



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 June 27th, 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.

**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

Implementation of Dynamic Line Ratings

- E-1 RM24-6-000 RM24-6-000 is a new docket. Agenda item E-1 likely concerns a new rulemaking proceeding by FERC on the implementation of dynamic line ratings.

[ER23-2977-000](#)

Midcontinent Independent System Operator, Inc.

- E-2 [ER23-2977-001](#) On September 29, 2023, the Midcontinent Independent System Operator, Inc. (MISO) submitted proposed revisions to its Open Access Transmission, Energy, and Operating Reserve Markets Tariff (Tariff) to implement a Reliability Based Demand Curve in its 2025-2026 Planning Resource Auction. Agenda item E-2 may be an order on this request.

[ER23-2977-002](#)

PJM Interconnection, L.L.C.

- E-3 ER17-1433-005 (sub docket not listed) On January 31, 2022, FERC issued an order accepting, in compliance with an earlier May 20, 2021, order, revisions to PJM Interconnection, L.L.C.'s (PJM) Amended and Restated Operating Agreement and Open Access Transmission Tariff related to PJM's Financial Transmission Rights forfeiture rule (FTR Forfeiture Rule). The Commission also declined to require refunds in the proceeding. On May 5, 2022, FERC denied rehearing of the January 31, 2022, order, but modified its discussion of its conclusions. ER17-1433-005 is a new sub-docket that is not publicly available. Agenda item E-3 likely concerns PJM's FTR Forfeiture Rule.

**Item Docket
No. No.**

Company

North American Electric Reliability Corporation

E-4 [RD24-5-000](#) [RD24-1-000](#) On February 16, 2024, North American Electric Reliability Corporation (NERC) filed a petition for approval of a proposed Reliability Standard, EOP-012-2 (Extreme Cold Weather Preparedness and Operations). NERC stated that the proposed Reliability Standard would clarify the applicability of the standard's requirements for generator cold weather preparedness, further define the circumstances under which a generator owner may declare that constraints preclude them from implementing one or more corrective actions to address freezing issues, and shorten the implementation timeline so cold weather reliability risks would be addressed more quickly. Agenda item E-4 may be an order on this petition.

Revisions to Regulations on Electric Reliability Organization Performance Assessments

E-5 [RM21-12-000](#) On January 19, 2021, FERC issued a Notice of Proposed Rulemaking that proposed to amend FERC's regulations to require the FERC-certified Electric Reliability Organization (ERO) to submit assessments of its performance every three years instead of the current period of every five years. FERC also proposed to add a requirement for the ERO to include in its performance assessment a detailed discussion of any areas of the ERO's responsibilities and activities, or a Regional Entity's delegated functions, beyond those required by FERC's regulations, that FERC has identified at least 90 days prior to the expected performance assessment submission date. Finally, FERC proposed formalizing the method for the ERO and Regional Entities to receive and respond to recommendations by the users, owners, and operators of the Bulk-Power System, and other interested parties for improvement of the ERO's operations, activities, oversight and procedures. Agenda item E-5 may be related to this proposed rulemaking.

North American Electric Reliability Corporation

E-6 [RR24-2-000](#) On March 19, 2024, NERC submitted a petition for approval of revisions to its Rules of Procedure to address unregistered inverter-based resources (IBRs) under RR24-2. Agenda item E-6 may be an order related to this petition.

Gregory and Beverly Swecker

E-7 [EL24-6-000](#) On October 26, 2023, Gregory and Beverly Swecker filed a complaint requesting an order from FERC pursuant to Public Utility Regulatory Policies Act regulation 18 CFR 292.302(2) documenting the rate at which Midland Power Cooperative purchases from Central Iowa Power Cooperative. Agenda item E-7 may be an order on the Sweckers' complaint.

**Item Docket
No. No.**

Company

Southern California Edison Company

E-8 [EL24-71-000](#) On February 7, 2024, Southern California Edison (SCE) Company submitted a petition for declaratory order approving specific incentive rate treatments for SCE's Del Amo-Mesa-Serrano 500 kV Reinforcement Project and Lugo-Victor-Kramer 230 kV Upgrade Project. Agenda item E-8 may be an order related to this petition.

Missouri River Energy Services v. Southwest Power Pool, Inc.

E-9 [EL24-3-000](#) On October 13, 2023, Missouri River Energy Services (Missouri River) filed a complaint against the Southwest Power Pool (SPP). The complaint alleges that SPP violated its Open Access Transmission Tariff by allocating zero Long Term Congestion Rights (LTCRs) to Missouri River in the March 2016 LTCR allocation and in every annual allocation since. The complaint requests that the Commission order SPP to provide refunds, with interest, for the amount that Missouri River alleges it was effectively overcharged and requests that the Commission order SPP to allocate LTCRs to Missouri River immediately for the remainder of the current rate year. Agenda item E-9 may be an order on Missouri River's complaint.

Southern Power Company

E-10 [ER23-150-000](#) On October 20, 2022, Southern Power Company (Southern Power) requested authorization to make affiliate sales under certain pro forma contracts for the purchase of firm capacity and energy between Southern Power and Georgia Power Company, each a wholly owned subsidiary of Southern Company. In its application, Southern Power claims that the authorization will assist Georgia Power in meeting its supply-side resource plan to meet its native load obligations at a cost that is more favorable to Georgia Power and its ratepayers than alternatives offered to Georgia Power in response to its formal solicitation for long-term capacity. Agenda item E-10 may be an order on Southern Power's request.

Item Docket
No. No.

Company

Southwest Power Pool, Inc.

E-11 [ER22-1697-002](#)

On March 29, 2024, American Electric Power Service Corporation; Public Service Company of Oklahoma; Southwestern Electric Power Company; Evergy Kansas Central, Inc.; Evergy Metro, Inc.; Evergy Missouri West, Inc.; Oklahoma Gas & Electric Company; and Xcel Energy Services (collectively, Joint Utilities) submitted a request for rehearing and clarification of the Commission's order on the compliance filing issued in Docket No. ER22-1697 determining that Southwest Power Pool (SPP) had not satisfied Order No. 2222's locational requirements and approving the effective date of SPP's Order No. 2222 implementation. The Joint Utilities requested rehearing on the Commission's determination that SPP failed to demonstrate compliance with the locational requirements of Order No. 2222 and requested clarification that the Commission's approval of the effective date for SPP's Order No. 2222 implementation does not foreclose the opportunity for an extension of time for SPP's and SPP's member utilities' implementation of Order No. 2022. On April 29, 2024, the Commission denied rehearing, but indicated that the request for rehearing would be addressed in a future order. Agenda item E-11 may be an order modifying or setting aside the Commission's Order in ER22-1697.

Oak Trail Solar, LLC

E-12 [ER23-1752-003](#)
[EL24-63-004](#)

On March 18, 2024, Northern Virginia Electric Cooperative, Inc.; Old Dominion Electric Cooperative; Dominion Energy Services, Inc.; and Virginia Electric and Power Company (collectively, the Joint Customers) requested rehearing and clarification of the Commission's Order accepting Oak Trail Solar, LLC's (Oak Trail) proposed rate schedule, instituting a Section 206 proceeding, and establishing hearing and settlement judge procedures issued in Docket Nos. ER23-1752 and EL24-63-000. The Joint Customers had protested Oak Trail's proposed annual revenue requirement submission as extraordinarily high. The Joint Customers' request for rehearing and clarification claims that the Commission erred in recognizing the incorrect filing date for Oak Trail's submission, that the Commission's order left customers without appropriate refund protection, and that the Commission's order should have rejected Oak Trail's proposed revenue requirement as unsupported.

On April 18, 2024, the Commission denied rehearing but indicated that the request for rehearing would be addressed in a future order, and on June 17, 2024, the Joint Customers filed for a petition for review of the Commission's order denying rehearing in the U.S. Court of Appeals for the District of Columbia Circuit. Agenda item E-12 may be an order addressing the request for rehearing.

**Item Docket
No. No.**

Company

Cometa Energia, S.A. de C.V., /o/b/o., Energia Azteca X, S. de R.L. de C.V. v. California Independent System Operator Corporation

E-13 [EL24-92-000](#)

On March 20, 2024, Cometa Energia, S.A. de C.V. (Saavi) filed a complaint against the California Independent System Operator Corporation (CAISO) on behalf of Saavi's affiliate portfolio company, EAX, that asked FERC to remedy CAISO's termination of EAX's Full Capacity Deliverability Status associated with the EAX Combustion Turbine Unit C generator (Unit C). Unit C is a 181.5 MW generation resource with interconnection rights to the CAISO controlled grid. Under its Commission-approved Non-Conforming Participating Generator Agreement (PGA), Saavi has the contractual right to be dispatched in CAISO, or the Comisión Federal de Electricidad (CFE) in Mexico, through defined PGA processes that Saavi states accommodate Unit C's ability to switch its generation dispatch. Saavi stated that CAISO took the position that Unit C has completely forfeited its deliverability status by temporarily disconnecting from CAISO and serving CFE. Agenda item E-13 may be an order on Saavi's complaint.

Canisteo Wind Energy LLC

E-14 [ER24-1881-000](#)

On April 26, 2024, Canisteo Wind Energy LLC (Canisteo) filed a request for waiver of Section 30.4.4.5.1 in Attachment X of the New York Independent System Operator, Inc. (NYISO) Open Access Transmission Tariff (OATT), which, as applicable to Canisteo, requires that the commercial operation date included in its Large Generation Interconnection Agreement not extend more than four years from the date of completion of the Canisteo's NYISO's Class Year interconnection study process. Agenda item E-14 may be an order on Canisteo's waiver request.

PJM Interconnection, L.L.C.

E-15 [ER23-1067-002](#)

On May 5, 2023, the American Clean Power Association, Solar Energy Industries Association, and Advanced Energy United submitted a request for rehearing of FERC's April 7, 2023, order accepting PJM Interconnection L.L.C.'s proposed amendments to establish new rules regarding the application of Capacity Interconnection Rights to Generation Capacity Resources, within the context of PJM's Effective Load Carrying Capability construct. On June 5, 2023, FERC issued a notice of denial of the rehearing request by operation of law. Agenda item E-15 may be an order on rehearing.

Item Docket
No. No.

Company

Roy J. Shanker v. PJM Interconnection, L.L.C.

E-16 [EL23-13-000](#) On November 30, 2022, Roy Shanker, Ph.D. (Dr. Shanker) filed a complaint against PJM Interconnection L.L.C. (PJM) alleging that PJM violated provisions of its Reliability Assurance Agreement and relevant provisions of applicable Interconnection Service Agreements by improperly including output from Energy Resources (defined as not Capacity) in its ELCC process and the associated accreditation of the Accredited Unforced Capacity (AUCAP) offered for sale in its Reliability Pricing Model (RPM) capacity auctions by Intermittent/Variable Resources. Agenda item E-16 may be an order on Dr. Shanker's complaint.

GAS

Gulf South Pipeline Company, LLC

G-1 [RP24-395-001](#) On April 8, 2024, Gulf South Pipeline Company, LLC (Gulf South) submitted a request for rehearing of the Commission's March 8, 2024, order rejecting Gulf South's proposal to modify the capacity sales procedures set in the General Terms and Conditions of its tariffs. Agenda item G-1 may be an order on the request for rehearing.

HYDRO

Pacific Gas and Electric Company

H-1 [P-77-320](#) On February 22, 2024, Pacific Gas and Electric Company (PG&E) submitted a request for a 2024 flow variance on PG&E's Potter Valley Hydroelectric Project. PG&E requested a temporary variance of its minimum flow requirements at two project locations. Agenda item H-1 may be an order on PG&E's requested temporary variance of its minimum flow requirements.

City of Seattle, Washington

H-2 [P-553-245](#) On September 19, 2023, the city of Seattle, Washington, through its City Light Department (City Light), licensee of the Skagit River Hydroelectric Project No. 553, petitioned FERC to issue a declaratory order stating that City Light is not required to obtain a special use permit from the National Park Service to undertake operations and maintenance activities at the project that are authorized by City Light's FERC license. Agenda item H-2 may be an order on City Light's petition.

Item Docket
No. No.

Company

Grand River Dam Authority

H-3 [P-1494-468](#) On January 18, 2024, Grand River Dam Authority (GRDA), owner and licensee of the Pensacola Hydroelectric Project (Project) requested a rehearing of the Commission's January 18, 2024, Order on Remand. The Order on Remand was issued by the Commission in response to the remand issued by the U.S. Court of Appeals for the District of Columbia (D.C. Circuit) in *City of Miami v. FERC*, 22 F.4th 1039 (2022) that addressed a 2018 complaint filed by the City of Miami, Oklahoma (City), alleging that GRDA is in violation of Standard Article 5 of the license for the Project. Agenda item H-3 may be an order on GRDA's rehearing request.

CERTIFICATES

Algonquin Gas Transmission, LLC.

C-1 [C24-49-000](#) On January 30, 2024, Algonquin Gas Transmission, LLC (Algonquin) filed a prior notice of blanket certificate activity notifying the Commission of Algonquin's intent to offset and replace a segment of six-inch diameter pipeline with 12-inch diameter pipeline at a crossing of the Sakonnet River in Newport County, Rhode Island. Agenda item C-1 may be an order on Algonquin's prior notice.

Algonquin Gas Transmission, LLC.

C-2 [CP24-21-000](#) On November 30, 2023, Algonquin filed a Prior Notice of Blanket Certificate Activity notifying the Commission of its intent to modify its existing E System Lateral Tap Site located in the Town of Coventry, Tolland County, Connecticut (the E-1 System Regulator Installation Project). The Office of Energy Projects has issued several environmental information requests and several parties have intervened and submitted comments. On May 1, Algonquin requested immediate issuance of a certificate authority in order to proceed with construction of facilities for the E-1 System Regulator Installation Project and renewed its request on May 17. Agenda item C-2 may be an order on this request.

Item Docket
No. No.

Company

Spire STL Pipeline LLC.

In January 2017, Spire STL Pipeline LLC (Spire) filed an application for Certificates of Public Convenience and Necessity (CPCN) that would authorize Spire to construct, own, operate, and maintain approximately 59 miles of greenfield 24-inch-diameter pipeline facilities and, separately, to acquire, upon receipt of the necessary state commission approval, and make minor modifications to an existing natural gas line approximately seven miles in length that is currently owned and operated by Laclede Gas Company, which together will make a new, approximately 66-mile interstate natural gas that will service the St. Louis metropolitan area and surrounding counties (the Project). In August 2018, FERC issued a CPCN for the Project, subject to certain agricultural mitigation measures.

C-3 [CP17-40-018](#)

Between December 19, 2022, and August 2, 2023, Commission staff issued an environmental compliance information request (ECIR) requiring Spire to file tract-specific remediation plans for certain landowner tracts along the Project, to which Spire responded. On July 19, 2023, Commission staff issued a request to Betty Ann and Richard Keith Jefferson (collectively, the Jeffersons) for comments regarding the adequacy of Spire's proposed plan. On March 6, 2024, Commission staff issued letters to Spire directing required restoration measures for various properties across the Project, including the Jeffersons' tracts. On April 5, 2024, Spire and the Jeffersons filed a motion for rehearing, seeking reconsideration of, and making specific requests to improve, certain aspects of the Commission's directive for the Jeffersons' properties. The request for reconsideration was denied by operation of law on May 6, 2024. Agenda item C-3 may be an order on this request.

Spire STL Pipeline LLC.

Agenda item C-4 also relates to construction of the Spire STL Pipeline Project, addressing an issue specific to one landowner's (Jacob Gettings') property. As noted above, in August 2018, FERC issued a certificate for public necessity and convenience (CPCN) for the Spire Project, subject to certain agricultural mitigation measures. On March 18, 2021, FERC issued an Order on Environmental Compliance in response to findings by the Illinois Department of Agriculture (IDOA) requiring Spire to complete additional remediation work. On March 6, 2024, FERC staff issued an Order Addressing Arguments Raised on rehearing with instructions to Spire regarding monitoring of construction debris, submission of a drain tile monitoring plan, and removal of materials. In the present action, Mr. Gettings seeks clarification of, or in the alternative, reconsideration of the March 6, 2024, Order. Agenda item C-3 may be an order on this request.

C-4 [CP17-40-019](#)

**Item Docket
No. No.**

Company

Venture Global CP2 LNG, LLC; Venture Global CP Express, LLC.

C-5 [CP22-21-000](#) On December, 2021, Venture Global CP2 LNG, LLC and Venture Global CP Express, LLC (collectively, Venture Global) applied for a CPCN to construct, install, own, operate, and maintain a liquefied natural gas (LNG) pipeline and related facilities located in Louisiana and Texas (known as the CP2 LNG and CP Express Pipeline Project). The proposed project would liquefy, store, and export a nameplate capacity of 20 million tonnes per annum (MTPA) of LNG to overseas markets by ocean-going vessels. On January 19, 2023, FERC staff published a draft Environmental Impact Statement (EIS) for the project and released a final EIS on July 28, 2023. Agenda item C-5 may be an order on the application.

[CP22-22-000](#)

Transcontinental Gas Pipe Line Company, LLC.

C-6 [CP22-495-001](#) On January 18, 2024, FERC granted the Transcontinental Gas Pipe Line Company, LLC (Transco) a CPCN to construct and operate the Texas to Louisiana Energy Pathway Project. On February 16, 2024, the Sierra Club filed a request for rehearing, arguing, among other things, that FERC improperly granted the certificate without sufficient evidence of need and that an EIS should have been prepared for the project. On May 24, 2024, Sierra Club filed for review in the D.C. Circuit following denial of the request for rehearing by operation of law. Agenda item C-6 may be an order on Sierra Club's request.

© 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

[Ninth Circuit Rejects Mass-Arbitration Rules, Backs California Class Actions](#)

Update

[CFPB Finalizes Proposed Open Banking Rule on Personal Financial Data Rights](#)