

Regulatory Update - Activity in Significant Dockets Fourth Quarter 2014

| SPP Tariff/Governing Document Revisions | | |
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| Docket Number | Short Description | Summary |
| ER12-1179 | Submission of Tariff Revisions to Implement SPP Integrated Marketplace | <p>On October 29, 2014, SPP filed a Motion for Extension of Time. In light of the D.C. Circuit's vacatur of Order No. 745 in <i>ESPA v. FERC</i>, SPP requested an extension of time until 120 days after the Commission acts on remand to submit the compliance filings required by the April 1, 2014 Order.</p> <p>On November 21, 2014, FERC issued a Notice of Extension of Time granting SPP's October 29, 2014 Motion for Extension of Time. The deadline for submitting the compliance items required by the April 1, 2014 Order is extended to 120 days after the Commission acts on the remand of Order No. 745.</p> <p>On December 18, 2014, FERC issued an Order on Motion for Clarification.</p> <p>FERC granted SPP's motion for clarification. FERC reiterated that the cost of all manual resource commitments implemented to address Local Reliability Issues should be allocated locally, consistent with the principle of cost causation. FERC also clarified that it was its intention in the June 2014 Compliance Order that SPP revise the provisions of its Tariff so that the costs of all manual resource commitments, including those made by SPP and the transmission operators in the day-ahead market, to serve a Local Reliability Issue, would be allocated locally. Therefore, consistent with this clarification, FERC directed SPP to submit a compliance filing that revises the Tariff provisions to allocate locally the cost of all manual resource commitments that address a Local Reliability Issue. SPP's compliance filing is due on January 20, 2015.</p> |
| ER13-366 and ER13-367 14-1281 (U.S. Court of Appeals) | <p>Submission of Tariff Revisions to Comply with Order No. 1000 Regional Planning and Cost Allocation Requirements</p> <p>Submission of Revisions to its Membership Agreement to Comply with Order No. 1000</p> <p>Oklahoma Gas and Electric Company ("OG&E") v. Federal Energy Regulatory Commission ("FERC") Concerning Orders Issued in Docket Nos. ER13-366 and ER13-367 Regarding SPP's Order No. 1000 Regional Compliance Filings</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. The Commission found that SPP's November 15, 2013 Compliance Filing partially complies with the directives in the July 18, 2013 Order. The Commission accepted the filing to be effective March 30, 2014, subject to a further compliance filing modifying certain tariff provisions.</p> <p>On November 17, 2014, LS Power Transmission, LLC and LSP Transmission Holdings, LLC filed a Request for Rehearing of the October 16, 2014 Order.</p> <p>On December 15, 2014, SPP submitted its compliance filing in response to the October 16, 2014 Order.</p> <p>On December 15, 2014, OG&E filed a Petition for Review before the U.S. Court of Appeals in Case No. 14-1281. OG&E requested review of the July 18, 2013 and October 16, 2014 Orders issued in Docket Nos. ER13-366 and ER13-367.</p> <p>On December 15, 2014, FERC issued an Order Granting Rehearing for Further Consideration of the October 16, 2014 Order.</p> |

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| Docket Number | Short Description | Summary |
| ER13-1939 | Submission of Tariff Revisions to Comply with Order No. 1000 Interregional Coordination and Cost Allocation Requirements | <p>FERC action is pending on SPP's July 10, 2013 Compliance Filing.</p> <p>SPP's Order No. 1000 Interregional Compliance Filing pertaining to the Mid-Continent Area Power Pool is due on May 4, 2015.</p> |
| ER14-1653 | Submission of Tariff Revisions to Modify SPP Integrated Marketplace | <p>On November 20, 2014, FERC issued an order accepting SPP's September 30, 2014 Compliance Filing.</p> <p>This order constitutes final agency action.</p> |
| ER14-1993 | Tariff Revisions to Clarify Methodology for Quantifying Real Power Losses | <p>On November 3, 2014, FERC issued an order accepting the tariff revisions to provide additional clarity to the Tariff with regard to real power loss responsibility of transmission customers. An effective date of July 19, 2014 was granted. This order constitutes final agency action.</p> |
| ER14-2399 | Submission of Tariff Revisions to Attachment AE for the Integrated Marketplace | <p>On November 25, 2014, SPP submitted an amended tariff filing revising Attachment AE, Section 7.1.1.</p> <p>An effective date of September 8, 2014 was requested.</p> |
| ER14-2553 | Order No. 681 Compliance Filing to Implement Long-Term Congestion Rights ("LTCRs") | <p>On October 28, 2014, FERC issued an Order Conditionally Accepting Tariff Revisions, Subject to Compliance Filing. The proposed revisions were conditionally accepted, to become effective on February 1, 2015, subject to a compliance filing due no later than November 28, 2014.</p> <p>On November 14, 2014, SPP filed a Motion for Extension of Time to Make Compliance Filing. SPP requested an extension of time until and including January 30, 2015 to submit the compliance filing required by the October 28, 2014 Order.</p> <p>On November 21, 2014, the TDU Intervenors filed a Request for Rehearing of the October 28, 2014 Order. The parties stated: 1) the Commission should grant rehearing to enable Load Serving Entities to have a meaningful opportunity to secure LTCRs for their baseload needs; and 2) the Commission should grant the requested relief promptly, to ensure that it is implemented for the initial LTCR allocation.</p> <p>On November 25, 2014, FERC issued a Notice of Extension of Time until January 30, 2015 for SPP to submit its compliance filing in response to the October 28, 2014 Order.</p> <p>On November 28, 2014, SPP filed a Request for Rehearing and/or Clarification of the October 28, 2014 Order. SPP stated: 1) the Commission's erroneous conclusion that parties investing in system upgrades must purchase transmission service in order to benefit from SPP's prevailing Attachment Z2 crediting methodology is arbitrary and capricious, is unsupported by substantial evidence, departs from established</p> |

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| | | <p>precedent, and is not the result of reasoned decision making; 2) the Commission erred by failing to acknowledge and address the complications and potential harm to SPP's transmission customers that may result if an LTCR is made available for participant-funded upgrades at the expense of Auction Revenue Rights/Transmission Congestion Rights; and 3) by directing SPP to re-justify an existing Tariff provision that the Commission previously has accepted as just and reasonable, the Commission has engaged in arbitrary and capricious decision making by failing to explain its departure from precedent that found the existing Tariff provision to be just and reasonable.</p> <p>On November 28, 2014, Kansas City Power & Light Company and KCP&L Greater Missouri Operations Company ("KCPL") filed a Request for Rehearing of the October 28, 2014 Order. KCPL stated: 1) the Commission erred by directing SPP to justify an existing, accepted provision in Attachment Z2 that was not subject to review in these proceedings; and 2) the Commission erred by finding that SPP's proposal did not comply with Order No. 681's Guideline 3.</p> <p>On December 22, 2014, FERC issued an Order Granting Rehearing for Further Consideration of the October 28, 2014 Order.</p> |
| ER14-2570 | Order No. 792 Compliance Filing (Small Generator Interconnection Procedures and Agreement) | 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. |
| ER14-2850 and | 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>On October 24, 2014, SPP and the IS Parties filed answers in response to comments and protests filed in this proceeding.</p> <p>On November 10, 2014, FERC issued an order conditionally accepting in part, rejecting in part, and accepting and suspending in part for a nominal period, to become effective as requested, subject to refund, SPP's proposed revisions to the Tariff, Bylaws and Membership Agreement, and establishing hearing and settlement judge procedures. Docket Nos. ER14-2850 and ER14-2851 were consolidated for purposes of settlement, hearing and decision.</p> <p>An effective date of November 10, 2014, subject to refund, was granted for the changes to the Bylaws and Membership Agreement. An effective date of October 1, 2015, subject to refund, was granted for the changes to the Tariff.</p> <p>On November 19, 2014, Judge Wagner issued an order designating Deputy Chief Judge Bobbie J. McCartney as the settlement judge and scheduling a settlement conference for December 2, 2014.</p> |

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| ER14-2851 | Submission of Bylaws and 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") | <p>A settlement conference was held on December 2, 2014.</p> <p>On December 10, 2014, SPP submitted its compliance filing in response to the November 10, 2014 Order. Effective dates of October 1, 2015 and November 10, 2014 were requested.</p> <p>The Kansas Corporation Commission ("KCC"), the Midcontinent Independent System Operator, Inc. ("MISO"), Otter Tail Power Company ("Otter Tail") filed requests for rehearing of the November 10, 2014 Order.</p> <p>On December 10, 2014, SPP filed a Request for Clarification and Rehearing of the November 10, 2014 Order.</p> <p>SPP requested clarification on the following: 1) the issues set for hearing and settlement are the specific seams issues discussed in the November 10 Order; 2) SPP's application of unrevised Tariff Section 30.9 is not included in the scope of issues set for settlement and/or hearing; and 3) the September 11, 2014 Filing requested two additional seats for investor-owned utilities to be added to the Members Committee.</p> <p>If the Commission does not grant clarification, in the alternative, SPP requested rehearing on the following issues: 1) protestors' concerns regarding Section 30.9 transmission facilities credits are premature and outside the scope of this proceeding; and 2) SPP requested two additional seats on the Members Committee, not one as stated by the Commission.</p> <p>In its request for rehearing, SPP stated that hold harmless provisions and seams mitigation for non-SPP market participants should have been specifically excluded from the scope of issues set for hearing and settlement.</p> <p>SPP requested expedited consideration of the request for clarification and rehearing to help the parties narrow the scope of their ongoing settlement negotiations and achieve a timely settlement.</p> <p>On December 29, 2014, SPP filed an answer in response to the requests for rehearing filed on December 10, 2014 by the KCC, MISO, and Otter Tail. SPP stated: 1) the issues identified by MISO and Otter Tail are under consideration in separate, ongoing proceedings and are not appropriately addressed here; 2) the Commission correctly concluded that SPP's proposed cost allocation and "need-by-date" approach are just and reasonable; 3) the Commission should reject Otter Tail's request for rehearing regarding the payment of transmission service to separate RTOs; and 4) contrary to the KCC's rehearing request, the Commission's approval of the Federal Service Exemption was appropriate under relevant law and precedent.</p> |

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| | | On January 7, 2015, FERC issued an Order Granting Rehearing for Further Consideration of the November 10, 2014 Order. |
| ER15-10 | Submission of Tariff Amendments to Revise Interest Due on Certain Refunds and Other Payments | <p>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.</p> <p>On November 26, 2014, FERC issued an order accepting the Tariff revisions. An effective date of December 1, 2014 was granted.</p> |
| ER15-21 | Submission of Tariff Revisions Regarding Review for and Reporting of Physical Withholding | <p>On October 2, 2014, SPP submitted revisions to Attachment AG Section 4 of the Tariff necessary to focus and thereby improve SPP's process for monitoring and reporting Physical Withholding of Resource Capacity.</p> <p>On October 23, 2014, the TDU Intervenors filed a Motion to Intervene and Protest. The parties stated: 1) applying SPP's market impact test to physical withholding has not been shown to be just and reasonable; and 2) SPP should be required to continue reporting all potential instances of physical withholding to the Commission.</p> <p>On November 19, 2014, the SPP Market Monitoring Unit ("MMU") filed a Motion to Intervene-Out-of-Time and Comments. The MMU requested that the Commission reject the Protest filed by the TDU Intervenors.</p> <p>On December 1, 2014, FERC issued an Order Conditionally Accepting Tariff Revisions, effective March 1, 2014. SPP was directed to remove the Market Impact Test from the list of thresholds that the SPP MMU uses to identify potential physical withholding.</p> <p>On December 22, 2014, the SPP MMU filed a Request for Rehearing of the December 1, 2014 Order.</p> <p>On December 23, 2014, SPP submitted its compliance filing in response to the December 1, 2014 Order.</p> |
| ER15-492 | Petition for Waiver of Tariff Provisions in Attachment O to enable SPP to Modify the Study Schedule for the Integrated Transmission Planning ("ITP") Process | On November 26, 2014, SPP filed a Petition for Waiver of Tariff Provisions requesting a limited waiver of the provisions in Attachment O of the Tariff to enable SPP to modify the study schedule for its ITP process. SPP requested that, for the three year planning cycle commencing in January 2015, the Commission waive the requirement to perform the ITP-20 and the timing requirements for the ITP-10. |

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| Docket Number | Short Description | Summary |
| ER15-509 | Submission of Tariff Revisions to Refine Processes Related to SPP's Order No. 1000 Competitive Transmission Owner Selection Process | <p>On November 26, 2014, SPP submitted revisions to its Tariff to refine processes related to SPP's Order No. 1000 competitive Transmission Owner Selection Process. Effective dates of January 1, 2015 and January 26, 2015 were requested.</p> <p>Various parties filed motions to intervene.</p> <p>On December 12, 2014, South Central MCN, LLC filed a Motion to Intervene and Comments in support of SPP's November 26, 2014 Filing.</p> <p>On December 17, 2014, Xcel Energy Services Inc. filed a Motion to Intervene and Comments in Support of SPP's November 26, 2014 Filing.</p> <p>On December 17, 2014, ITC Great Plains, LLC and ITC South Central Development LLC ("ITC") filed a Motion to Intervene and Limited Protest. ITC stated: 1) SPP's proposal to permit assignment of Competitive Upgrades is inconsistent with Order No. 1000; and 2) modifying the Transmission Owner Selection Process in the middle of planning cycle unduly discriminates against affiliates that have already obtained Qualified RFP Participant status.</p> <p>On January 12, 2015, SPP filed an answer in response to the Protest filed by ITC on December 17, 2014. SPP stated: 1) SPP's proposal is consistent with Order No. 1000 and subsequent precedent; 2) ITC's other arguments lack merit; and 3) SPP's proposal is not unduly discriminatory and ITC's request for suspension is unsupported.</p> |
| ER15-630 | Submission of Tariff Revisions to Attachment AE Section 4.1 to Clarify Certain Criteria Applicable to the Submission of Resource Offers for Supplemental Reserve into the Day-Ahead Market and Real-Time Balancing Market | <p>On December 15, 2014, SPP submitted tariff revisions to Attachment AE Section 4.1 to clarify certain criteria applicable to submission of Resource Offers for Supplemental Reserve into the Day-Ahead Market and Real-Time Balancing Market.</p> <p>An effective date of February 13, 2015 was requested.</p> |
| ER15-633 | Submission of Tariff Revisions to Include Violation Relaxation Limits for Market-to-Market Coordination with the Midcontinent Independent System Operator, Inc. ("MISO") | <p>On December 15, 2014, SPP submitted tariff revisions modifying Addendum 1 to Attachment AE to add clarifying language that allows the implementation of Market-to-Market Coordination with MISO, and the resulting operating constraints to be recognized by SPP's Real-Time Balancing Market.</p> <p>An effective date of March 1, 2015 was requested.</p> |

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| Docket Number | Short Description | Summary |
| ER15-673 | Submission of Tariff Revisions to Modify Certain Market Power Mitigation Measures Applicable to Manual Resource Commitments | <p>On December 19, 2014, SPP submitted tariff revisions to modify certain market power mitigation measures applicable to manual resource commitments. The proposed revisions are designed to address an unintended consequence of current Tariff language that subjects all manual commitments to stricter mitigation thresholds than the Commission required in its orders accepting SPP's Integrated Marketplace. An effective date of February 17, 2015 was requested.</p> <p>On January 9, 2015, SPP's independent Market Monitoring Unit filed a Motion to Intervene and Comments in support of SPP's December 19, 2014 Filing.</p> |
| ER15-714 | Submission of Tariff Revisions Regarding Adjustments to Mitigated Offers | <p>On December 23, 2014, SPP submitted tariff revisions necessary to make explicit and thus clarify for Market Participants the circumstances under which mitigated offers may be adjusted during the course of the operating day. An effective date of February 21, 2015 was requested.</p> <p>On January 12, 2015, SPP's independent Market Monitoring Unit filed a Motion to Intervene and Comments in support of SPP's December 23, 2014 Filing.</p> |
| ER15-763 | Submission of Tariff Revisions to Modify Allocation of Over-Collected Losses | <p>On December 30, 2014, SPP submitted tariff revisions to implement a design change for the allocation of over-collected losses in SPP's Integrated Marketplace.</p> <p>An effective date of April 1, 2015 was requested.</p> |
| ER15-774 | Submission of Tariff Revisions to Modify Provisions Addressing Regulation Compensation and Mitigation of Regulation Offers | <p>On December 30, 2014, SPP submitted tariff revisions to modify certain aspects of SPP's regulating reserve compensation methodology and mitigation of regulating reserve offers.</p> <p>An effective date of March 1, 2015 was requested.</p> |
| ER15-788 | Submission of Tariff Revisions Regarding Thresholds for Uneconomic Production Investigation | <p>On December 31, 2014, SPP submitted tariff revisions necessary to modify the process by which the SPP Market Monitoring Unit identifies market power abuse involving uneconomic production from a generator.</p> <p>An effective date of March 1, 2014 was requested.</p> |

| Other Filings of Interest | | |
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| 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 | <p>A settlement conference was held on October 23, 2014.</p> <p>On November 7, 2014, MISO filed a Motion for Expedited Consideration of MISO's Request for Rehearing filed on April 11, 2014.</p> <p>On November 17, 2014, SPP filed an Answer Opposing Motion for Expedited Consideration filed by MISO on November 7, 2014. SPP stated: 1) MISO's Motion is procedurally infirm, lacks substantive support, and complains of injury of MISO's own making; 2) SPP's Service Agreement Filing and the SPP Complaint are independent and seek legally distinct relief; and 3) action on rehearing would disrupt settlement negotiations.</p> |
| 12-1158 (U.S. Court of Appeals) | Southwest Power Pool, Inc. v. Federal Energy Regulatory Commission ("FERC") | <p>A settlement conference was held on November 20, 2014.</p> |
| 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") | <p>On November 21, 2014, the SPP Transmission Owners filed an answer opposing MISO's November 7, 2014 Motion for Expedited Consideration and the Wisconsin TDU's November 13, 2014 Answer.</p> <p>On November 24, 2014, Judge Cintron issued an Order Scheduling Settlement Conference.</p> <p>On November 25, 2014, the Organization of MISO States filed an answer in support of MISO's Motion for Expedited Consideration.</p> <p>On December 11, 2014, MISO filed an answer in response to SPP's and the SPP Transmission Owners' answers opposing MISO's November 7, 2014 Motion for Expedited Consideration.</p> |
| 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 ("Service Agreement Filing") | <p>On December 15, 2014, Judge Cintron issued a Settlement Judge Report recommending that settlement procedures remain in place.</p> <p>The next settlement conference is scheduled to be held on January 29, 2015.</p> |
| EL14-30 | Midcontinent Independent System Operator, Inc. ("MISO") Complaint Regarding Transmission Service Invoices | |

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| 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) | On October 7, 2014, the parties filed post-technical conference comments. Parties filed reply comments on October 22, 2014. |
| 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. |
| 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") | <p>On October 9, 2014, SPP submitted comments on the proposed rule.</p> <p>On November 24, 2014, the SPP Regional State Committee submitted comments on the proposed rule.</p> <p>On December 1, 2014, the ISO/RTO Council submitted comments on the proposed rule.</p> <p>On December 1, 2014, SPP submitted supplemental comments on the proposed rule.</p> |

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| State Cases | | |
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| 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 | On December 30, 2014, SWEPCO filed a Notice of Withdrawal of Application for Certificate of Environmental Compatibility and Public Need. |
| 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 | On October 6, 2014, Staff filed its Report and Recommendation. On October 7, 2014, the Kansas Corporation Commission ("KCC") issued an Order Closing Docket. The KCC concluded that a general investigation docket shall be opened for the limited purpose of investigating whether annual or periodic reporting by the KCC and Kansas utilities that participate in SPP is in the public interest. The KCC 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. |
| New Mexico 10-00143-UT | In the Matter of the Petition of Lea County Electric Cooperative, Inc. ("LCEC") For Approval to Transfer Certain Transmission Assets Under the Southwest Power Pool, Inc. Open Access Transmission Tariff | On December 11, 2014, LCEC filed its Compliance Report regarding its participation in the SPP Regional Transmission Organization. On January 8, 2015, SPP filed drafts of the 2015 SPP Transmission Expansion Plan Report and the 2015 Integrated Transmission Plan 10-Year Assessment Report in accordance with Section 14 of the Uncontested Stipulation. |

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| State Cases | | |
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| Docket Number | Short Description | Summary |
| New Mexico 13-00031-UT | In the Matter of Southwestern Public Service Company's ("SPS") Request for Permanent Approval to Participate in the Southwest Power Pool Regional Transmission Organization | On January 8, 2015, SPP filed drafts of the 2015 SPP Transmission Expansion Plan Report and the 2015 Integrated Transmission Plan 10-Year Assessment Report in accordance with Section 12 of the Uncontested Stipulation. |