

## [Updates](#)

October 18, 2023

FERC Meeting Agenda Summaries for October 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 October 19th, at 10:00 a.m. ET.

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>
-----------------	-------------------	----------------

### **ADMINISTRATIVE**

A-1 AD24-1-000 Agency Administrative Matters

A-2 AD24-2-000 Customer Matters, Reliability, Security, and Market Operations

### **ELECTRIC**

#### **Reliability Standards To Address Inverter-Based Resources**

E-1 [RM22-12-000](#) On Nov. 17, 2022, FERC issued a Notice of Proposed Rulemaking (NPRM) proposing to develop new or modified Reliability Standards that address the following reliability gaps related to inverter-based resources (IBR): data sharing, model validation, planning and operational studies, and performance requirements. Parties submitted comments on the proposed rule through March 2023. Agenda item E-1 may be an order on the proposed rule.

Item No.	Docket No.	Company
<b>Revisions to the Filing Process and Data Collection for the Electric Quarterly Report</b>		
E-2	RM23-9-000	Agenda item E-2 is a new rulemaking docket related to revisions to the filing process and data collection for the Electric Quarterly Reports.
<b>ISO New England Inc.</b>		
	ER23-739-000	
E-3	ER23-739-001	On December 29, 2022, ISO New England (ISO-NE), joined by the Participating Transmission Owners Administrative Commission (PTO AC) on behalf of the New England Participating Transmission Owners (PTO) and the New England Power Pool (NEPOOL) Participants Committee submitted revisions to the Open Access Transmission Tariff (OATT) to incorporate rules that will enable electric storage facilities to be planned and operated as transmission-only assets (Storage as Transmission-Only Asset or SATOA) to address system needs identified in the regional system planning process set forth in the OATT. Agenda item E-3 may be an order on this filing.
	ER23-743-000	
	ER23-743-001	
<b>Idaho Power Company</b>		
E-4	<a href="#">ER23-2463-000</a>	On July 21, 2023, Idaho Power Company (Idaho Power) and PacifiCorp each submitted changes to a joint ownership and operating agreement between Idaho Power and PacifiCorp to, among other things, reflect the inclusion of the Boardman to Hemingway Transmission Project, a 300-mile-long 500-kV electric transmission line in the Pacific Northwest that is being jointly developed by PacifiCorp and Idaho Power with an expected in-service date in June 2026. Agenda item E-4 may be an order on this filing.
<b>MATL LLP</b>		
E-5	<a href="#">ER22-2318-001</a>	On January 24, 2023, MATL LLP (MATL) submitted a cleanup filing, fixing the tariff record designation of a new attachment filed to comply with Order No. 881, which revised the pro forma open access transmission tariff to improve the accuracy and transparency of electric transmission line ratings. In particular, MATL initially filed its Transmission Line Ratings as Attachment L but then realized it already had an Attachment L (Creditworthiness) on file at FERC. As such, MATL is cancelling the incorrectly filed Attachment L and is including a new Attachment O (Transmission Line Ratings). Agenda item E-5 may be an order on this filing.
	<a href="#">ER22-2318-002</a>	
<b>Western Interconnect LLC</b>		
E-6	<a href="#">ER22-2883-001</a>	On August 11, 2023, Western Interconnect LLC filed revised e-Tariff records of its new Attachment O (Transmission Line Ratings) reflecting a revised requested effective date of July 12, 2025, to coincide with the end of the three-year implementation period directed by FERC in Order No. 881. Agenda item E-6 may be an order on this filing.

Item No.	Docket No.	Company
<b>Wilderness Line Holdings, LLC</b>		
E-7	<a href="#">ER22-2989-000</a>	On September 30, 2022, Wilderness Line Holdings, LLC filed a request for waiver of Order No. 881 requirements regarding managing transmission line ratings. Agenda item E-7 may be an order on this filing.
<b>Idaho Power Company</b>		
<b>PacifiCorp</b>		
E-8	<a href="#">EC23-111-000</a>	On July 20, 2023, Idaho Power Company and PacifiCorp filed a joint Section 203 application for the disposition and acquisition of transmission facilities pursuant to a joint purchase and sale agreement. Agenda item E-8 may be an order on this filing.
<b>Northern Indiana Public Service Company LLC; Dunns Bridge Solar Center, LLC; Indiana Crossroads Wind Farm LLC; Meadow Lake Solar Park LLC and Rosewater Wind Farm LLC</b>		
E-9	<a href="#">EC23-99-000</a>	On June 26, 2023, Northern Indiana Public Service Company (NIPSCO) and its public utility subsidiaries, Dunns Bridge Solar Center, LLC; Indiana Crossroads Wind Farm LLC; Meadow Lake Solar Park LLC; and Rosewater Wind Farm LLC filed a Section 203 application for a transaction pursuant to which BIP Blue Buyer LLC, which is indirectly and wholly owned by funds managed or advised by affiliates of Blackstone Inc., will acquire a 19.9% indirect minority interest in NIPSCO. The remaining 80.1% indirect interest in NIPSCO will continue to be owned and controlled by NiSource Inc. Agenda item E-8 may be an order on this filing.
<b>North American Electric Reliability Corporation</b>		
E-10	<a href="#">RR23-3-000</a>	On August 24, 2023, the North American Electric Reliability Corporation (NERC) filed a request for acceptance of the 2024 business plans and budgets of NERC, the six regional entities, and the Western Interconnection Regional Advisory Body, and approval of the proposed assessment to fund the 2024 budgets. NERC requested that FERC issue an order on its request by November 2, 2023. Agenda item E-10 may be an order on this filing.
<b>Twelvemile Solar Energy, LLC.</b>		
E-11	<a href="#">ER23-2603-000</a>	On August 29, 2023, Twelvemile Solar Energy, LLC (Twelvemile Solar) filed a prospective limited waiver of certain provisions of its generator interconnection agreement and the SPP OATT to permit a 28-month extension of the current December 1, 2023, commercial operation deadline for Twelvemile Solar's 100 MW solar-powered generating facility. Twelvemile Solar requested that the commission issue an expedited order by October 8, 2023. Agenda item E-11 may be an order on this filing.

<b>Item No.</b>	<b>Docket No.</b>	<b>Company</b>
		<b>New Brunswick Energy Marketing Corporation</b>
E-12	<a href="#">ER14-225-009</a> EL23-95-000	On December 30, 2022, New Brunswick Energy Marketing Corporation (New Brunswick Energy) filed, in accordance with Commission Order No. 697 and 816, and Section 35.37, a triennial market power analysis for the Northeast Region in support of its continued authority to sell power at market-based rates in U.S. markets. Agenda item E-12 may be an order on this filing.

**Project-Area Wage Standards in the Labor Cost Component of Cost-of-Service Rates**

E-13	PL24-1-000	FERC periodically issues policy statements to provide guidance and regulatory certainty regarding FERC-administered statutes, orders, rules, and regulations. Policy statements typically discuss the factors that FERC will use to evaluate future proceedings. Agenda item E-13 may be a policy statement regarding wage standards in future "cost-of-service" rate calculations.
------	------------	---

**THSI bn, LLC**

E-14	<a href="#">TX23-5-000</a>	On June 21, 2023, THSI bn, LLC (THSI) applied for a FERC order requiring Arizona Electric Power Cooperative (AEPSCO) to provide interconnection service to THSI's proposed solar generation and battery storage project (Three Sisters Project) in Cochise, Arizona. In its application, THSI states that it was removed from AEPSCO's queue during final stages of the interconnection process and requests a FERC order requiring AEPSCO to interconnect the project under Section 210 of the Federal Power Act (FPA) instead. Agenda item E-14 may be a decision on the application.
------	----------------------------	---

**MISCELLANEOUS**

**Requests for Commission Records Available in the Public Reference Room**

M-1	RM23-11-000	In addition to the FERC website (which includes documents published after November 1981), FERC makes public records available for physical inspection and copying at its Public Reference Room in Washington, D.C. Agenda item M-1 may be amendments to FERC's procedures for requesting access to documents in the Public Reference Room.
-----	-------------	--

**GAS**

Item No.	Docket No.	Company
	<a href="#"><u>OR18-7-002</u></a>	<i>Epsilon Trading, LLC, Chevron Products Company, and Valero Marketing and Supply Company v. Colonial Pipeline Company</i>
	<a href="#"><u>OR18-12-002</u></a>	<i>BP Products North America, Inc., Trafigura Trading LLC, and TCPU, Inc. v. Colonial Pipeline Company</i>
	<a href="#"><u>OR18-17-002</u></a>	<i>TransMontaigne Product Services LLC v. Colonial Pipeline Company</i>
G-1	<a href="#"><u>OR19-1-001</u></a>	<i>Southwest Airlines Co. and United Aviation Fuels Corporation v. Colonial Pipeline Company</i>
	<a href="#"><u>OR19-4-001</u></a>	
	<a href="#"><u>OR19-16-001</u></a>	<i>Phillips 66 Company v. Colonial Pipeline Company</i>
	<a href="#"><u>OR19-20-000</u></a>	<i>American Airlines, Inc. v. Colonial Pipeline Company</i>
		<i>Metroplex Energy, Inc. v. Colonial Pipeline Company</i>
		<i>Gunvor USA LLC v. Colonial Pipeline Company</i>
		<i>Pilot Travel Centers, LLC v. Colonial Pipeline Company</i>
		<i>Sheetz, Inc. v. Colonial Pipeline Company</i>
	<a href="#"><u>OR19-27-000</u></a>	<i>Apex Oil Company, Inc. and FutureFuel Chemical Company v. Colonial Pipeline Company</i>
	<a href="#"><u>OR19-36-000</u></a>	
	<a href="#"><u>OR20-7-000</u></a>	Between November 22, 2017, and March 9, 2020, numerous complaints were filed by shippers against Colonial Pipeline Company (Colonial) challenging Colonial's FERC ICA Oil Pipeline tariff rates for transportation of refined petroleum products, as well as practices and charges related to delivery shortages. The complaints were consolidated and set for hearing. On December 21, 2021, the administrative law judge issued a partial initial decision addressing the challenges to Colonial's market-based rate authority, as well as Colonial's extra-tariff rates associated with times when oil pipeline deliveries of refined petroleum are short. The initial decision noted that a later decision would assess issues related to Colonial's cost-of-service, indexed rates, and related issues. Agenda item G-1 may be an order on the 2021 partial initial decision.
(consolidated)	<a href="#"><u>OR20-9-000</u></a>	

Item No.	Docket No.	Company
		<i>Epsilon Trading, LLC, Chevron Products Company, and Valero Marketing and Supply Company v. Colonial Pipeline Company</i>
	<a href="#">OR18-7-003</a>	<i>BP Products North America, Inc., Trafigura Trading LLC, and TCPU, Inc. v. Colonial Pipeline Company</i>
	<a href="#">OR18-12-003</a>	<i>TransMontaigne Product Services LLC v. Colonial Pipeline Company</i>
	<a href="#">OR18-7-003</a>	<i>Southwest Airlines Co. and United Aviation Fuels Corporation v. Colonial Pipeline Company</i>
	<a href="#">OR19-1-002</a>	
	<a href="#">OR19-4-002</a>	<i>Phillips 66 Company v. Colonial Pipeline Company</i>
	<a href="#">OR19-16-002</a>	<i>American Airlines, Inc. v. Colonial Pipeline Company</i>
G-2	<a href="#">OR19-20-001</a>	<i>Metroplex Energy, Inc. v. Colonial Pipeline Company</i>
	<a href="#">OR19-27-001</a>	<i>Gunvor USA LLC v. Colonial Pipeline Company</i>
	<a href="#">OR19-36-001</a>	<i>Pilot Travel Centers, LLC v. Colonial Pipeline Company</i>
	<a href="#">OR20-7-001</a>	<i>Sheetz, Inc. v. Colonial Pipeline Company</i>
	<a href="#">OR20-9-001</a>	<i>Apex Oil Company, Inc. and FutureFuel Chemical Company v. Colonial Pipeline Company</i>

(consolidated) On April 27, 2022, the administrative law judge issued the second partial initial decision regarding Colonial's cost-of-service, indexed rates, and related issues in the complaint cases described in Agenda item G-1. Agenda item G-2 may be an order on the 2022 partial initial decision.

## HYDRO

### BOST1 Hydroelectric, LLC

H-1 [P-15300-000](#) On January 31, 2023, BOST1 Hydroelectric, LLC (BOST1) filed an application for preliminary permit for the Heard County Pumped Storage Project to be located in Heard County, Georgia. BOST1 described the project as currently envisioned to consist of three 333 MW hydroelectric pump/turbines with a combined capacity of 1,000 MW. The purpose of the project is to allow more efficient utilization of existing base load and renewable energy resources by providing renewable resources with the ability to provide on-peak power and increase the reliability of the existing transmission system by providing capability for voltage support, load following, and black start capability. Agenda item H-1 may be an order on BOST1's preliminary permit application.

**Item  
No.     Docket No.**

**Company**

**Erie Boulevard Hydropower, L.P. Hudson River-Black River Regulating District.**

H-2

[P-2318-055](#)

[P-12252-038](#)

On January 25, 2023, the Hudson River-Black River Regulating District (District), licensee of the Great Sacandaga Lake Project No. 12252 (GSL Project), filed a petition requesting the commission declare that Erie Boulevard Hydropower, L.P. (Erie), licensee of the E.J. West Project No. 2318, must maintain a property interest in 56 feet of hydraulic head created by the District's GSL Project. On January 27, 2023, Erie filed a petition requesting the commission declare that section 10(f) of the FPA preempts charges assessed against Erie by the District for releases from the GSL Project and that the District would violate its license should it divert all water around the E.J. West Project or significantly change the timing of releases without commission authorization. On June 15, 2023, the commission issued an order granting in part and denying in part the petitions. The District filed a request for rehearing of the June 15 order, which was denied by operation of law. Agenda item H-2 may be an order on rehearing.

**CERTIFICATES**

**Gas Transmission Northwest, LLC (GTN)**

C-1 [CP22-2-000](#)

On October 4, 2021, GTN filed an application for a Certificate of Public Convenience and Necessity (CPCN) requesting authorization of its GTN XPress Project, consisting of modifications to three existing compressor stations located in Kootenai County, Idaho; Walla Walla County, Washington; and Sherman County, Oregon. GTN's application described the proposed project as designed to create 150,000 dekatherms per day of incremental mainline capacity on GTN's system and provide open access firm transportation service from GTN's Kingsgate Meter Station to the Malin Meter Station. FERC issued a draft Environmental Impact Statement for the project on June 30, 2022. Agenda item C-1 may be an order on GTN's application.

**WBI Energy Transmission, Inc. (WBI)**

C-2

[CP22-466-000](#)

On May 27, 2022, WBI filed an application for CPCN requesting authorization of its Wahpeton Expansion Project, consisting of construction, modification, operation, and maintenance of natural gas transmission facilities in Cass and Richland counties, North Dakota. FERC issued its Final Environmental Impact Statement for the proposed project on April 7, 2023. Agenda item C-2 may be an order on WBI's application.

Item No.	Docket No.	Company
<b>Venture Global Plaquemines LNG, LLC (Plaquemines) and Venture Global Gator Express, LLC (Gator Express)</b>		
C-3	<a href="#">CP17-66-001</a> <a href="#">CP17-67-001</a>	<p>On September 20, 2019, FERC issued an order authorizing Plaquemines and Gator Express to construct, install, own, operate, and maintain certain pipeline and liquefied natural gas (LNG) facilities located in Plaquemines Parish, Louisiana. On December 27, 2022, Plaquemines and Gator Express submitted a variance request seeking FERC authorization to expand the construction workforce and extend construction activities at the site. FERC has since issued several environmental information requests and accepted public comment related to the request. Agenda item C-3 may be an order on the Plaquemines and Gator Express request.</p>
<b>Texas Eastern Transmission, LP (Texas Eastern)</b>		
C-4	<a href="#">CP22-486-000</a>	<p>On July 7, 2022, Texas Eastern requested authorization to construct, operate, and abandon certain natural gas pipeline facilities related to its proposed Appalachia to Market II Project and Armagh and Entriken HP Replacement Projects. The Appalachia to Market II Project is designed to provide up to 55,000 dekatherms per day of additional firm transportation service from the Appalachia supply basin in southwest Pennsylvania to existing local distribution company customers in New Jersey, and the Replacement Projects are designed to improve reliability on the Texas Eastern system by replacing a gas-driven compressor unit with an electric-motor driven compression unit at each of two compressor stations. FERC initially intended to prepare an Environmental Impact Statement, but on January 27, 2023, announced its intent to prepare an environmental assessment instead, which it issued on February 10, 2023. Agenda item C-4 may be an order on the Texas Eastern request.</p>
<b>Trailblazer Pipeline Company LLC (TPC) and Rockies Express Pipeline LLC (REX)</b>		
C-5	<a href="#">CP22-468-000</a>	<p>On May 27, 2022, TPC and REX filed an application requesting authorization for TPC to abandon about 392 miles of pipeline and related facilities, for TPC to lease capacity from REX, and for REX to expand its facilities to permit service through the leased capacity. TPC also requested approval of pro forma tariff records to establish caps on its fuel reimbursement percentage, lost and unaccounted for retention percentage, and its power cost tracker reimbursement charges and to provide its shippers with access to various receipt and delivery points on REX's system. On March 31, 2023, FERC issued an environmental assessment regarding the proposed project. Agenda item C-5 may be an order on the application by TPC and REX.</p>



**Item  
No.**    **Docket No.**

**Company**

**Equitrans, L.P.**

C-6    [CP21-455-000](#)

On June 2, 2021, Equitrans, L.P. (Equitrans) filed a prior notice request for authorization to plug and abandon the Pratt 3660 injection/withdrawal storage well, remove an associated valve, and abandon in place approximately 635 feet of six-inch diameter natural gas pipeline. On July 17, 2023, FERC issued a supplemental environmental assessment report regarding the proposed abandonment of the facilities. Agenda item C-6 may be an order on the application by Equitrans.

**Updating Regulations for Engineering and Design Materials for Liquefied Natural Gas Facilities Related to Potential Impacts Caused by Natural Hazards**

C-7    [RM22-8-000](#)

On November 17, 2022, FERC issued a notice of proposed rulemaking that proposed to revise its regulations under 18 CFR Parts 153 and 380 governing LNG facilities subject to sections 3 and 7 of the Natural Gas Act (NGA) by removing outdated references for seismic hazard evaluations and seismic design criteria for LNG facilities. In their place, FERC proposed to codify its existing practice of evaluating seismic and other natural hazards and design criteria for LNG facilities under its jurisdiction. Agenda item C-7 may be an order on this proposed rulemaking.

© 2023 Perkins Coie LLP

**Authors**

**Explore more in**

[Environment, Energy & Resources](#)    [Energy Infrastructure & Clean Technology](#)

**Related insights**

Update

[\*\*HHS Proposal To Strengthen HIPAA Security Rule\*\*](#)

Update

[\*\*California Court of Appeal Casts Doubt on Legality of Municipality's Voter ID Law\*\*](#)