

## [Updates](#)

March 15, 2023

FERC Meeting Agenda Summaries for March 2023



Below are brief summaries of the agenda items for the Federal Energy Regulatory Commission's (FERC or the Commission) open meeting to be held on March 16, 2023, at 10:00 a.m. ET, pursuant to the [Sunshine Act Meeting Notice](#) released on March 9, 2023. The summaries below are based on publicly available information in the dockets listed on the FERC agenda at the time of publication. For ease of reference, a link to each lead docket on the meeting agenda has been included. The Commission may decide to remove any items from the meeting agenda at any time.

<b>Item No.</b>	<b>Docket No.</b>	<b>Company</b>
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### **ADMINISTRATIVE**

- |     |                            |  |
|-----|----------------------------|--|
| A?1 | <a href="#">AD23-1-000</a> | Agency Administrative Matters                                  |
| A?2 | <a href="#">AD23-2-000</a> | Customer Matters, Reliability, Security, and Market Operations |
| A-3 | <a href="#">AD06-3-000</a> | Market Update  |

### **ELECTRIC**

- E-1** [RD23-3-000](#) On December 6, 2022, the North American Electric Reliability Corporation (NERC) petitioned the Commission for approval of a revision to Reliability Standard CIP-003-8 (Cyber Security—Security Management Controls). In addition, NERC requested approval to implement the revised plan as well as associated risk factors, violation severity levels, and retirement of the current Reliability Standard version. The proposed reliability standard CIP-003-9 would, among other things, address supply chain risk management for assets containing low-impact Bulk Electric System (BES) Cyber Systems. Agenda item E-1 may be an order on the proposed reliability standard.
- E-2** [ER21-2459-001](#) On July 19, 2021, Tenaska Power Services Co. (Tenaska) submitted its justification for spot market sales that exceeded the Western Electricity Coordinating Council's (WECC) soft price cap of \$1,000/megawatt-hour (MWh) during June 2021. On December 16, 2022, the Commission issued an order finding that Tenaska had justified its June 2021 sleeve transaction at the \$1000/MWh WECC soft price cap plus a nominal fee, and its other June 2021 spot market sales at the relevant index price. However, the Commission held that Tenaska had not justified certain amounts charged above the index price and directed Tenaska to refund the amounts above the index price for three of the identified sales. On January 13, 2023, Tenaska filed a request for rehearing of the Commission's December 16 order, which was denied by operation of law on February 13, 2023. Agenda item E-2 may be an order on rehearing.
- E-3** [EL23-31-000](#) This may be a new proceeding involving Commonwealth Edison Company (ComEd).
- E-4** [EL22-39-000](#) On April 21, 2022, the Commission issued an order to show cause, pursuant to section 206 of the Federal Power Act (FPA), instituting an investigation into whether Public Service Company of Colorado's (PSCo) formula rate protocols are unjust, unreasonable, unduly discriminatory, or otherwise unlawful, and set a refund effective date. On June 21, 2022, Xcel Energy Services Inc., on behalf of its public utility affiliate, PSCo, filed an answer to the Commission's April 21 order proposing certain revisions to its protocols. Agenda item E-4 may be an order addressing the proposed revisions.
- E-5** [EL22-37-000](#) On April 21, 2022, the Commission issued an order to show cause, pursuant to section 206 of the FPA instituting an investigation into whether Idaho Power Company's (Idaho Power) formula rate protocols are unjust, unreasonable, unduly discriminatory, or otherwise unlawful, and set a refund effective date. On June 21, 2022, Idaho Power filed an answer to the Commission's April 21 order proposing certain revisions to its Protocols. Agenda item E-5 may be an order addressing the proposed revisions.
- E-6** [ES23-23-000](#) On December 20, 2022, PJM Interconnection, LLC (PJM) filed an application under section 204 of the FPA seeking an order modifying the Commission's June 28, 2018, order in Docket No. [ES18-34-000](#), which authorized PJM to issue an unsecured promissory note in an amount not to exceed \$20.6 million pursuant to a term loan credit facility and associated swap agreement. Agenda item E-6 may be an order addressing PJM's request.
- E-7** [EL15-3-005](#)  
[ER15-704-027](#) On October 20, 2022, FERC issued an order on remand from an appellate court decision vacating and remanding FERC's 2019 and 2020 orders accepting a Pacific Gas and Electric Company (PG&E) filing to transition certain City and County of San Francisco (San Francisco) loads to service under PG&E's Wholesale Distribution Tariff. FERC also denied a related San Francisco complaint. On November 21, 2022, PG&E filed for reconsideration or, in the alternative, a rehearing of Commission's October 20, 2022, order, which was denied by operation of law. Agenda item E-7 may be an order on PG&E's request for consideration or, in the alternative, rehearing.

**E-8** [EL22-56-001](#) On May 10, 2022, Iowa Coalition for Affordable Transmission (ICAT) filed a complaint against ITC Midwest, LLC (ITC Midwest) arguing that the ITC Midwest's capital structure is not just and reasonable. The Commission denied the complaint on November 2, 2022. On December 2, 2022, ICAT filed a request for rehearing of the Commission's November 2 order, which was denied by operation of law. Agenda item E-8 may be an order on the request for rehearing.

**E-9** [EL23-8-000](#) On November 9, 2022, Cubit Power One, Inc. (Cubit) filed a complaint against the Consolidated Edison Company of New York, Inc. (Con Edison) to challenge Con Edison's Wholesale Distribution Services rate as unjust and unreasonable. Agenda item E-9 may be an order on the complaint.

**E-10** [ER20-2584-001](#) On November 21, 2019, the Commission issued Order No. 864 regarding public utilities transmission rate changes to address the effects of the Tax Cuts and Jobs Act on accumulated deferred income taxes (ADIT) related to transmission formula rates. On July 31, 2020, American Electric Power Service Corporation, on behalf of its affiliate, Transource Maryland, LLC, in compliance with the Commission's Order No. 864, submitted revisions to Attachment H-30A of PJM's Open Access Transmission Tariff to comply with the requirements of Order No. 864. Agenda item E-10 may be an order on the compliance filing.

**E-11** [ER22-2377-000](#) On July 14, 2022, Black Hills Colorado Electric, LLC (Black Hills Colorado) submitted a filing to comply with Commission Order No. 864 related to ADIT, given its recent filing under Docket No. [ER22-2185-000](#) to transition from a stated transmission rate to a transmission formula rate. Agenda item E-11 may be an order addressing the compliance filing.

**E-12** [EL23-14-000](#) On December 9, 2022, Alternative Transmission Inc. (ATI) petitioned the Commission for a declaratory order seeking confirmation that the Commission's exercise of authority under FPA sections 210 and 211 to direct interconnection and transmission services to an eligible application would not disturb the jurisdictional status quo between the United States and the Commonwealth of Puerto Rico. ATI proposes a long-term solution to Puerto Rico's electric grid reliability problem, which involves the construction of one or more high-voltage direct-current (HVDC) undersea transmission cables that connect the bulk electric grid system of the United States mainland to Puerto Rico (Project Equity), delivering up to 2.1 gigawatts (GW) of long-duration reliable electric power to the island. Agenda item E-12 may be an order on the petition for declaratory order.

## **GAS**

**G?1** [RP22-1105-000](#) On July 29, 2022, Anadarko US Offshore LLC, Murphy Exploration & Production Company – USA, Eni Petroleum US LLC, and INPEX Americas, Inc. (Petitioners) submitted a joint petition to the Commission requesting a temporary and limited waiver of the Commission's shipper-must-have-title policy, capacity release posting and bidding regulations, and prohibition against tying arrangements. The Commission granted temporary and limited waivers to the Petitioners on August 31, 2022. On February 13, 2023, the Petitioners filed a Joint Petition for Extension of Temporary Waivers of Capacity Release Regulations and Related Tariff Provisions and requested an extension of 90 days, until June 27, 2023, of the temporary and limited waivers that the Commission previously granted on August 31, 2022. Agenda item G-1 may be an order on the Joint Petition.

G-2 [RP21-1143-001](#)

On September 21, 2021, Transcontinental Gas Pipe Line Company, LLC (Transco) filed a petition for declaratory order, requesting authorization to charge market-based rates for firm and interruptible storage services at its Washington Storage Field. On October 27, 2022, the Commission granted the petition for declaratory order and authority to charge market-based rates subject to clarification. Rehearing of the Commission's October 27 order was sought but was denied by operation of law. Agenda item G-2 may be an order on the request for rehearing.

## HYDRO

H?1 [P-2322-073](#)

On December 16, 2022, Brookfield White Pine Hydro LLC (Brookfield), as licensee of the Shawmut Hydroelectric Project No. 2322 (Project), requested rehearing of the Commission's November 22, 2022, Notice of Denial of Water Quality Certification. The rehearing request was denied by operation of law. Agenda item H-1 may be an order on the rehearing request.

## CERTIFICATES

C-1 [CP23-11-000](#)

On November 3, 2022, Florida Gas Transmission Company, LLC (Florida Gas) filed a Prior Notice Request for Authorization under its blanket certificate to construct, modify, install, own, maintain, and operate certain natural gas pipeline facilities (including lateral looping) and appurtenant facilities in Pinellas and Hillsborough Counties, Florida. According to Florida Gas, the proposed construction will enable it to decrease certain existing Peoples Gas Systems (PGS) delivery point capacity by 10,000 million British Thermal Units per day (MMbtu/d) in PGS's St. Petersburg Division on Florida Gas's system in Pinellas County, Florida, and increase delivery point capacity by 10,000 MMBtu/d to PGS Tampa West in PGS's Tampa division on the Florida Gas system in Hillsborough County, Florida. Florida Gas also represents that the proposed construction will allow the peak hourly flow rights to the PGS Tampa West delivery point to be increased from 360 million British Thermal Units per hour (MMBtu/hr) to 667 MMBtu/hr in Hillsborough County, Florida, and that there will be no change in the daily capacity of Florida Gas's mainline system. Agenda item C-1 may be an order on the prior notice request.

C-2 [CP21-498-000](#)

On September 21, 2021, Columbia Gas Transmission, LLC (Columbia) filed an abbreviated application (Application) for a Certificate of Public Convenience and Necessity and Abandonment Authority requesting authorization of its Virginia Electrification Project (Project). According to Columbia, the proposed Project consists of modifications at two existing compressor stations, expansion of one point of receipt, and a certificated horsepower increase at a third existing compressor station, all located in Louisa, Goochland, and Prince George Counties, Virginia. Upon completion, the Project would create 35,000 dekatherms per day (Dth/d) of incremental mainline capacity on Columbia's pipeline system and provide open access firm transportation service to multiple points of delivery in Columbia's Market Area 33 and Market Area 34, in southeast Virginia. Agenda item C-2 may be an order on the Application.

C-3 [CP21-113-000](#)

On April 1, 2021, Alliance Pipeline L.P. (Alliance) filed an abbreviated application (Application) for a Certificate of Public Convenience and Necessity and Abandonment Authority requesting authorization of its Three Rivers Project. Specifically, Alliance requested authorization to construct, install, own, operate, and maintain approximately 2.85 miles of 20-inch diameter pipeline, a new metering and regulating station, and other related auxiliary facilities and appurtenances to provide natural gas transportation service to the Three Rivers Energy Center. According to Alliance, the planned project is a 1,250 megawatt (MW) natural gas fuel combined-cycle power generation facility, owned and operated by Competitive Power Ventures, located in Grundy County, Illinois. Agenda item C-3 may be an order on the Application.

C-4 [CP22-41-000](#)

On January 18, 2022, Cameron LNG, LLC (Cameron) filed for a limited amendment to its existing authorization issued by the Commission on May 5, 2016, in Docket No. CP15-560-000 (Amended Application) to site, construct, and operate facilities at the site of the existing Cameron LNG liquefied natural gas (LNG) terminal located in Louisiana's Cameron and Calcasieu Parishes (Cameron LNG Terminal). According to Cameron, the proposed project will provide additional natural gas processing, storage, and liquefaction capability and implement certain design modifications. Agenda item C-4 may be an order on the Amended Application.

C-5 **OMITTED**

C-6 [CP21-94-001](#)

On March 26, 2021, Transcontinental Gas Pipe Line Company, LLC (Transco) submitted an abbreviated application for a certificate of public convenience and necessity authorizing Transco to construct and operate its Regional Energy Access Expansion and to abandon and replace certain existing and less energy-efficient compression facilities. According to Transco, the project will enable it to provide an additional 829,400 Dth/d of firm transportation service to serve incremental natural gas supply needs beginning with the 2023-2024 winter heating season. On January 11, 2023, the Commission issued an order issuing a certificate and approving abandonment to Transco. On February 10, 2023, requests for rehearing of the January 11, 2023, order were filed, which were denied by operation of law. Agenda item C-6 may be an order on rehearing.

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