



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 May 13th^[1], at 11:00 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.

Item Docket

No. No.

Company

ADMINISTRATIVE

Item Docket**No. No.****Company**

A-1 AD24-1-000 Agency Administrative Matters

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

ELECTRIC**Building for the Future Through Electric Regional Transmission Planning and Cost Allocation**

E-1 [RM21-17-000](#) On April 21, 2022, FERC issued a notice of proposed rulemaking (NOPR) in which it proposed numerous reforms to remedy deficiencies in the Commission's existing regional transmission planning and cost allocation requirements. In particular, FERC proposed to require all public utility transmission providers to (1) conduct long-term regional transmission planning on a sufficiently forward-looking basis to meet transmission needs driven by changes in the resource mix and demand; (2) more fully consider dynamic line ratings and advanced power flow control devices in regional transmission planning processes; (3) seek the agreement of relevant state entities within the transmission planning region regarding the cost allocation method or methods that will apply to transmission facilities selected in the regional transmission plan for purposes of cost allocation through long-term regional transmission planning; (4) adopt enhanced transparency requirements for local transmission planning processes and improve coordination between regional and local transmission planning with the aim of identifying potential opportunities to "right-size" replacement transmission facilities; and (5) revise their existing interregional transmission coordination procedures to reflect the long-term regional transmission planning reforms proposed in the NOPR. In addition, the NOPR would not permit public utility transmission providers to take advantage of the construction-work-in-progress incentive for regional transmission facilities selected for purposes of cost allocation through long-term regional transmission planning and would permit the exercise of federal rights of first refusal for transmission facilities selected in a regional transmission plan for purposes of cost allocation, conditioned on the incumbent transmission provider with the federal right of first refusal for such regional transmission facilities establishing joint ownership of the transmission facilities. Agenda item E-1 may be an order regarding the NOPR.

Applications for Permits to Site Interstate Electric Transmission Facilities

E-2 [RM22-7-000](#) On December 15, 2022, FERC issued a notice of proposed rulemaking in which it proposed to revise its existing regulations governing applications for permits to site electric transmission facilities under section 216 of the Federal Power Act. The proposed amendments are intended to ensure consistency with amendments to section 216 enacted by the Infrastructure Investment and Jobs Act of 2021, modernize certain regulatory requirements, and provide updates and clarifications to make FERC's review of permit applications more efficient, including through concurrent state and federal review of construction permits for new transmission lines, with certain limitations. Additional information about the proposed rulemaking is available through [this Update](#).

Endnote

[1] On the same date that FERC released its Sunshine Notice for its April 25, 2024, open meeting, FERC released a Sunshine Notice for a special open meeting to be held on May 13, 2024. FERC's calendar continues to reflect a regularly scheduled open meeting for May 23, 2024, for which a Sunshine Notice has not yet been issued.

© 2024 Perkins Coie LLP

Authors



Jane Rueger

Partner

JRueger@perkinscoie.com [202.661.5834](tel:202.661.5834)

Explore more in

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

Related insights

Update

[Wrapping Paper Series: Issues and Trends Facing the Retail Industry During the Holiday Season](#)

Update

[New Statutory Requirements for Commercial Leases: SB 1103 Updates California Laws for Landlords and Commercial Tenants](#)