

178 FERC ¶ 61,015
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Richard Glick, Chairman;
James P. Danly, Allison Clements,
Mark C. Christie, and Willie L. Phillips.

Southwest Power Pool, Inc.

Docket No. ER22-253-000

ORDER ACCEPTING TARIFF REVISIONS

(Issued January 14, 2022)

1. On October 29, 2021, Southwest Power Pool, Inc. (SPP) filed, pursuant to section 205 of the Federal Power Act (FPA)¹ and section 35.13 of the Commission's regulations,² proposed revisions to the generator interconnection procedures (GIP) contained in Attachment V of the SPP Open Access Transmission Tariff (Tariff). In this order, we accept SPP's proposed Tariff revisions, effective January 15, 2022, subject to a reporting requirement, as discussed below.

I. Background

2. In Order No. 2003,³ the Commission required public utilities that own, control, or operate transmission facilities to file standard generator interconnection procedures and a standard agreement to provide interconnection service to generating facilities with a capacity greater than 20 megawatts (MW). To this end, the Commission adopted the *pro forma* Large Generator Interconnection Procedures (LGIP) and *pro forma* Large Generator Interconnection Agreement (LGIA) and required all public utilities subject to Order No. 2003 to modify their tariffs to incorporate the *pro forma* LGIP and LGIA.⁴

¹ 16 U.S.C. § 824d.

² 18 C.F.R. § 35.13 (2021).

³ *Standardization of Generator Interconnection Agreements and Procedures*, Order No. 2003, 104 FERC ¶ 61,103 (2003), *order on reh'g*, Order No. 2003-A, 106 FERC ¶ 61,220, *order on reh'g*, Order No. 2003-B, 109 FERC ¶ 61,287 (2004), *order on reh'g*, Order No. 2003-C, 111 FERC ¶ 61,401 (2005), *aff'd sub nom. Nat'l Ass'n of Regulatory Util. Comm'rs v. FERC*, 475 F.3d 1277 (D.C. Cir. 2007).

⁴ Order No. 2003, 104 FERC ¶ 61,103 at PP 1-2.

3. Transmission providers were also permitted to seek variations from the *pro forma* LGIP and LGIA if those variations were “consistent with or superior to” the terms of the *pro forma* LGIP and LGIA.⁵ In addition, the Commission indicated that it would allow regional transmission organizations and independent system operators (RTOs/ISOs) to propose independent entity variations for pricing and non-pricing provisions, stating that RTOs/ISOs have different operating characteristics due to their sizes and locations and that an RTO/ISO is less likely to act in an unduly discriminatory manner than a transmission provider that is also a market participant.⁶ The Commission found that RTOs/ISOs “shall therefore have greater flexibility to customize [their] interconnection procedures and agreements to fit regional needs.”⁷

A. SPP’s Current Generator Interconnection Study Process

4. In 2019, SPP proposed reforms to its GIP to implement a sequential, three-stage study process, with completion of each stage required for an interconnection customer to receive a generator interconnection agreement (GIA) (2019 Queue Reforms). As part of this proposal, SPP required an interconnection customer to post financial security to enter each stage of the study process, with financial security deposits tied to the cost of network upgrades required by the interconnecting project. After completing each study stage, termed a “decision point,” the interconnection customer has the option to either withdraw its interconnection request or continue to the next study stage, with the posted financial security becoming increasingly “at-risk” at each subsequent decision point in the process. The Commission accepted the 2019 Queue Reforms, with an effective date of July 1, 2019.⁸

5. During the transition period following SPP’s implementation of the 2019 Queue Reforms, the open season window for the submission of interconnection requests was temporarily extended to 11 months in duration, followed by a one-month review period to resolve any deficiencies in the interconnection requests received during that time.⁹ After

⁵ *Id.* PP 825-826. The Commission also permitted transmission providers to justify a variation from the *pro forma* LGIP or LGIA based on regional reliability requirements and required transmission providers to submit these regional reliability variations to the Commission for approval under the relevant reliability standard. *Id.* PP 824, 826.

⁶ *Id.* P 827.

⁷ *Id.*

⁸ *Sw. Power Pool, Inc.*, 167 FERC ¶ 61,275 (2019) (2019 Queue Reform Order).

⁹ SPP OATT Tariff, attach. V, § (7.0.0), § 5.1.3.

the conclusion of that transition period, the open season duration is five calendar months in length, with a one-calendar-month review period.¹⁰ All interconnection requests submitted during the same open season window are grouped together into a cluster with the same priority in the interconnection study queue.

6. As part of its interconnection request to enter SPP's generator interconnection queue, the interconnection customer submits an executed generator interconnection study agreement along with, among other things, demonstration of site control for the generating facility, a study deposit payment based on the size and nature of the generating facility, and a security deposit payment equal to \$2,000/MW of the requested interconnection capacity (Financial Security One).¹¹

7. After meeting the initial submission requirements, an interconnection request enters SPP's three-stage study process, which consists of a definitive interconnection system impact study, divided into two phases (Phase One and Phase Two), followed by a facilities study. The definitive interconnection system impact study is a cluster study that evaluates the impact of each proposed interconnection on the reliability of the transmission system.¹² SPP is required to use reasonable efforts to complete Phase One of that study within 90 calendar days, after which the interconnection request enters the first decision point (Decision Point One), a period of 15 business days during which the interconnection customer can review the results of the Phase One study and decide whether to withdraw its request or proceed to the next study phase, Phase Two.¹³ An interconnection customer receives a full refund of Financial Security One if the customer withdraws its interconnection request before the end of Decision Point One; otherwise, the customer's Financial Security One is subject to forfeiture.¹⁴ If the interconnection customer elects instead to proceed to Phase Two, the customer must pay a second security deposit (Financial Security Two) before the end of Decision Point One.

¹⁰ *Id.* § 4.2.1.

¹¹ *Id.* § 8.2.

¹² *Id.* § 8.4.1.

¹³ *Id.* §§ 8.5, 8.5.1.

¹⁴ *Id.* § 8.14(b). In the event that the interconnection customer withdraws its request after Decision Point One but before entering Phase Two, SPP will refund Financial Security One to the withdrawing customer if the withdrawal does not increase upgrade costs for equally-queued interconnection requests. SPP will also refund Financial Security One to the withdrawing customer if the total costs allocated to the withdrawn request have increased from Phase One to Phase Two by 25% or more and by \$10,000/MW of requested capacity or more. *Id.* § 8.14(d).

Financial Security Two is equal to the greater of: (1) 10% of the Financial Security Two cost factor, less the amount of Financial Security One;¹⁵ or (2) \$2,000/MW of the requested capacity.¹⁶

8. SPP is required to use reasonable efforts to complete Phase Two within 120 calendar days. After SPP posts the results of the Phase Two study, the interconnection request enters the second decision point (Decision Point Two), a period of 15 business days during which the interconnection customer can review the Phase Two results and decide whether to withdraw its request or proceed to the next study stage, the facilities study phase.¹⁷ If the interconnection customer chooses to enter the facilities study phase, the customer must pay a third security deposit (Financial Security Three) before the end of Decision Point Two. Financial Security Three is equal to 20% of the total upgrade costs allocated to the interconnection request, less the amount of Financial Securities One and Two.¹⁸ If the interconnection customer withdraws its request at any point after payment but before the end of Decision Point Two, the customer receives a full refund of both Financial Security Two and Financial Security Three; otherwise, both payments are subject to forfeiture.¹⁹

9. The facilities study phase involves an individual study consisting of facility scoping and an estimation of costs and construction lead time.²⁰ Within 90 calendar days of receiving a request from SPP, transmission owners must provide all information necessary to complete the facilities study. SPP is then required to use reasonable efforts to complete the facilities study and issue a draft study report within 135 calendar days after the end of Decision Point Two. The next business day after SPP posts the results of

¹⁵ Section 8.5.1 of Attachment V of the Tariff describes how SPP calculates the cost factor.

¹⁶ *Id.* § 8.5.1.

¹⁷ *Id.* §§ 8.5, 8.5.2.

¹⁸ *Id.* § 8.5.2.

¹⁹ *Id.* § 8.14(c). In the event the interconnection customer withdraws its request after Decision Point Two, SPP will still refund Financial Securities One, Two, *and* Three to the withdrawing customer if the withdrawal does not increase upgrade costs for concurrently- or lower-queued interconnection requests. SPP will also refund all three financial securities to the withdrawing customer if the total costs allocated to the withdrawn request have increased from Phase Two to the facilities study stage by 35% or more and by \$15,000/MW of requested capacity or more. *Id.* § 8.14(e).

²⁰ *Id.* § 8.10.

the facilities study, the interconnection customer enters the third decision point (Decision Point Three), a period of 15 business days during which the customer can review the results of the draft facilities study report and decide whether to withdraw its request or proceed to the GIA negotiation and execution phase.²¹ Within 30 calendar days of receiving the draft facilities study report, the interconnection customer may submit comments on the report.²² SPP issues the final facilities study report within 15 business days of receiving the interconnection customer's comments or promptly upon receiving the customer's statement that it will not provide comments.²³

10. When SPP issues the final facilities study report, it simultaneously tenders to the interconnection customer a draft GIA together with draft appendices. The interconnection customer, transmission owner, and SPP then have 60 calendar days to negotiate the terms of the draft appendices to the GIA. Within 15 business days of the end of the negotiation period, SPP provides to the interconnection customer a final GIA.²⁴ After receipt of the final GIA, the interconnection customer has 15 business days to: (1) either provide reasonable evidence of continued site control for the generating facility or post a non-refundable additional security; (2) provide evidence that one or more development milestones, enumerated in section 11.3 of the GIP, have been achieved; and (3) either execute the final GIA or request that SPP file with the Commission an unexecuted GIA.²⁵

II. SPP's Filing

11. SPP states that, despite the 2019 Queue Reforms, its interconnection queue remains significantly backlogged. According to SPP, the queue currently contains over 500 interconnection requests, comprising nearly 100,000 MW of new generator interconnection capacity spread over seven cluster studies, the earliest of which dates back to 2017. SPP explains that it has not yet commenced five of these cluster studies due to the ongoing backlog. According to SPP, without additional queue reforms, it

²¹ *Id.* § 8.11.

²² *Id.* § 11.1.

²³ *Id.* § 8.11.

²⁴ *Id.* §§ 11.1, 11.2.

²⁵ *Id.* § 11.3.

could take at least eight years for SPP to complete all current and future backlogged cluster studies.²⁶

12. SPP states that, to address these continuing delays, it proposes to make several modifications to its existing three-stage study process. SPP groups its proposed modifications into three categories: (1) simplifying and reducing study timelines; (2) increasing financial commitments; and (3) reducing the need for restudies through development milestones. SPP also proposes a transition plan.²⁷ SPP notes that while these revisions are meant to reduce the queue backlog, they are not intended to sunset when the backlog is relieved.²⁸ SPP requests an effective date of January 15, 2022 for the proposed revisions.

13. SPP explains that Phase One will continue to consist of a steady-state power flow analysis and calculation of the short-circuit ratio. However, SPP proposes to shorten the timeline for completing Phase One from 90 to 60 calendar days.²⁹ SPP notes that Decision Point One will continue to commence the next business day after SPP posts the results of Phase One and will remain 15 business days in duration.³⁰

14. SPP states that Phase Two will continue to consist of short circuit and stability analyses and a refresh of the Phase One thermal and voltage analysis, as needed, to take into account the impact on the power flow analysis of any interconnection requests withdrawn after Phase One.³¹ However, SPP proposes to conduct the first part of the facilities study, pertaining to facilities needed to interconnect the project at the point of interconnection, at the same time that it conducts the Phase Two study, rather than during the facilities study phase. Specifically, SPP proposes that, during Phase Two, SPP will work with the relevant transmission owner to refine estimates for the cost and time required to construct the transmission owner's interconnection facilities and network

²⁶ SPP Filing, Transmittal at 6-8.

²⁷ *Id.* at 11, 18.

²⁸ SPP Filing, Ex. SPP-0001 at 34-35.

²⁹ Proposed SPP Tariff, attach. V, § 8.5(a).

³⁰ SPP Filing, Ex. SPP-0001 at 23.

³¹ *Id.* at 23-24. In addition, SPP notes that the timeframe for completing Phase Two will remain 120 calendar days after the end of Decision Point One, and that Decision Point Two will continue to begin the next business day after SPP posts the results of Phase Two and will remain 15 business days in duration. *Id.* at 24-25.

upgrades at the point of interconnection.³² SPP states that it will then post the results of this part of the facilities study together with the Phase Two study results.³³ According to SPP, this proposed modification will provide more information about costs and timing to the interconnection customer earlier in the process.³⁴

15. SPP also proposes several modifications to the facilities study phase.³⁵ SPP states that, although the facilities study will remain the same, SPP proposes to reduce the amount of time by which transmission owners will be required to provide all information necessary to complete the facilities study, from 90 to 45 calendar days after receiving a request from SPP.³⁶ SPP also proposes to reduce the time, from 135 to 60 calendar days after Decision Point Two, for SPP to complete the facilities study and issue a draft study report to the interconnection customer.³⁷ SPP also proposes to remove Decision Point Three from the study process and reduce the period, from 15 to 10 business days, for the interconnection customer to review the results of the draft facilities study report and decide whether to proceed to the GIA negotiation phase. In addition, SPP proposes shortening the period within which SPP will be required to issue a final facilities study report, from 15 to 5 business days after receiving the interconnection customer's comments on the draft facilities study report.³⁸ SPP states that interconnection customers will still be able to withdraw their requests at any point during the three-phase study process. However, SPP explains, rather than require the interconnection customer to notify SPP during Decision Point Three whether it is electing to move forward to the GIA phase, SPP will assume that all interconnection requests are moving forward to the next phase, unless notified otherwise.³⁹

³² *Id.* at 24.

³³ Proposed SPP Tariff, attach. V, § 8.4.4.

³⁴ SPP Filing, Ex. SPP-0001 at 12-13, 23-24.

³⁵ *Id.* at 26.

³⁶ Proposed SPP Tariff, attach. V, § 8.11(a). SPP asserts that this shortened timeframe is consistent with the fact that the transmission owner will have already completed some of the work by providing cost and schedule estimates for interconnection facilities during Phase Two. SPP Filing, Ex. SPP-0001 at 26.

³⁷ Proposed SPP Tariff, attach. V, § 8.11(a).

³⁸ *Id.* § 8.11(c).

³⁹ SPP Filing, Ex. SPP-0001 at 28.

16. SPP proposes to reduce the time by which SPP will be required to provide to the interconnection customer the final GIA, from 15 to 10 business days after the negotiation period ends.⁴⁰ In addition, SPP proposes to reduce the time, from 15 to 10 business days, within which the interconnection customer must (1) provide reasonable evidence of continued site control for the generating facility or post a non-refundable additional security; (2) provide evidence that it has met one or more of the development milestones in section 11.3 of the GIP; and (3) either execute the final GIA or request that SPP file with the Commission an unexecuted GIA.⁴¹ Similarly, SPP proposes requiring the transmission owner to execute the final GIA and return it to SPP within 10 business days.⁴²

17. According to SPP, these proposed revisions to the study process timeline will shorten the total time for an interconnection request to proceed through the interconnection process – from the start of Phase One to execution of the GIA – from approximately 555 days to 392 days, if no restudies are required. SPP contends that shortening this timeframe is critical to SPP’s ability to mitigate the queue backlog and prevent a future backlog from developing.⁴³

18. SPP proposes to increase Financial Security One, and the minimum amount of Financial Security Two, from \$2,000/MW to \$4,000/MW.⁴⁴ SPP also proposes to make 25% of Financial Security One at-risk of forfeiture after the start of Phase One and 25% of Financial Security Two at-risk of forfeiture after the end of Decision Point One.⁴⁵ According to SPP, this financial security proposal will discourage late-stage withdrawals of interconnection requests that often lead to restudies and delays. SPP also notes that the

⁴⁰ Proposed SPP Tariff, attach. V, § 11.2. SPP also proposes to tender to the interconnection customer a draft GIA within 15 calendar days of SPP’s request to the transmission owner to start the facilities study, rather than when SPP issues the final facilities study report. Consistent with the existing GIP, however, the 60-day period for the parties to negotiate the appendices to the draft GIA will not begin until SPP posts the final facilities study report. *Id.*

⁴¹ *Id.* § 11.3.

⁴² *Id.*

⁴³ SPP Filing, Ex. SPP-0001 at 29-30.

⁴⁴ Proposed SPP Tariff, attach. V, §§ 8.2(f), 8.5.1(b).

⁴⁵ *Id.* § 8.14 (b)-(c).

financial security proposal is similar to provisions in the Midcontinent Independent System Operator, Inc.'s (MISO) tariff that the Commission previously accepted.⁴⁶

19. SPP states that its existing GIP requires each interconnection customer to post a study deposit, which is then applied to the costs of performing any studies applicable to the customer's interconnection request. SPP further states that to the extent the actual costs incurred are less than the amount of the study deposit, the unused portion is refunded to the interconnection customer. SPP explains that it does not propose to increase the amount of the study deposit required to enter the study process, but, to further deter late-stage withdrawals, SPP proposes to make the study deposit progressively non-refundable as the interconnection request proceeds through the study process.⁴⁷ Specifically, SPP proposes to render 20% of the initial study deposit non-refundable at the start of Phase One, 50% non-refundable at the end of Decision Point One, and 100% non-refundable at the end of Decision Point Two.⁴⁸ SPP also notes that while this proposed revision will make the study deposits progressively non-refundable in the event that the interconnection customer withdraws its request, the revised GIP will retain the existing provision allowing any unused study deposits to be refunded if the interconnection customer does not withdraw its request.⁴⁹ According to SPP, this study deposit proposal is similar to those adopted by other transmission providers, who either make a portion of their study deposits non-refundable or collect a non-refundable application fee upon entry into the generator interconnection queue.⁵⁰

20. SPP also proposes revisions to its GIP to address how it will use any retained study deposit funds. SPP proposes to first use retained study deposits to reduce the definitive system impact study costs, including any necessary restudies, for interconnection requests that reach commercial operation and are in the same study cluster as the interconnection request from which SPP retained the funds. SPP proposes to allocate the retained funds to active interconnection requests after SPP posts the final facilities study report. To avoid providing retained funds to projects that later withdraw from the queue, however, SPP proposes not to release the allocated funds to an

⁴⁶ SPP Filing, Transmittal at 18 (citing MISO, FERC Electric Tariff, Open Access Transmission, Energy and Operating Reserve Markets Tariff (MISO Tariff), attach. X (153.0.0) §§ 3.3.1, 7.6.1, 7.6.2, 7.8).

⁴⁷ *Id.* at 14.

⁴⁸ Proposed SPP Tariff, attach. V, §§ 8.2(b), 8.5.1, 8.5.2.

⁴⁹ SPP Filing, Transmittal at 17.

⁵⁰ *Id.* at 15 (citing CAISO, CAISO eTariff (CAISO Tariff), app. DD, § 3 (14.0.0) 3.5.1.1; MISO Tariff, attach. X, § 3.3.1).

interconnection customer until its project reaches commercial operation.⁵¹ If an interconnection customer who has been allocated retained study deposit funds withdraws its interconnection request after the final facilities study report is posted but before the project reaches commercial operation, SPP will use those allocated funds to reduce the cost of any restudies caused by the withdrawal.⁵² SPP also proposes that each interconnection customer's allocation of retained study deposits will not exceed the customer's actual study costs, including any restudy costs.⁵³

21. SPP's proposed revisions further provide that if any retained study deposit funds remain after the restudies and all interconnection requests from the same cluster study reach commercial operation, SPP will apply the funds to reduce fees associated with SPP's Tariff Administration Services, found in Schedule 1-A of the Tariff.⁵⁴ According to SPP, allocating any excess funds to reduce Tariff Administration Services fees in Schedule 1-A is reasonable and consistent with Order No. 2003, because it will help account for costs that are associated with administering the GIP but that cannot be easily traced to a single study.⁵⁵ SPP states that these additional costs are recovered through

⁵¹ Proposed SPP Tariff, attach. V, § 13.3; SPP Filing, Transmittal at 15. SPP proposes to allocate 50% of the retained study deposit funds pro rata to the active interconnection customers, with the remaining 50% allocated pro rata based on the size in MW of each active interconnection request. SPP Filing, Transmittal at 15.

⁵² Proposed SPP Tariff, attach. V, § 13.3. SPP states that this proposal is similar to a provision in the MISO Tariff. SPP Filing, Transmittal at 17 n.52 (citing MISO Tariff, attach. X, § 7.6.1).

⁵³ SPP Filing, Transmittal at 15. According to SPP, this approach is similar to that adopted by Public Service Company of Colorado (PSCo), which applies withdrawal penalty funds to study costs for other interconnection customers in the same cluster and, to the extent that such studies are fully credited, to study costs of future clusters in its generator interconnection queue. *Id.* at 15-16 (citing PSCo, Open Access Transmission Tariff, attach. N, § 3.7.1.2).

⁵⁴ Proposed SPP Tariff, attach. V, § 13.3.

⁵⁵ SPP Filing, Transmittal at 16. SPP asserts that the actual costs that a transmission provider incurs to conduct a study extend beyond the number of hours an employee or consultant spends conducting such study. According to SPP, examples of these additional costs include those associated with software and software licensing, IT hardware, communication services, employee training, preparing and posting common models, contracting for engineering services, responding to customers' pre-application inquiries, general coordination with affected systems, and facilitating process improvements through stakeholder forums. *Id.*

Schedule 1-A to the extent that they are not recovered from interconnection customers through the study process. SPP contends that all future interconnection customers will benefit from the proposal to apply any remaining study deposits to Schedule 1-A, as it will reduce additional expenses associated with administering the GIP and make the study process more efficient and less costly.⁵⁶ SPP anticipates that the amount of residual study deposit funds applied to Schedule 1-A pursuant to this proposed provision will be *de minimis*.⁵⁷

22. SPP's GIP currently provides that, within 15 business days of receiving the final GIA, the interconnection customer must submit reasonable evidence that it has satisfied at least one of seven development milestones enumerated in section 11.3 of the GIP.⁵⁸ SPP proposes adding three new development milestones to that list: (1) a pre-confirmed or confirmed long-term transmission service request from the generating facility in the interconnection request; (2) an effective interim GIA associated with the same interconnection request; and (3) a final detailed generating facility design and, for inverter-based resources, submission of an electromagnetic transient model.⁵⁹ SPP explains that the three new milestones are not required, but rather are intended to give an interconnection customer more options to demonstrate project readiness.⁶⁰ Further, to help ensure project readiness earlier in the study process, SPP proposes requiring an

⁵⁶ *Id.*

⁵⁷ *Id.* at 16 n.50.

⁵⁸ SPP Tariff, attach. V, § 11.3. Those development milestones include: (1) execution of a contract for the supply or transportation of fuel to the generating facility; (2) execution of a contract for the supply of cooling water to the generating facility; (3) execution of a contract for the engineering for, procurement of major equipment for, or construction of, the generating facility; (4) execution of a contract (or comparable evidence) for the sale of electric energy or capacity from the generating facility; (5) a statement signed by an officer or authorized agent of the interconnection customer attesting that the generating facility is included in an applicable state resource plan; (6) other information that SPP deems to be reasonable evidence that the generating facility will qualify as a designated resource; or (7) application for an air, water, or land use permit. *Id.*

⁵⁹ Proposed SPP Tariff, attach. V, § 11.3.

⁶⁰ SPP Filing, Transmittal at 14.

interconnection customer to satisfy at least one of the section 11.3 milestones before the end of Decision Point Two.⁶¹

23. SPP also proposes to add to the GIP two new site control milestones.⁶² SPP asserts that these new site control milestones are intended to reduce the number of speculative projects entering the queue and to help ensure more developed projects are studied.⁶³ First, SPP proposes that, when an interconnection customer delivers to SPP its executed generator interconnection study agreement, the customer will be required to provide reasonable evidence of site control of at least 50% of the mileage of a generating facility's high voltage tie line to the point of interconnection.⁶⁴ This site control milestone requirement will then increase to at least 75% before the end of Decision Point Two.⁶⁵ SPP further proposes that, in lieu of meeting these site control requirements, the interconnection customer may pay financial security in the amount of \$80,000 per line mile of right-of-way.⁶⁶ The additional in-lieu-of payment will be considered at-risk and subject to the financial security refund provisions in section 8.14 of the revised GIP.⁶⁷ However, if the interconnection customer subsequently satisfies the applicable site control requirement, the customer will be refunded the additional in-lieu-of payment.⁶⁸ SPP notes that the Commission previously accepted similar financial security payments

⁶¹ Proposed SPP Tariff, attach. V, § 8.5.2; SPP Filing, Transmittal at 14.

⁶² SPP Filing, Transmittal at 12. Unlike the development milestones listed in GIP section 11.3, both proposed site control milestones must be met before an interconnection request may proceed to subsequent stages of the study process. *See* Proposed SPP Tariff, attach. V, §§ 8.2, 8.5.2.

⁶³ SPP Filing, Transmittal at 12.

⁶⁴ Proposed SPP Tariff, attach. V, § 8.2.

⁶⁵ *See id.* § 8.5.2. SPP states that it will accept the same types of evidence that it currently accepts for site control of the generating facility. SPP Filing, Ex. SPP-0001 at 21.

⁶⁶ Proposed SPP Tariff, attach. V, § 8.2(a).

⁶⁷ *Id.* Under section 8.14 of the revised GIP, the in-lieu-of payment will be subject to forfeiture if the interconnection customer later withdraws its interconnection request, with the amount at-risk increasing from the start of Phase One (25%) to the start of Phase Two (100%). *Id.* § 8.14(b)-(c).

⁶⁸ *Id.* § 8.2(a).

in lieu of certain site control requirements.⁶⁹ Second, SPP proposes that, before the end of Decision Point Two, the interconnection customer will be required to provide evidence of site control of 100% of any new substations needed at the point of interconnection.⁷⁰ SPP states that this new milestone requirement will not affect an interconnection customer seeking to interconnect at an existing substation.⁷¹

24. SPP also proposes a transition plan. Under the proposed transition plan, only interconnection requests that have not yet started Phase One as of the effective date of the revised GIP will be subject to the requirements of the revised GIP.⁷² SPP proposes that, prior to starting Phase One for each cluster study subject to the revised GIP, SPP will require interconnection customers to meet the updated requirements in section 8.2 of the revised GIP within 20 business days after receiving notice from SPP.⁷³ SPP will provide such notice within 20 business days after the start of Phase One of the cluster study immediately higher in queue priority, except for the first cluster of interconnection requests set to enter Phase One after the effective date of the revised GIP. For that first cluster, SPP proposes to provide notice within five business days of the revised GIP's effective date. If any interconnection customer fails to meet the section 8.2 requirements within 20 business days after receiving notice from SPP, its interconnection request will be deemed withdrawn.⁷⁴

25. Further, SPP states that, in an effort to reduce the queue backlog and prevent it from getting even larger, the proposed transition plan provides that the open season window that is open on the effective date of the revised GIP will remain open until SPP has mitigated the queue backlog or until SPP determines that the cluster will be too large to effectively administer the definitive interconnection system impact study.⁷⁵ According

⁶⁹ SPP Filing, Transmittal at 13 (citing MISO Tariff, attach. X, § 7.2.1.2).

⁷⁰ Proposed SPP Tariff, attach. V, § 8.5.2.

⁷¹ SPP Filing, Transmittal at 13.

⁷² Proposed SPP Tariff, attach. V, § 5.1.1.

⁷³ Section 8.2 of the revised GIP requires submission of an executed generator interconnection study agreement and other initial materials, including evidence of site control, the study deposit, Financial Security One, and technical data. *Id.* § 8.2.

⁷⁴ *Id.* § 5.1.1.

⁷⁵ SPP Filing, Transmittal at 19. SPP notes that the Commission accepted a similar open season extension when SPP was working to clear a backlog of transmission service requests in 2013. *Id.* (citing *Sw. Power Pool, Inc.*, 145 FERC ¶ 61,033 (2013)).

to SPP, it has not set a threshold number of MW for determining when the cluster has become too large to study, but rather will closely monitor its size.⁷⁶ SPP explains that if it determines that the cluster is too large and that it should close the transitional open season window, SPP will provide at least 10 business days' notice before closing it.⁷⁷

26. SPP further proposes that during the transition period, it will process the cluster studies in parallel, rather than sequentially, while it works to mitigate the backlog.⁷⁸ Specifically, SPP proposes to start Phase One of each subsequent cluster study after the end of Decision Point One of the immediately preceding cluster study, and start Phase Two of each subsequent cluster study after the end of Decision Point Two of the preceding cluster study.⁷⁹ SPP asserts that this proposed revision will reduce the amount of time needed to study the backlogged cluster studies and will provide interconnection customers with their Phase One results sooner.⁸⁰

27. Finally, as part of the transition plan, SPP proposes to combine the clusters from two separate open season windows, DISIS-2018-002 and DISIS-2019-001, and process all interconnection requests submitted during those two windows as a single cluster with equal queue priority.⁸¹ SPP explains that it selected these two clusters to combine because they are the two smallest clusters currently in the queue and are adjacent to each other in queue priority. SPP asserts that this proposal will reduce the number of studies that it will need to perform and help clear the backlog faster.⁸²

⁷⁶ SPP Filing, Ex. SPP-0001 at 33. Under the proposed revisions, SPP will also have discretion to extend subsequent open season windows and create additional open season windows until it completes Phase One of the immediately preceding cluster. Proposed SPP Tariff, attach. V, § 5.1.3.

⁷⁷ SPP Filing, Transmittal at 19; *see* Proposed SPP Tariff, attach. V, § 5.1.3. SPP notes that, in addition to the 10 days' formal notice, it is committed to regularly evaluating the size of the cluster and providing updates on the status of the open season window during its monthly generator interconnection user forum meetings. SPP Filing, Transmittal at 19.

⁷⁸ SPP Filing, Transmittal at 19.

⁷⁹ Proposed SPP Tariff, attach. V, § 5.1.3.

⁸⁰ SPP Filing, Ex. SPP-0001 at 14-15.

⁸¹ Proposed SPP Tariff, attach. V, § 5.1.3; SPP Filing, Transmittal at 19.

⁸² SPP Filing, Transmittal at 19-20; SPP Filing, Ex. SPP-0001 at 15-16, 34.

III. Notice of Filing and Responsive Pleadings

28. Notice of SPP's filing was published in the *Federal Register*, 86 Fed. Reg. 60,806 (Nov. 4, 2021), with interventions and protests due on or before November 19, 2021. Timely motions to intervene were filed by: American Electric Power Service Corporation; Apex Clean Energy Management, LLC (Apex); EDF Renewables, Inc. (EDF Renewables); EDP Renewables North America LLC (EDP Renewables); Enel Green Power North America, Inc. (Enel); Evergy Kansas Central, Inc., Evergy Metro, Inc., and Evergy Missouri West, Inc.; ITC Great Plains, LLC; NextEra Energy Resources, LLC (NextEra); Omaha Public Power District; RWE Renewables Americas, LLC (RWE Renewables); Solar Energy Industries Association; Sunflower Electric Power Corporation; Western Area Power Administration; Western Farmers Electric Cooperative; and Xcel Energy Services Inc. American Clean Power Association and Advanced Power Alliance (ACP/APA), Savion LLC (Savion), and Steelhead Americas LLC (Steelhead) filed timely motions to intervene and protests. Apex, EDF Renewables, EDP Renewables, Enel, NextEra, RWE Renewables, and Savion (together, Renewable Generation Developers) filed a joint protest. On December 6, 2021, SPP filed an answer to the protests.

A. Protests

29. Commenters generally support SPP's proposal but claim that certain aspects of the proposal render it unjust and unreasonable. Several commenters argue that the Commission should permit the proposed Tariff revisions to be in effect, but only on a temporary basis.⁸³ ACP/APA and Savion contend that, during the stakeholder process, SPP misrepresented that the proposed Tariff revisions would be temporary measures that would sunset after the queue backlog was cleared.⁸⁴ ACP/APA also assert that, during stakeholder negotiations, generation developers agreed to the proposed changes and made concessions, including cost increases and earlier at-risk payments, with the understanding that the increased obligations would not be indefinite.⁸⁵ ACP/APA argue that once the backlog is mitigated, the increased obligations on interconnection customers will no longer be justifiable because they will result in higher costs for interconnection customers to develop generation projects and, ultimately, for consumers. ACP/APA further contend that SPP's proposal for the parallel processing of interconnection studies will increase cost uncertainty for interconnection customers (as there will not be final network upgrade

⁸³ ACP/APA Protest at 8-9; Renewable Generation Developers Protest at 3; Savion Protest at 3.

⁸⁴ ACP/APA Protest at 8; Savion Protest at 2-4.

⁸⁵ ACP/APA Protest at 8-9.

cost results from the previous cluster study at the beginning of the next cluster study) and will impact smaller developers more severely.⁸⁶

30. Steelhead protests SPP's proposal to allocate retained study deposits to interconnection customers whose projects reach commercial operation. Steelhead argues that such an allocation has no widespread benefit; rather, Steelhead contends, it creates a windfall for interconnection customers who will receive a payment for costs they never incurred.⁸⁷ Steelhead also asserts that SPP's proposal to allocate non-refundable study deposits to interconnection customers that achieve commercial operation and subsequently to its Schedule 1-A Tariff Administration Services is materially different from the MISO and California Independent System Operator Corporation (CAISO) tariff provisions cited by SPP in support of its proposal. Steelhead notes, for example, that neither MISO nor CAISO allocate retained study deposits to individual interconnection customers. Steelhead states that MISO instead retains study deposit funds to the extent that they are required to pay for studies caused by an interconnection customer's withdrawal from the queue and refunds the remainder.⁸⁸ In addition, Steelhead states that while CAISO's tariff allows CAISO to retain a portion of the study deposit, it applies the retained amounts to offset regional transmission revenue requirements, benefitting all customers subject to CAISO's transmission access charge.⁸⁹ In light of these differences, Steelhead contends, SPP has failed to demonstrate that its retained study deposit allocation proposal is just and reasonable.⁹⁰

31. ACP/APA and Renewable Generation Developers argue that the proposed allocation of retained study deposits to Schedule 1-A costs is inconsistent with the cost causation principle.⁹¹ ACP/APA reason that the Schedule 1-A allocation would not necessarily benefit interconnection customers at all, given that it creates a credit for all SPP members, many of whom are not interconnection customers.⁹² ACP/APA and Renewable Generation Developers contend that SPP should instead refund the remaining

⁸⁶ *Id.* at 10.

⁸⁷ Steelhead Protest at 5.

⁸⁸ *Id.* at 4 (citing MISO Tariff, attach. X, § 7.6.1).

⁸⁹ *Id.* at 4-5 (citing CAISO Tariff, app. DD, §§ 3.5.1.1, 7.6).

⁹⁰ *Id.* at 5.

⁹¹ ACP/APA Protest at 11; Renewable Generation Developers Protest at 7.

⁹² ACP/APA Protest at 11.

study deposits to the interconnection customer who paid them.⁹³ Alternatively, ACP/APA argue, SPP should use the retained study deposits to pay for transmission costs for any interconnection customers harmed by the withdrawal of the interconnection customer.⁹⁴

32. Commenters generally support SPP's proposal in its transition plan to leave open the queue cluster window that will be open on the effective date of the revised GIP.⁹⁵ ACP/APA, however, argue that SPP's decision to close the queue cluster window should be based on objective criteria (e.g., a set number of MW in the cluster) because SPP's proposed subjective approach leaves SPP's decisional process open to arbitrary or even discriminatory treatment, based upon pressures from some participants to close the open season window to suit their needs.⁹⁶ In addition, commenters assert that SPP should provide 30 days' notice before the open season window closes.⁹⁷ ACP/APA argue that the proposed 10-business-day notice period is an insufficient amount of time for interconnection customers to make final decisions about entering the cluster study.⁹⁸ Renewable Generation Developers contend that interconnection customers need sufficient advanced notice to finalize items, some of which are not within their control, such as arrangements with landowners.⁹⁹ Renewable Generation Developers also argue that after the open season window closes, SPP should be required to thereafter open the next window so that other projects do not become stranded.¹⁰⁰

33. Commenters express concern that SPP lacks the resources and staffing necessary to implement its proposal and mitigate the backlog in a timely manner.¹⁰¹ ACP/APA contend that SPP has historically devoted inadequate resources to the generator

⁹³ *Id.*; Renewable Generation Developers Protest at 7.

⁹⁴ ACP/APA Protest at 11.

⁹⁵ *Id.* at 12; Renewable Generation Developers Protest at 6.

⁹⁶ ACP/APA Protest at 12.

⁹⁷ *Id.* at 13; Renewable Generation Developers Protest at 6.

⁹⁸ ACP/APA Protest at 12-13.

⁹⁹ Renewable Generation Developers Protest at 6.

¹⁰⁰ *Id.*

¹⁰¹ ACP/APA Protest at 7-8; Renewable Generation Developers Protest at 5; Steelhead Protest at 2-3.

interconnection process and that, absent sufficient resources to process the studies, the increased burdens placed on interconnection customers by SPP's proposal will not achieve the desired results, but rather will be punitive.¹⁰² ACP/APA further assert that SPP must not only process the studies quicker, but must also improve the accuracy of the results, as mistakes in these studies have recently caused significant delays and uncertainty.¹⁰³ Steelhead proposes that SPP should also allow interconnection customers to assist with certain tasks associated with the interconnection process in order to reduce SPP's workload, such as material modification analyses related to wind turbine substitution or a change in collector system design.¹⁰⁴ Renewable Generation Developers argue that to alleviate stress on the current process, SPP should also enhance its modeling methodology and assumptions in accordance with industry best practices and hold transmission owners accountable to meet study deadlines.¹⁰⁵ Renewable Generation Developers further recommend that SPP create a standing working group within its governance structure to identify issues and process improvements.¹⁰⁶

34. Several commenters also suggest that the Commission should require SPP to file periodic reports detailing its progress in clearing the backlog.¹⁰⁷ ACP/APA recommend, in particular, that these reports be filed at least every six months and that they include the status of all studies, the mitigation plan's effectiveness and any adjustments that are warranted to attain SPP's goals, the amount and nature of financial and personnel resources devoted to the effort, and the projected closing date for the final cluster window under the proposal.¹⁰⁸ Similarly, Steelhead asserts that the reports should describe the size of the queue and its clusters, projected timelines for processing pending requests, and the nature and extent of any continuing problems, among other details.¹⁰⁹

¹⁰² ACP/APA Protest at 7.

¹⁰³ *Id.*

¹⁰⁴ Steelhead Protest at 3.

¹⁰⁵ Renewable Generation Developers Protest at 5-6.

¹⁰⁶ *Id.* at 6.

¹⁰⁷ ACP/APA Protest at 6; Renewable Generation Developers Protest at 6; Steelhead Protest at 3.

¹⁰⁸ ACP/APA Protest at 6.

¹⁰⁹ Steelhead Protest at 3.

35. With regard to site control, Renewable Generation Developers argue that, in the event the point of interconnection requires a new switch station, the applicable transmission owner should confirm: (1) whether the point of interconnection and location identified in the interconnection request is acceptable; and (2) the point of interconnection's acreage requirement. Renewable Generation Developers recommend that SPP's Tariff include this provision, with a suitable deadline for the transmission owner to provide the information, and a statement that the interconnection customer's obligation to comply with all other requirements does not apply until the information is provided.¹¹⁰

B. SPP Answer

36. SPP notes that, during the stakeholder process, concerns regarding the permanent nature of the proposed Tariff revisions were raised and considered, but the resulting proposal was ultimately approved overwhelmingly by SPP's stakeholders. SPP also notes that its Strategic and Creative Re-engineering of Integrated Planning Team (SCRIPT) is proposing significant changes to its planning processes, which will require significant revisions to the GIP in the future. In the event those changes are not implemented, SPP explains, SCRIPT has recommended that SPP review the GIP and make recommendations to SPP's Board of Directors if revisions are needed. In addition, SPP asserts that it has a robust stakeholder process through which Tariff revisions can be submitted, reviewed, and approved if SPP or its stakeholders determine that some parts of the current proposal are no longer necessary.¹¹¹

37. SPP contends that its proposal for the application of retained study deposit funds is just and reasonable. SPP argues that, by applying any excess study deposit funds to SPP's Tariff Administration Services in Schedule 1-A, SPP will reduce expenses associated with administering the GIP, making it more efficient and less costly for all future interconnection customers. For example, SPP contends that it could use the retained funds to invest in more efficient software and hardware and provide enhanced employee training, which, according to SPP, would reduce generator interconnection costs that SPP passes along to interconnection customers.¹¹²

38. SPP argues that, at this time, it cannot predict when the open season window that will be open on the revised GIP's effective date should close and that it would be inappropriate to establish arbitrary criteria to do so. According to SPP, the effects of recent improvements to its study models and methodology, and potential future software

¹¹⁰ Renewable Generation Developers Protest at 8.

¹¹¹ SPP Answer at 14-15.

¹¹² *Id.* at 6-7.

and technological solutions, cannot be predicted at this time and could have a material impact on the cluster size that SPP may be able to study in the future. SPP argues that it should maintain its engineering judgement to determine when to close the open season window.¹¹³ In addition, SPP argues that, by announcing a threshold for closing the open season window, interconnection customers could manipulate the process by submitting frivolous interconnection requests to close the open season window sooner than it otherwise would have and then withdrawing before the start of the study process with minimal financial cost. Further, SPP states that most interconnection customers enter the queue shortly before the open season window closes. SPP argues that providing 10 business days' notice before closing the open season window will give interconnection customers who are already in the process of submitting an interconnection request sufficient time to do so. If it were to give too much advance notice, SPP contends, it would see an influx of requests in the days leading up to the close of the window, thereby making the cluster too large to study. Additionally, SPP clarifies that, pursuant to section 4.2.1 of the GIP, it will open a subsequent open season window after it closes the preceding open season window.¹¹⁴

39. In response to concerns about SPP's resources and staffing, SPP notes that it has already announced plans to ensure sufficient resources dedicated to backlog mitigation, including sending more work to consultants. SPP states that its Board of Directors recently approved a nearly 300% increase, between 2021 and 2022, in its budget for the use of consultants to conduct generator interconnection studies. According to SPP, it is also currently striving to enhance its modeling methodology and work with transmission owners to ensure study deadlines are met and that it is committed to hiring, developing, and retaining staff to meet its Tariff obligations.¹¹⁵

40. SPP argues that requiring it to report on the status of the backlog mitigation effort and on its internal affairs related to resource allocation would be duplicative and unnecessary and would place additional burdens on SPP staff when they should be focused on mitigating the backlog. SPP states that, pursuant to Order No. 845,¹¹⁶ it currently posts public quarterly study metrics representing the status of its interconnection studies and the time taken to complete Phases One and Two of the study.

¹¹³ *Id.* at 10.

¹¹⁴ *Id.* at 11-12.

¹¹⁵ *Id.* at 7-8.

¹¹⁶ *Reform of Generator Interconnection Procedures and Agreements*, Order No. 845, 163 FERC ¶ 61,043 (2018), *errata notice*, 167 FERC ¶ 61,123, *order on reh'g*, Order No. 845-A, 166 FERC ¶ 61,137, *errata notice*, 167 FERC ¶ 61,124, *order on reh'g*, Order No. 845-B, 168 FERC ¶ 61,092 (2019).

SPP notes that it also hosts monthly public meetings, where it provides updates on study schedules, and maintains a Generator Interconnection Queue Study Schedule report, which includes the status of all ongoing interconnection studies and their expected start and completion dates.¹¹⁷

41. Finally, SPP contends that the Commission should deny Renewable Generation Developers' request that SPP include Tariff language obligating SPP and applicable transmission owners to confirm the viability of an interconnection customer's proposed point of interconnection. SPP explains that, when preparing to submit an interconnection request and obtaining site control, the interconnection customer should conduct its own due diligence to validate the proposed point of interconnection. In addition, SPP explains that issues relating to the point of interconnection are often discussed during scoping meetings with interconnection customers and the applicable transmission owner. SPP states that, under the revised GIP, SPP will indicate in the Phase One study report whether a proposed point of interconnection is not viable and, if necessary, will afford the interconnection customer the entire 120 calendar days in Phase Two to identify a new point of interconnection and acquire site control without losing its queue position.¹¹⁸

IV. Discussion

A. Procedural Matters

42. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2021), the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding.

43. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(a)(2) (2021), prohibits an answer to a protest unless otherwise ordered by the decisional authority. We accept SPP's answer because it has provided information that assisted us in our decision-making process.

B. Substantive Issues

44. We accept SPP's proposed revisions to Attachment V in its Tariff, effective January 15, 2022, as requested. We find that SPP's proposed Tariff revisions are just and reasonable and not unduly discriminatory or preferential, as discussed below. We anticipate that the proposed changes to the interconnection study process will help expedite the process and give SPP the opportunity to reduce its interconnection queue backlog. We also find that SPP's proposed deviations from the Commission's *pro forma*

¹¹⁷ SPP Answer at 8-9.

¹¹⁸ *Id.* at 13.

LGIP, permitted under the independent entity variation standard, accomplish the purposes of Order No. 2003 by fostering increased development of economic generation by reducing interconnection costs and time and encouraging needed investment in generator and transmission infrastructure.¹¹⁹

45. We find that SPP's proposals to shorten and reconfigure the interconnection study process timeline are reasonable and will allow SPP to complete studies more efficiently than under the current process. Specifically, we anticipate that the proposed revisions will streamline the study process and allow SPP to clear its existing queue backlog, and could help prevent a future backlog from developing. Moreover, we find that SPP's proposals to increase financial commitments and require additional demonstrations of site control are reasonable because they may reduce the number of speculative or uncertain projects in SPP's interconnection queue that are more likely to withdraw and therefore more likely to cause restudies. At the same time, the additional options provided to interconnection customers to make their milestone demonstrations can provide flexibility for interconnection customers with viable projects to move forward in the queue.

46. We also find that SPP's proposed transition plan is just and reasonable because it allows SPP to manage the interconnection study queue while it addresses the backlog. Specifically, we find SPP's proposal to apply the revised GIP requirements only to those interconnection requests that have not started Phase One as of the effective date of the revised GIP to be reasonable because it will ensure that a majority of interconnection requests in the backlog must meet the revised requirements while not upsetting interconnection studies that are already in progress. We also find reasonable SPP's proposal to not close the open season window that is open on the revised GIP effective date until SPP has mitigated the queue backlog or until SPP determines that the cluster will be too large to study. We find that this approach will reduce the number of cluster studies SPP will have to process while it addresses its backlog and will give SPP reasonable flexibility to manage the size of new clusters in the interim. We note that SPP commits to monitoring the size of the cluster to ensure that it does not become unmanageable.¹²⁰ Additionally, we find that the proposed 10 business days' notice to close a transitional open season window is reasonable because it will provide sufficient time for interconnection customers already in the process of submitting an interconnection request time to complete that request. We note that SPP also commits to promptly opening an additional open season window for any interconnection customers

¹¹⁹ See Order No. 2003, 104 FERC ¶ 61,103 at P 12. The Commission applies an independent entity standard to evaluate RTO/ISO proposals for revisions to the procedures outlined in Order No. 2003. See *id.* PP 822, 827; Order No. 2003-A, 106 FERC ¶ 61,220 at P 759.

¹²⁰ SPP Filing, Transmittal at 19; SPP Filing, Ex. SPP-0001 at 33.

that may not be prepared to submit an interconnection request when SPP provides 10 business days' notice of the transitional open season window closing.¹²¹ We further find that SPP's parallel processing of clusters during the transition period is reasonable because it will allow SPP to accelerate the clearing of the backlog. Because we find that SPP's transition plan is reasonable as proposed, we decline commenters' requests to require SPP to close the transitional open season window based on pre-defined criteria, to increase the amount of notice before closing the window from 10 business days to 30 calendar days, and to open the subsequent cluster window after the transitional open season window closes. However, we expect SPP to provide, in the 10 days' formal notice to interconnection customers, a reasoned basis for its decision to exercise its discretion to close the window.

47. We find SPP's proposal for study deposits to be progressively non-refundable and retained by SPP to offset interconnection study costs for other interconnection customers and general costs to SPP to administer the interconnection queue to be just and reasonable. SPP's use of the retained study deposits will primarily be used to reduce study costs for interconnection requests in the same study cluster and restudy costs caused by a withdrawing project. As such, the retained study deposits will help alleviate the impact of a withdrawing interconnection customer. In addition, contrary to Steelhead's assertion, SPP's proposal does not represent a windfall to any individual interconnection customer because an interconnection customer's allocation of retained study deposits will not exceed the customer's actual study and restudy costs.¹²² Additionally, we find it reasonable to use any remaining retained study deposits after the restudies and all interconnection requests from the same cluster study reach commercial operation to offset general transmission-related Tariff administration costs under Schedule 1-A, as doing so will provide benefits to all interconnection customers in the queue. Because we find SPP's study deposit provisions reasonable as proposed, and in light of SPP's representation that it anticipates that the amount of residual study deposit funds applied to Schedule 1-A pursuant to this proposed provision will be *de minimis*, we decline commenters' requests to require modifications to how SPP uses the retained study deposits.

48. Similarly, because we find SPP's proposed Tariff revisions just and reasonable as proposed, we decline commenters' request to require SPP to make the Tariff revisions temporary measures that will sunset after the backlog is cleared. In addition, we note the ongoing proceeding in Docket No. RM21-17-000 that is exploring more efficient

¹²¹ SPP Answer at 12.

¹²² SPP Filing, Transmittal at 15.

queueing processes and options to better coordinate generator interconnection and transmission planning processes.¹²³

49. With regard to commenters' concerns about SPP lacking the resources and staffing necessary to implement its proposal, we expect SPP to continue to take concrete steps to improve the timeliness and accuracy of its interconnection studies. Such steps are particularly critical in light of recent errors and missteps in SPP's implementation of its study process.¹²⁴ We note SPP's commitments to significantly increase its budget for outside consultants, hire and retain staff, enhance its modeling methodology, and work with transmission owners to ensure study deadlines are met.¹²⁵ We expect SPP to fulfill these commitments, all of which appear to be both critical and necessary for SPP to mitigate its extensive backlog. We further expect that SPP will devote all necessary resources to its backlog mitigation effort.

50. With regard to commenters' request that SPP provide new periodic reports to the Commission concerning SPP's progress on clearing the queue backlog, we note that SPP already publicly posts information about the status of its interconnection queue and cluster studies, with expected timelines for study completion, on its public website.¹²⁶ Pursuant to Order No. 845, SPP must also submit informational reports to the Commission when it does not meet the study timeframes articulated in the Tariff.¹²⁷ The informational reports SPP publicly posts and is required to submit to the Commission, taken together, will provide useful transparency into SPP's progress clearing the queue backlog.

51. However, we will require SPP to submit an additional, one-time informational report. In light of the concerns raised by commenters about SPP's discretionary ability to

¹²³ See *Building for the Future Through Electric Regional Transmission Planning and Cost Allocation and Generator Interconnection*, 176 FERC ¶ 61,024, at PP 5, 65-68 (2021).

¹²⁴ See *Tenaska Clear Creek Wind, LLC v. Sw. Power Pool, Inc.*, 177 FERC ¶ 61,200, at P 36 (2021) (expressing "deep[] concern[] about SPP's errors and the extended amount of time SPP took in conducting the restudies" of a project); *id.* P 61 ("[B]oth the magnitude of this error and the time taken to correct it are extraordinarily troubling. We caution SPP to more carefully conduct its interconnection studies.").

¹²⁵ SPP Answer at 7-8.

¹²⁶ See SPP, [GI Cluster Study Weekly Status, Generator Interconnection – Southwest Power Pool \(spp.org\)](https://www.spp.org/GI-Cluster-Study-Weekly-Status-Generator-Interconnection).

¹²⁷ See Order No. 845, 163 FERC ¶ 61,043 at PP 305-311.

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choose when to close the queue cluster window during the transition period, we require SPP to submit an informational filing within 30 days after the close of such transitional open season cluster window explaining what factors SPP considered in exercising its discretion to close the window.¹²⁸ As stated above, we also expect that SPP will provide, in the 10 days' formal notice to interconnection customers, the reason for its decision to close the window.

52. Finally, we decline to require SPP to include language in the GIP requiring transmission owners to provide certain information about the point of interconnection, as Renewable Generation Developers request. We find that the Phase One study report and scoping discussions among SPP, the transmission owner, and the interconnection customer provide adequate notification to the interconnection customer on the viability of a requested point of interconnection.

The Commission orders:

(A) SPP's proposed Tariff revisions are hereby accepted, effective January 15, 2022, as discussed in the body of this order.

(B) SPP is hereby directed to submit an informational filing within 30 days after the close of a transitional open season cluster window, as discussed in the body of this order.

By the Commission.

(S E A L)

Debbie-Anne A. Reese,
Deputy Secretary.

¹²⁸ This informational report will not be noticed for comment or require Commission action.

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