

WSPP Filings at FERC in 2016

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- Motion to Intervene and Comments of WSPP Inc., *West-Wide Must-Offer Requirements*, Docket No. EL16-27-000, filed March 18, 2016
- Amendments to the WSPP Agreement (List of Members), Docket No. ER16-1339-000, filed April 4, 2016 (accepted by letter order dated May 20, 2016)
- Letter, *Puget Sound Energy, Inc.*, Docket No. EL01-10-136, filed April 7, 2016
- Amendments to WSPP Agreement for revisions under Schedule Q to reflect revisions to costs based rates for APS (accepted by September 8, 2016 in Docket ER16-2259)
- Amendments to the WSPP Agreement to update Schedule Q reflecting revised cost based rates for PacifiCorp, Docket No. ER16-2526-000, filed September 1, 2016 (accepted in order dated October 12, 2016)

West Wide Must Offer

- WSPP first raised the must-offer and associated posting requirement in a letter to the Commission submitted on March 16, 2015, seeking clarification that the must-offer and associated capacity posting requirement were no longer in effect. On April 14, 2015, the Commission published the 2015 [Biennial Staff Memo Regarding Retrospective Analysis of Existing Rules](#) requesting public comment on, among other things, whether the Commission should consider modifying or removing the West-wide must-offer requirement. The Commission received no comments on that issue. In February, 2016, the Commission instituted a [section 206 investigation](#) to determine whether, due to changes in circumstances, the must-offer obligation imposed in the Western Electricity Coordinating (WECC) during the California energy crisis of 2000-2001 is no longer necessary and therefore has become unjust and unreasonable. West-Wide Must-Offer Requirements (Docket No. EL16-27-000)
- Based on comments in this proceeding (EL16-27), the Commission concluded in a October 21, 2016 Order that the must-offer and associated capacity posting requirement are no longer required. The Commission did not grant another party's request to relieve sellers of the available capacity posting requirement earlier than February 24, 2016
- WSPP discontinued the capacity posting page available on the WSPP website effective Nov 1, 2016
- There were no requests for rehearing of the October 21 FERC Order

WSPP Letter in Puget Sound Energy EL01-10-136

- While WSPP has no interest in the underlying dispute in the FERC proceeding, there was a concern (discussed in March 29, 2016 CSC call) that a decision issued by an administrative law judge could be read to imply that binding obligations under the WSPP Agreement can arise outside the detailed procedures of Section 32 of the WSPP Agreement
- After discussion on the March 29 CSC call, there was general support that WSPP should consider sending a [letter](#) to the Commission expressing its concerns – a letter was submitted April 7, 2016
- WSPP took no position in favor or against any litigant in this matter
- WSPP's concern was limited to the risks and uncertainty that could arise from the ambiguity of the contract formation discussion contained in the Revised Initial Decision
- WSPP expressed concern that the ALJ made findings regarding formation of WSPP contracts without referring to the detailed provisions in the WSPP Agreement that specify how a binding contract is formed. WSPP urged that, if allowed to stand, the ALJ's finding could be understood to indicate that a binding WSPP transaction could occur even if the formation did not conform to those detailed provisions
- FERC Order issued on October 18, 2016 (Opinion 552) reverses the Revised Initial Decision that was the basis for the concerns WSPP raised in its letter
- Request for rehearing filed on Nov 16, 2016