 (Facility Connection Requirements), FAC-003-3 (Transmission Vegetation Management), PRC-004-2.1a (Analysis and Mitigation of Transmission and Generation Protection System Misoperations), and PRC-005-1.1b (Transmission and Generation Protection System Maintenance and Testing).

The Commission also approved the related Violation Risk Factors and Violation Severity Levels, as well as the implementation plan and effective dates proposed by NERC.

This rule becomes effective on November 25, 2013.

**RM13-5 Version 5 Critical Infrastructure Protection Reliability Standards**

On September 30, 2013, NERC submitted an errata to the proposed defined terms and Violation Security Levels.

**RM13-7 Protection System Maintenance Reliability Standard**

Numerous entities filed comments in response to the Notice of Proposed Rulemaking issued on July 18, 2013.

**RM13-11 Frequency Response and Frequency Bias Setting Reliability Standard**

On September 27, 2013, parties filed comments in response to the Notice of Proposed Rulemaking issued on July 18, 2013.

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On September 27, 2013, the ISO/RTO Council filed comments in response to the Notice of Proposed Rulemaking issued on July 18, 2013.

The IRC discussed the following issues:

- 1) use of the "median" in determining the frequency response measure;
- 2) determination of interconnection frequency response obligation;
- 3) methods for obtaining frequency response;
- 4) premature withdrawal of primary frequency response;
- 5) light-load case study; and
- 6) assignment of Violation Risk Factors and Violation Severity Levels.

**RM13-16**

### **Generator Verification Reliability Standards**

On September 19, 2013, FERC issued a Notice of Proposed Rulemaking, proposing to approve the following Reliability Standards that were submitted to the Commission for approval by the North American Electric Reliability Corporation: MOD-025-2 (Verification and Data Reporting of Generator Real and Reactive Power Capability and Synchronous Condenser Reactive Power Capability), MOD-026-1 (Verification of Models and Data for Generator Excitation Control System or Plant Volt/Var Control Functions), MOD-027-1 (Verification of Models and Data for Turbine/Governor and Load Control or Active Power/Frequency Control Functions), PRC-019-1 (Coordination of Generating Unit or Plant Capabilities, Voltage Regulating Controls, and Protection), and PRC-024-1 (Generator Frequency and Voltage Protective Relay Settings). The proposed generator verification Reliability Standards help ensure that verified data is available for power system planning and operational studies by requiring the verification of generator equipment needed to support Bulk-Power System reliability and enhance coordination of important protection system settings.

The Commission proposed to approve, with modifications, the associated implementation plans, violation risk factors and violation severity levels. The Commission also proposed to approve the retirement of existing Reliability Standards MOD-024-1 (Verification of Generator Gross and Net Real Power Capability) and MOD-025-1 (Verification of Generator Gross and Net Reactive Power Capability) prior to the effective date of MOD-025-2.

Comments are due on November 25, 2013.

**RR13-8**

### **North American Electric Reliability Corporation ("NERC") Petition for Approval of Amendments to Exhibit B to the Delegation Agreement with Southwest Power Pool, Inc. - Amendments to Southwest Power Pool, Inc.'s Bylaws**

On September 24, 2013, FERC issued an order accepting the revisions to the Delegation Agreement between NERC and SPP.

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

#### **08-135-R In the Matter of Amendments to the Rules of Practice and Procedure ("RPPs") of the Arkansas Public Service Commission**

On September 18, 2013, the APSC issued Order No. 18, adopting the revised Rules of Practice and Procedure and Minimum Filing Requirements set out in Attachment A and C to this Order.

The Commission directed Staff to prepare and file within 45 days a markup of the current RPPs showing all changes between the current RPPs and newly adopted RPPs set out in Attachment A to this Order.

The RPPs and MFRs as adopted will become effective January 1, 2014.

Effective January 1, 2014, the Secretary of the Commission was directed to reserve Docket No. 14-001-A for the purpose of issuing administrative orders regarding matters not addressed by the Commission's other Rules, including the newly revised RPPs.

#### **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 September 4, 2013, SPP filed a Request for Permission to File Quarterly State of the Market Reports in Lieu of Monthly State of the Market Reports.

On September 17, 2013, SPP filed the August 2013 State of the Market Report pursuant to Order No. 2.

On September 17, 2013, the APSC issued Order No. 25, approving SPP's Request for Permission to File Quarterly State of the Market Reports in Lieu of Monthly State of the Market Reports.

#### **10-010-U In the Matter of a Notice of Inquiry into Energy Efficiency ("EE NOI Docket")**

On September 27, 2013, APSC General Staff filed its Report and Recommendation on Energy Efficiency Reporting Needs Based on its Participation in the Reporting Needs Working Group.

#### **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 September 3, 2013, Todd Hillman filed Compliance Testimony on behalf of the Midcontinent Independent System Operator, Inc.

On September 3, 2013, Kurtis Castleberry filed Supplemental Direct Testimony on behalf of EAI.

On September 18, 2013, the APSC issued Order No. 77, granting EAI's Motion for Authorization to Participate in MISO Planning Resource Auction. EAI was directed to file an annual report of its participation in MISO's Planning Resource Auction by June 30 each year, beginning on June 30, 2015.

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On September 18, 2013, the APSC issued Order No. 78, directing EAI and the Midcontinent Independent System Operator, Inc. to appear and show cause why the Commission should not find EAI and MISO are in violation of Condition No. 2 of Order No. 68. The Commission found, as a preliminary matter, that EAI's apparent intention to engage in joint transmission planning with the other Entergy Operating Companies appears to be in violation of Conditions 2(a) and 2(b) of Order No. 68.

EAI's and MISO's response is due on October 8, 2013.

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 ("C&EE Rules")**

On September 12, 2013, the APSC issued Order No. 18, approving and adopting Technical Reference Manual 3.0 for use in Arkansas jurisdictional utility energy efficiency programs.

10-101-R

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

On September 4, 2013, the APSC issued Order No. 31. The Commission ordered and directed that the initial Act 253 uniform Notice and Affidavit, adopted by Order No. 29, is hereby rescinded and shall not be used by any Act 253 entity. The amended Act 253 uniform Notice and Affidavit was adopted for use effective immediately.

Parties filed Reply Comments in response to Staff's proposed amendments to the S-D Rules.

On September 24, 2013, the APSC General Staff filed Sur-Reply Comments concerning the proposed amendments to Section 11 of the Rules for Conservation and Energy Efficiency Programs governing the self-direct option. Staff attached a blackline version of Section 11 incorporating clarifications.

11-165-U

**In the Matter of the Application of Midwest Independent Transmission Operator, Inc. ("MISO") for a Certificate of Public Convenience and Necessity for the Limited Purpose of Managing and Coordinating the Use of Certain Transmission Facilities Located Within the State of Arkansas**

On September 25, 2013, the APSC issued Order No. 5, closing this docket.

12-060-R

**In the Matter of Amendments to the Arkansas Public Service Commission's Rules Concerning Meter Aggregation and Combined Billing for Net-Metering Customers**

On September 3, 2013, the APSC issued Order No. 7, adopting the attached rule amendments.

Jurisdictional electric utilities are to file any tariff amendments necessary to comply with the amended rule on or before noon on September 20, 2013. Staff shall testify, and other parties may testify, regarding the compliance of those tariffs with the rules on or before noon on October 18, 2013.

On September 13, 2013, the APSC issued Order No. 8, directing Staff to file proposed conforming revisions to the Standard Net-Metering Tariff and any necessary revisions to the Standard Net Metering Agreement by September 17, 2013.

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On September 16, 2013, the Joint Utilities filed a Motion to Extend Deadline for Filing of Net Metering Tariff Amendments.

On September 17, 2013, General Staff filed its Response to Order No. 8. Staff filed proposed revisions to the Standard Net-Metering Tariff.

On September 17, 2013, General Staff filed its Response to the Motion to Extend the Deadline for Filing Tariff Amendments. Staff does not oppose the extension of the September 20, 2013 compliance filing deadline.

On September 19, 2013, the APSC issued Order No. 9, granting the Motion to extend the compliance filing deadline. Parties may file comments regarding Staff's proposed standard tariff on or before noon on September 25, 2013. Compliance tariffs shall be filed on or before noon of the tenth day following the date of an order approving a standard tariff. Staff shall file testimony regarding the compliance of filed tariffs on or before noon of the twentieth day following the date compliance tariffs are filed.

On September 25, 2013, parties filed Comments pursuant to Order No. 9.

13-041-U

**In the Matter of the Application of Southwestern Electric Power Company ("SWEPCO") for a Certificate of Environmental Compatibility and Public Need ("CECPN") for the Construction, Ownership, Operation and Maintenance of the Proposed 345 kV Transmission Line Between the Shipe Road Station and the Proposed Kings River Station and Associated Facilities to be Located in Benton, Carroll and/or Madison and Washington Counties, Arkansas**

On September 11, 2013, the APSC issued Order No. 27. SWEPCO and Save the Ozarks were directed to file initial briefs no later than noon on October 1, 2013, with Reply Briefs due by noon on October 16, 2013. All other parties may file briefs if they deem it appropriate and necessary.

All parties were directed to file Proposed Findings of Fact and Conclusions of Law by noon on October 1, 2013. An electronic version of the document shall be submitted to Connie Griffin on CD-ROM and in Microsoft Word format.

On September 13, 2013, the APSC issued Order No. 28, denying Save the Ozarks' Motion to Compel.

On September 20, 2013, Wal-Mart Real Estate Business Trust filed a letter to clarify its position regarding the proposed transmission line across the approximately 126 acre tract in Benton County, Arkansas under contract with Mitchell & Spencer Properties LLC. Wal-Mart disputed any assertions by any party in the record in this matter which may be interpreted as a joint submittal request to the Commission for a transmission line on the Mitchell Tract.

On September 26, 2013, SWEPCO filed a Motion to Conform the Pleadings to the Proof Pursuant to Rule 2.09 and Brief in Support.

## Regulatory Status Report

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

**13-ITCE-677-MIS**

**In the Matter of the Application of ITC Great Plains, LLC and Mid-Kansas Electric Company, LLC for a Siting Permit for the Construction of a 345 kV Transmission Line in Cloud and Ottawa Counties, Kansas**

On September 9, 2013, ITC Great Plains, LLC and Mid-Kansas Electric Company, LLC filed a Petition for Clarification of the August 27, 2013 Order Granting Siting Permit. The Applicants stated that paragraph 12 of the Order inaccurately states that the project will continue until spring 2014. The expected in-service date is in 2016.

On September 17, 2013, the KCC issued an Amended Order Granting Siting Permit. The Commission granted the Applicants' Joint Application for a siting permit to construct an electric transmission line with certain proposed route modifications approved in this Order.

## Regulatory Status Report

### *FERC or State Jurisdiction: State of LA - New Orleans*

**UD-11-01**                    **Initiating Investigation of the Potential Costs and Benefits of Entergy New Orleans, Inc. and Entergy Louisiana, LLC Joining a Regional Transmission Organization Versus the Continuation of the Entergy Independent Coordinator of Transmission with Enhancements**

On September 3, 2013, Charles Rice, Jr. submitted Supplemental Direct Testimony on behalf of Entergy New Orleans, Inc.

**UD-12-01**                    **Investigation of the Proposed Divestiture of the Transmission Assets of Entergy New Orleans, Inc. ("ENO") and Entergy Louisiana, LLC ("ELL") to ITC Holdings Corp.**

On September 24, 2013, Entergy submitted a copy of the Updated Application filed before the Public Utility Commission of Texas.

## Regulatory Status Report

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

**U-32148**                    **Joint Application of Entergy Louisiana, LLC and Entergy Gulf States Louisiana, L.L.C. Regarding Transfer of Functional Control of Certain Transmission Assets to the Midwest Independent Transmission System Operator, Inc. ("MISO") Regional Transmission Organization, For an Accounting Order Deferring Related Implementation Costs and Request for Timely Treatment**

On September 4, 2013, the Midcontinent Independent System Operator, Inc. filed an updated report to the LPSC concerning the status of negotiations between MISO and SPP related to resolution of outstanding issues related to the Joint Operating Agreement.

**U-32538**                    **Joint Application of Entergy Louisiana, LLC, Entergy Gulf States Louisiana, L.L.C., Mid South TransCo LLC, Transmission Company Louisiana I, LLC, Transmission Company Louisiana II, LLC, ITC Holdings Corp. and ITC Midsouth LLC ("Applicants") for Approval of Change of Ownership of Electric Transmission Businesses, for Certain Cost-Recovery Adjustments, and for Related Relief**

On September 24, 2013, the Applicants filed notice of the Updated Application filed before the Public Utility Commission of Texas.

**U-32675**                    **Joint Application of Entergy Louisiana, LLC and Entergy Gulf States Louisiana, L.L.C. (Collectively "Entergy") Regarding Transfer of Functional Control of Certain Transmission Assets to the Midwest Independent Transmission System Operator, Inc. ("MISO") Regional Transmission Organization, for an Accounting Order Deferring Related Implementation Costs and Request for Timely Treatment**

On September 6, 2013, the Parties filed a Joint Motion to Continue Hearing.

On September 6, 2013, the LPSC issued a Ruling on Joint Motion to Continue Hearing. The hearing to begin on September 10 was continued to September 19.

On September 17, 2013, the LPSC issued a Notice of Continuance of September 19, 2013 Hearing Date and Notice of Revised Schedule. The hearing scheduled to begin on September 19 was continued to October 1. Parties were directed to file a Joint Pre-Hearing Statement by September 25, 2013.

On September 25, 2013, the Parties filed a Joint Pre-Hearing Statement.

On September 27, 2013, the Parties filed a Joint Motion to Schedule Hearing on Proposed Uncontested Stipulated Settlement and for Waiver of Rule 6 E Notice Period.

On September 27, 2013, the LPSC issued a Ruling on Joint Motion to Schedule Hearing on Proposed Uncontested Stipulated Settlement and for Waiver of Rule 6 Notice Period. The October 1, 2013 hearing will be converted to an Uncontested Stipulated Settlement Hearing.



## Regulatory Status Report

***FERC or State Jurisdiction: State of Mississippi***

**2012-UA-358**

**Joint Application for the Transfer of Ownership and Control of Entergy Mississippi, Inc.'s Transmission Facilities and Assets Together with Related Certificates, Franchises, and Other Property Rights to Transmission Company Mississippi, LLC and Approval of Subsequent Transfers of Ownership and Control**

On September 25, 2013, the Applicants filed a Joint Response to Staff's Recommended Conditions.

On September 25, 2013, Parties filed Reply Briefs.

On September 25, 2013, Seth Parker filed Surrebuttal Testimony on behalf of the Mississippi Public Utilities Staff.

## Regulatory Status Report

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

**EO-2012-0269**

**In the Matter of The Empire District Electric Company's ("Empire") Submission of Its Interim Report Regarding Participation in the Southwest Power Pool, Inc.**

On September 11, 2013, the MoPSC issued an Order Granting Motion for Approval of Unanimous Stipulation and Agreement, effective October 11, 2013.

Empire's continued participation in SPP shall continue on an interim basis through August 1, 2019.

No later than May 1, 2018, Empire shall file a pleading accompanied by a study ("2018 Interim Report"). comparing the costs and estimated benefits of its participation in SPP.

**EO-2013-0396**

**In the Matter of the Joint Application of Entergy Arkansas, Inc., Mid South Transco LLC, Transmission Company Arkansas, LLC and ITC Midsouth LLC ("Applicants") for Approval of Transfer of Assets and Certificate of Convenience and Necessity, and Merger and, in connection therewith, Certain Other Related Transactions**

On September 10, 2013, Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company filed a Reply to Response of Entergy Arkansas, Inc. to Motion to Delay Action.

## Regulatory Status Report

***FERC or State Jurisdiction: State of New Mexico***

**13-00031-UT**

**In the Matter of Southwestern Public Service Company's Interim Report on its Participation in the Southwest Power Pool Regional Transmission Organization**

On September 18, 2013, the NMPRC issued a Final Order authorizing SPS to participate in the SPP RTO on a permanent basis, subject to the same terms and conditions as set out in the Final Order in Case No. 07-00390-UT. The procedural schedule has been vacated.

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

- 40979**                    **Proceeding to Track Compliance with Terms and Conditions Set Forth in the Commission's Order Issued in Docket No. 40346 and the Non-Unanimous Stipulation ("NUS") and Associated Studies Arising from the Order and/or NUS**
- On September 3, 2013, Entergy Texas, Inc. filed the Entergy System Intra-System Bill for July 2013.
- On September 16, 2013, Entergy Texas, Inc. filed its Bi-Monthly MISO Compliance Report for September 2013.
- On September 16, 2013, Entergy Texas, Inc. filed its Monthly MISO Compliance Report for September 2013.
- On September 17, 2013, the Midcontinent Independent System Operator, Inc. filed confirmation of the FERC filing in Docket No. ER13-2385 which contains proposed revisions to the Transmission Owners Agreement to expand the state regulatory authorities section for the MISO Advisory Committee.
- 41430**                    **Joint Report and Application of Sharyland Utilities, L.P. ("Sharyland"), Sharyland Distribution & Transmission Services, L.L.C. ("SDTS"), and Southwestern Public Service Company ("SPS") for Approval of Purchase and Sale of Facilities, for Approval of Regulatory Accounting Treatment of Gain or Sale, and for Transfer of Certain Rights**
- A hearing was held on September 3, 2013.
- On September 13, 2013, parties filed Initial Briefs.
- On September 20, 2013, parties filed Reply Briefs.
- On September 20, 2013, the parties filed an Unopposed Stipulation.
- 41850**                    **Updated Application of Entergy Texas, Inc., ITC Holdings Corp., MidSouth Transco LLC, Transmission Company Texas, LLC, and ITC Midsouth LLC for Approval of Change of Ownership and Control of Transmission Business, Transfer of Certification of Rights and Related Relief**
- On September 23, 2013, Entergy Texas, Inc., ITC Holdings Corp., MidSouth Transco LLC, Transmission Company Texas, LLC, and ITC Midsouth LLC filed an Updated Application for Approval of Change of Ownership and Control of Transmission Business, Transfer of Certification of Rights and Related Relief.
- On September 23, 2013, the Applicants filed a Motion to Convene Prehearing Conference and to Establish Schedule for Hearing before the Commission.
- On September 25, 2013, the PUCT issued Order No. 1, Requiring Staff Comments/Recommendation, Scheduling Prehearing Conference, and Adopting Protective Order.
- A prehearing conference is to be held on October 7, 2013.



## Regulatory Status Report

***FERC or State Jurisdiction: United States Court of Appeals***

12-1232

**South Carolina Public Service Authority v. FERC, Petition for Review of Order Nos. 1000 and 1000-A (Consolidated with 12-1233, 12-1250, 12-1276, 12-1279, 12-1280, 12-1285, 12-1290, 12-1292, 12-1293, 12-1294, 12-1296, 12-1299, 12-1300, 12-1304)**

On September 25, 2013, FERC filed its Brief.