

SPP Board of Directors

Waiver Policy

Approved 7/31/2018

On July 31, 2018, the SPP Board of Directors approved the following policy relating to the filing of waivers with the Federal Energy Regulatory Commission.

1. **Procedural Waivers:** Staff should have the discretion related to waivers that are procedural in nature.
 - a. Examples include the waiver of FERC's notice requirements when submitting a Section 205 filing, the timing of filings, waiver requests that do not have a monetary impact, etc.
2. **Waivers Necessary to Correct SPP-related Errors:**
 - a. If a waiver is necessary to correct an SPP administrative or system error within the last 3 years, staff has the discretion to submit the waiver without first seeking Board approval. The SPP Tariff provides a one-year limitation on billing adjustments. Example: In December 2017, SPP submitted a waiver request to FERC to facilitate SPP's resettlement of invoices for September 2016. An administrative error resulted in the September 2016 resettlements not being included in the November 2017 invoices, pushing the September 2016 resettlements beyond the one-year limitation for resettlements, which necessitated a waiver of the Tariff provisions to correct. *See* Docket No. ER18-381.
 - b. If a waiver is necessary to correct an SPP administrative or system error beyond the last 3 years, Board approval is required prior to submitting the waiver to FERC.
3. **Waivers Necessary to Correct Non-SPP-related Errors - In the Event of Non-SPP-related Errors (i.e., Errors Caused by a Member, Market Participant, Customer or Stakeholder) that Cause Harm to Others:**
 - a. If the error is within the last 3 years, staff has the discretion to submit the waiver to correct the error without first seeking Board approval.
 - b. If the error is beyond the last 3 years, Board approval is required prior to submitting the waiver to FERC.
4. **Waivers Requested by Members, Market Participants, Customers or Stakeholders:** Requests for non-procedural waivers that are not related to an SPP

administrative or system error should be submitted to FERC by the entity requesting the waiver, not SPP.

- a. Example: In October 2016, Western Farmers Electric Cooperative (“WFEC”) failed to respond to a notification to construct an upgrade within the timeline required by the Tariff, which required SPP to utilize the Transmission Owner Selection Process to select a new Transmission Owner to construct the upgrade. WFEC filed a waiver request at FERC requesting wavier of the response time for the notification to construct. *See* Docket No. ER17-158.
5. **Notice and Communications with SPP Members:** Staff shall communicate with SPP Members and stakeholders impacted by the filing of waivers in a manner SPP has communicated in the past. Examples include the broad SPP stakeholder communication in anticipation of Attachment Z2 waivers to lesser communication for waivers having only a material impact on a few Members. Upon such filings, SPP staff shall notify all SPP stakeholders via SPP’s filing exploders.