

Regulatory Update - Activity in Significant Dockets Third Quarter 2014

SPP Tariff/Governing Document Revisions		
Docket Number	Short Description	Summary
ER12-1179	Submission of Tariff Revisions to Implement SPP Integrated Marketplace	<p>On July 11, 2014, SPP filed a Motion for Clarification regarding the allocation of costs associated with manual resource commitments to address Local Reliability Issues in the Integrated Marketplace.</p> <p>On July 17, 2014, SPP submitted its compliance filing in response to the June 19, 2014 Order.</p> <p>On August 11, 2014, FERC issued an Order Granting Rehearing for Further Consideration of the June 19, 2014 Order.</p> <p>On September 10, 2014, FERC issued an order accepting SPP's July 17, 2014 Compliance Filing. An effective date of March 1, 2014 was granted. This order constitutes final agency action.</p>
ER13-366 and ER13-367	Submission of Tariff Revisions to Comply with Order No. 1000 Regional Planning and Cost Allocation Requirements Submission of Revisions to its Membership Agreement to Comply with Order No. 1000	<p>On August 15, 2014, SPP submitted tariff revisions to comply with the Commission's directive in the July 18, 2013 Order to revise the definition of Competitive Upgrades to include Service Upgrades whose costs are allocated regionally. An effective date of January 1, 2015 was requested.</p> <p>On October 16, 2014, FERC issued an Order on Rehearing and Compliance. The Commission granted in part and denied in part the requests for rehearing.</p> <p>The Commission affirmed the finding in the First Compliance Order that, because Byway facilities are selected as part of SPP's regional transmission planning process and a portion of the cost of Byway facilities is allocated regionally, SPP must eliminate the federal right of first refusal for Byway facilities to comply with Order No. 1000.</p> <p>On rehearing, SPP and Oklahoma Gas and Electric Company disagreed with the Commission's finding that SPP must remove Tariff provisions that require SPP to consider state law and rights-of-way at two early stages of the competitive solicitation process. On reconsideration, the Commission agreed and granted the requests for rehearing with respect to these provisions. SPP is to restore the provisions as proposed in its First Compliance Filing.</p> <p>The Commission granted rehearing and found that exclusion of Service Upgrades from the proposed definition of Competitive Upgrades is consistent with Order No. 1000. The Commission agreed that Service Upgrades should not be included in the definition of Competitive Upgrades. The Commission found that SPP's Aggregate Study process is not an Order No. 1000 regional transmission planning process.</p> <p>The Commission found that Service Upgrades are not selected in the regional transmission plan for purposes of cost allocation and are not identified in a regional transmission planning process as the more</p>

Regulatory Update - Activity in Significant Dockets Third Quarter 2014

SPP Tariff/Governing Document Revisions		
Docket Number	Short Description	Summary
		<p>efficient or cost-effective solution to regional transmission needs. SPP was directed to remove the proposed revisions to Attachment Y to incorporate Service Upgrades into SPP's Transmission Owner Selection Process.</p> <p>The Commission found that SPP's November 15, 2013 Compliance Filing partially complies with the directives in the First Compliance Order. The Commission accepted SPP's Second Compliance Filing to be effective March 30, 2014, subject to a further compliance filing modifying certain tariff provisions.</p> <p>SPP's compliance filing is due on December 15, 2014.</p>
ER13-1748	Order No. 755 Compliance Filing to Adopt a Two-Part Compensation Methodology for Resources that Provide Regulation-Up and Regulation-Down Operating Reserve Products in the SPP Integrated Marketplace and Other Tariff Language	<p>On July 21, 2014, SPP submitted its compliance filing in response to the June 19, 2014 Order.</p> <p>On August 1, 2014, SPP amended its July 21, 2014 compliance filing.</p>
ER13-1939	Submission of Tariff Revisions to Comply with Order No. 1000 Interregional Coordination and Cost Allocation Requirements	FERC action is pending.
ER14-781	Submission of Tariff Revisions to Modify the Generator Interconnection Procedures	<p>On July 14, 2014, SPP submitted its compliance filing in response to the June 13, 2014 Order.</p> <p>On July 14, 2014, E.ON Climate & Renewables North America LLC filed a Request for Rehearing of the June 13, 2014 Order.</p> <p>On July 15, 2014, the American Wind Energy Association and the Wind Coalition filed a Request for Clarification and/or Rehearing of the June 13, 2014 Order.</p> <p>Certain parties filed comments and protests in response to the July 14, 2014 Compliance Filing.</p> <p>On August 11, 2014, FERC issued an Order Granting Rehearing for Further Consideration of the June 13, 2014 Order.</p> <p>On August 20, 2014, SPP filed an answer in response to the Request for Clarification and/or Rehearing of</p>

Regulatory Update - Activity in Significant Dockets Third Quarter 2014

SPP Tariff/Governing Document Revisions		
Docket Number	Short Description	Summary
		<p>the American Wind Energy Association and the Wind Coalition.</p> <p>On August 26, 2014, SPP filed an answer in response to comments and protests filed in response to the July 14, 2014 Compliance Filing. SPP responded to comments regarding milestone payments, interest, and the transitions to the revised Generator Interconnection Procedures.</p>
ER14-1653	Submission of Tariff Revisions to Modify SPP Integrated Marketplace	<p>On July 1, 2014, SPP submitted responses to the Commission's May 30, 2014 letter requesting additional information in order to process the April 3, 2014 filing.</p> <p>On August 29, 2014, FERC issued an Order Conditionally Accepting Tariff Revisions. The Commission found SPP's tariff revisions to Attachments AE and AO relating to pseudo-tie arrangements to be just and reasonable and accepted them. The Commission found the other proposed tariff revisions to be just and reasonable and conditionally accepted them, subject to a compliance filing where SPP is to remove the reference to the Transmission Congestion Rights (TCR) duration in Article 5A.7 of Attachment X. Effective dates of March 1, 2014 and May 1, 2014 were granted.</p> <p>On September 30, 2014, SPP submitted its compliance filing in response to the August 29, 2014 Order.</p>
ER14-1993	Tariff Revisions to Clarify Methodology for Quantifying Real Power Losses	<p>On September 12, 2014, SPP submitted an amendment to the proposed tariff revisions submitted on May 20, 2014. SPP seeks to withdraw the proposed language modifying Section III of Attachment M.</p> <p>An effective date of July 19, 2014 was requested.</p>
ER14-2399	Submission of Tariff Revisions to Attachment AE for the Integrated Marketplace	<p>On July 10, 2014, SPP submitted revisions to Attachment AE of its Tariff, which contains bidding, offering, and dispatching responsibilities of the Transmission Provider and Market Participants relating to the Integrated Marketplace and sets forth the operation, pricing and settlement of the Day-Ahead Market, Real-Time Balancing Market and the Transmission Congestion Rights Market. An effective date of September 8, 2014 was requested.</p> <p>On August 27, 2014, SPP submitted an amended filing. SPP corrected a formatting issue in Attachment AE, Section 6.4.1.1 and submitted supplemental information regarding the proposed addition to Attachment AE, Section 4.1.2.1(3)(c) which allows SPP to establish an hourly baseline for a Demand Response Load when the Market Participant fails to provide such Demand Response Load.</p> <p>On September 19, 2014, SPP filed a Motion for Deferral of Commission Action in order to develop further Tariff revisions through the SPP stakeholder process.</p>

Regulatory Update - Activity in Significant Dockets Third Quarter 2014

SPP Tariff/Governing Document Revisions		
Docket Number	Short Description	Summary
ER14-2553	Order No. 681 Compliance Filing to Implement Long-Term Congestion Rights ("LTCRs")	<p>On July 31, 2014, SPP submitted its Order No. 681 Compliance Filing to implement long-term financial transmission rights that are to be referred to as Long-Term Congestion Rights in the context of the Integrated Marketplace. An effective date of February 1, 2015 was requested.</p> <p>TDU Intervenors and Boston Energy Trading and Marketing LLC filed protests.</p> <p>On September 8, 2014, SPP filed an answer in response to protests filed in this proceeding. SPP stated: 1) its LTCR design is appropriately structured to meet the reasonable needs of all load serving entities ("LSEs") and provide for the continued feasibility of LTCRs; and 2) Boston Energy Trading and Marketing LLC's protest seeks preferential treatment for Non-LSEs. SPP also responded to the bulleted list of technical, procedural or typographical issues contained in the TDU Intervenors' protest.</p> <p>TDU Intervenors and Boston Energy Trading and Marketing LLC filed answers in response to SPP's September 8, 2014 Answer.</p>
ER14-2570	Order No. 792 Compliance Filing (Small Generator Interconnection Procedures and Agreement)	<p>On August 1, 2014, SPP submitted tariff revisions to comply with Order No. 792 which revised the Commission's Small Generator Interconnection Procedures and Agreement. An effective date of August 1, 2014 was requested.</p> <p>On October 8, 2014, SPP submitted an amendment to its Order No. 792 Compliance Filing to correct a reference in Section 14.1 of Attachment V.</p>
ER14-2850 and ER14-2851	<p>Submission of Tariff Revisions to Facilitate the Integration of Western Area Power Administration - Upper Great Plains Region ("Western-UGP"), Basin Electric Power Cooperative ("Basin Electric"), and Heartland Consumers Power District ("Heartland") (collectively the "IS Parties"), which Jointly Own and Operate the Integrated System, into the SPP Regional Transmission Organization ("RTO")</p> <p>Submission of Bylaws and</p>	<p>On September 11, 2014, SPP submitted revisions to its Tariff, Bylaws and Membership Agreement in order to facilitate the decision of Western-UGP, Basin Electric, and Heartland, which together jointly own and operate the Integrated System, to join SPP as Transmission Owning Members, to place their respective transmission facilities under the functional control of SPP, and to begin taking transmission service under the Tariff.</p> <p>An effective date of October 1, 2015 was requested for the Tariff revisions. An effective date of November 10, 2014 was requested for the Bylaws and Membership Agreement revisions.</p> <p>Numerous parties filed Motions to Intervene.</p> <p>The IS Parties, numerous cooperatives, and ITC Great Plains, LLC filed comments in support of SPP's September 11, 2014 Filing.</p> <p>Midcontinent Independent System Operator, Inc., Missouri River Energy Services, Montana Consumer Counsel, Montana-Dakota Utilities Co., Municipal Energy Agency of Nebraska, Nebraska Public Power District, North Dakota Public Service Commission, Otter Tail Power Company, the Public Utility</p>

SPP Tariff/Governing Document Revisions		
Docket Number	Short Description	Summary
	Membership Agreement ("Governing Documents") Revisions to Facilitate the Integration of Western Area Power Administration - Upper Great Plains Region ("Western-UGP"), Basin Electric Power Cooperative ("Basin Electric"), and Heartland Consumers Power District ("Heartland") (collectively the "IS Parties"), which Jointly Own and Operate the Integrated System, into the SPP Regional Transmission Organization ("RTO")	Commission of Texas, South Dakota Public Utilities Commission, the State Corporation Commission of the State of Kansas filed Comments/Protests.
ER15-10	Submission of Tariff Amendments to Revise Interest Due on Certain Refunds and Other Payments	On October 1, 2014, SPP submitted Tariff revisions to replace the requirement to pay interest at the rate specified in the Commission's Regulations with a requirement to pay interest based on the actual interest earned in Tariff sections where the requirement to pay the Commission's specified interest rate could impose a financial burden on SPP, its members, and customers. An effective date of December 1, 2014 was requested.

Other Filings of Interest		
Docket Number	Short Description	Summary
EL11-34	Midcontinent Independent System Operator, Inc. ("MISO") Petition for Declaratory Order Seeking Commission Confirmation Regarding Section 5.2 of the Joint Operating Agreement ("JOA") between MISO and SPP	On July 21, 2014, FERC issued an order denying the Motion to Stay Effectiveness of Service Agreement Pending Decision on Rehearing filed by the MISO Transmission Owners on April 28, 2014. A settlement conference was held on August 21, 2014. On August 22, 2014, FERC issued an Order Scheduling Settlement Conference to be held on October 23, 2014.
12-1158 (U.S. Court of Appeals)	Southwest Power Pool, Inc. v. Federal Energy Regulatory Commission ("FERC")	On August 22, 2014, Settlement Judge Cintron filed a Settlement Judge Report, recommending that settlement procedures continue.
EL14-21	SPP Complaint for an Order Finding the Midcontinent Independent System Operator, Inc. ("MISO") is Violating the Joint Operating Agreement ("JOA") between SPP and MISO and the SPP Tariff and Requiring MISO to Compensate SPP for Use of SPP's Transmission System ("SPP Complaint")	
ER14-1174	Unexecuted Firm Point-To-Point Transmission Service Agreement between SPP as Transmission Provider and Midcontinent Independent System Operator, Inc. ("MISO") as Transmission Customer	
EL14-30	Midcontinent Independent System Operator, Inc. ("MISO") Complaint Regarding Transmission Service Invoices	

Regulatory Update - Activity in Significant Dockets Third Quarter 2014

Other Filings of Interest		
Docket Number	Short Description	Summary
	from SPP ("MISO Complaint")	
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)	<p>On July 11, 2014, FERC issued an Order Establishing Technical Conference. FERC directed Commission Staff to convene a technical conference to explore the following issues regarding the M2M protocols: (1) the implementation of Interface Bus Pricing (proposed section 2); (2) the creation of M2M flowgates (proposed sections 3.1.13 and 8.1.4); and (3) the deferred implementation of a Day-Ahead Firm Flow Entitlement exchange process (proposed section 4). The Commission will address the entire M2M protocols proposal in a future order(s) following the technical conference.</p> <p>A technical conference was held on September 22, 2014.</p> <p>On October 7, 2014, the parties filed post-technical conference comments. Reply comments are due on October 22, 2014.</p>
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)	FERC action is pending.
EL14-38	Sunflower Electric Power Corporation ("Sunflower") Complaint Against Kansas Municipal Energy Agency ("KMEA") and SPP Alleging that the KMEA/Garden City Supply Arrangement is Defective under the Commission's and SPP's Rules	<p>On July 17, 2014, FERC issued an Order on Complaint, denying the Complaint filed by Sunflower on April 9, 2014.</p> <p>On August 15, 2014, Sunflower filed a Request for Rehearing or, in the Alternative, Clarification of the July 17, 2014 Order.</p> <p>On September 15, 2014, FERC issued an Order Granting Rehearing for Further Consideration of the July 17, 2014 Order on Complaint.</p>
EL14-49	SPP's Petition for Declaratory Order Seeking the Commission's Confirmation that Acceptance of a Notice of Termination of a Point-to-Point Transmission ("PTP") Service Agreement Does Not Preclude a Transmission Provider from	<p>On July 9, 2014, SPP filed a Motion to Intervene, Protest, and Answer. SPP stated:</p> <ol style="list-style-type: none"> 1) the Commission should grant the unopposed SPP Petition; 2) the Commission should deny AES' Petition as the matters it raises do not require the Commission's special expertise; and 3) if the Commission elects to address the AES Petition, it should find that the SPP Tariff does not prohibit SPP from seeking the full unpaid contract price under the AES Agreement.

Other Filings of Interest		
Docket Number	Short Description	Summary
<p>and</p> <p>EL14-65</p>	<p>Seeking Contract Damages for Breach of the Service Agreement</p> <p>AES Shady Point, LLC's ("AES") Petition for Declaratory Order Asking the Commission to Determine that SPP's Tariff Prohibits SPP from Recovering Damages in the Form of Lost Revenues from AES</p>	<p>On July 24, 2014, AES Shady Point, LLC filed an answer in response to SPP's July 9, 2014 Protest and Answer.</p>
EL14-57	<p>City of Hastings, Nebraska and City of Grand Island, Nebraska ("Complainants") Complaint Charging SPP with Violating the Federal Power Act ("FPA") by Demanding that Complainants Purchase Transmission Service that is Not Required by the Tariff and Demanding that Complainants Pay Unreserved Use Penalties that Are Not Permitted Under the Tariff</p>	<p>On September 18, 2014, FERC issued an Order Denying Complaint.</p>
ER14-1407	<p>Amendments to Joint Operating Agreement ("JOA") between SPP and the Midcontinent Independent System Operator, Inc. ("MISO") to Account for Import and Export Transactions in the Market Flow Calculations (SPP Rate Schedule FERC No. 9)</p>	<p>On July 25, 2014, FERC issued an order accepting revisions to the Congestion Management Process and Change Management Process found in the JOA between MISO and SPP and in the JOA between MISO and PJM Interconnection, L.L.C. The Commission conditionally accepted the revisions to Article XIX, Change Management Process, of the SPP-MISO JOA subject to the outcome of the proceedings in Docket No. ER13-1864.</p> <p>An effective date of August 8, 2014 was granted.</p>
ER14-2062	<p>Proposed Modifications to Section 3.3 of Attachment 3 (Emergency Energy Transactions) of the Joint</p>	<p>On July 28, 2014, FERC issued an order accepting the revisions to Section 3.3 of Attachment 3 of the JOA between MISO and SPP. The changes will allow MISO to recover costs invoiced to MISO as a transmission customer under the SPP Service Agreement in the event that MISO market flows exceed the existing contract path capacity limit of 1,000 MW between the MISO Midwest Region and the MISO</p>

Regulatory Update - Activity in Significant Dockets Third Quarter 2014

Other Filings of Interest		
Docket Number	Short Description	Summary
	Operating Agreement ("JOA") between Midcontinent Independent System Operator, Inc. ("MISO") and SPP (SPP Rate Schedule FERC No. 9)	South Region in order to provide emergency energy assistance to SPP. An effective date of May 30, 2014 was granted.
EPA EPA-HQ-OAR-2013-0602	Environmental Protection Agency's ("EPA") Proposed Rule Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units ("Clean Power Plan" or "CPP")	On October 9, 2014, SPP submitted comments on the proposed rule.

Regulatory Update - Activity in Significant Dockets Third Quarter 2014

State Cases		
Docket Number	Short Description	Summary
Arkansas 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 Shippe Road Station and the Proposed Kings River Station and Associated Facilities to be Located in Benton, Carroll and/or Madison and Washington Counties, Arkansas	<p>On July 3, 2014, SWEPCO filed its response to Order No. 36. SWEPCO stated that SPP intends to conduct the requested evaluation in parallel with its Integrated Transmission Plan process for 2015, which SPP believes will best achieve the comprehensive study results ordered by the Commission. SPP anticipates the evaluation will be complete at the end of January 2015. SWEPCO committed to filing an official Notice of Completion of the SPP evaluation in this docket within 7 days of SPP's presentation of final study results.</p> <p>On July 30, 2014, Save the Ozarks ("STO") filed its comments in response to SWEPCO's July 3, 2014 letter. STO suggested that the Commission deny the current Application and close this proceeding so that SWEPCO may re-apply to the Commission for whatever new project, if any, SWEPCO concludes in the future is supported by the results of its completed studies.</p>
Kansas 14-SPPE-563-SHO	In the Matter of the General Investigation of Southwest Power Pool, Inc. to Show Cause Why the Costs Associated With the Proposed Membership of Western Area Power Administration - Upper Great Plains Region, Basin Electric Power Cooperative, and Heartland Consumers Power District ("Integrated System") are in the Public Interest of Kansas Electric Retail Customers	<p>On July 30, 2014, Carl Monroe filed Direct Testimony on behalf of Southwest Power Pool, Inc. to explain the benefits of the Integrated System joining SPP and the benefits to the SPP Zones located in Kansas.</p> <p>On October 6, 2014, Staff filed its Report and Recommendation.</p> <p>On October 7, 2014, the KCC issued an Order Closing Docket. The Commission concluded that a general investigation docket shall be opened for the limited purpose of investigating whether annual or periodic reporting by the Commission and Kansas utilities that participate in SPP is in the public interest. The Commission closed this docket and deferred the determination regarding the public interest of Kansas electric retail customers related to the Integrated System membership in SPP until after orders are issued by FERC in Docket Nos. ER14-2850 and ER14-2851.</p>
Missouri EW-2014-0156	In the Matter of an Investigation Into the Possible Methods of Mitigating Identified Harmful Effects of Entergy Joining the Midcontinent Independent System Operator, Inc. ("MISO") on non-MISO Missouri Utilities and Their Ratepayers and	<p>On July 1, 2014, SPP filed Comments in Response to the Commission's Questions Identified in its Order Opening an Investigation into Seams issued on November 26, 2013.</p> <p>Several parties filed Comments in response to the questions posed in the November 26, 2013 Order.</p>

Regulatory Update - Activity in Significant Dockets Third Quarter 2014

State Cases		
Docket Number	Short Description	Summary
	Maximizing the Benefits for Missouri Utilities and Ratepayers Along RTO and Cooperative Seams	