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RTO Insider LLC
 10837 Deborah Drive
 Potomac, MD 20854
 (301) 658-6885

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FERC/Federal News



DOE Designates Seven Regional Hydrogen Hubs

Combined Federal Funding of up to \$7B Promised

By John Cropley

The U.S. Department of Energy last week *announced the designation* of seven potential clean hydrogen hubs, the foundation of the Biden administration’s plan for a technology it views as central to the clean energy economy.

If selected, the H2Hubs will benefit from up to \$7 billion in federal funding that recipients will match with more than \$40 billion in additional funding.

The seven regional hubs are a central piece of the Biden administration’s attempts to accelerate hydrogen’s development as an alternative to fossil fuel. They are intended to pave the

way for a national hydrogen production, distribution, storage and end-use network.

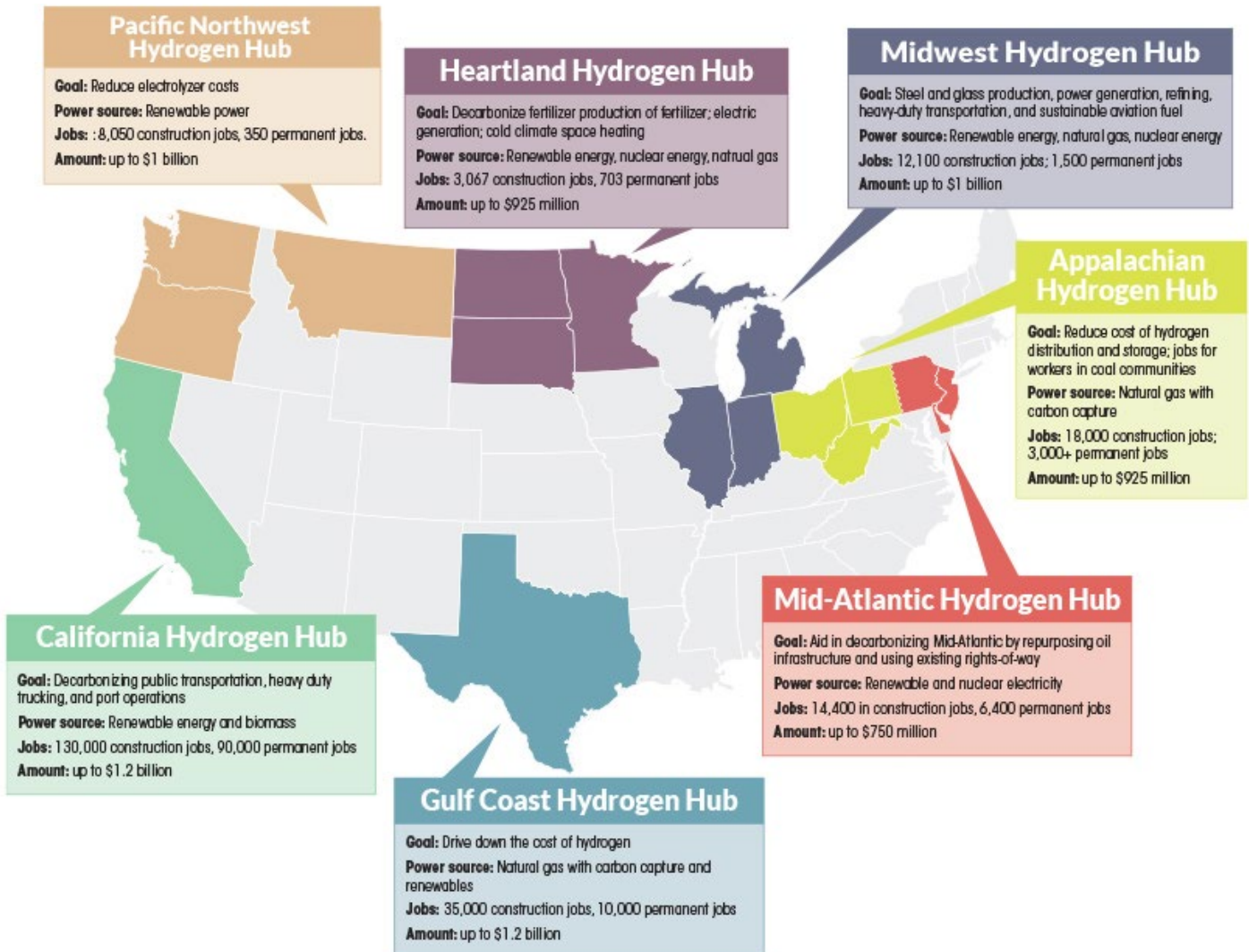
The seven hubs are expected to produce 3 million metric tons of hydrogen annually, enabling end users to reduce their carbon dioxide emissions by up to 25 million metric tons per year. The administration has set a 2030 production target of 10 million metric tons to serve industrial sectors that represent 30% of total U.S. carbon emissions.

The department said its selection of the hubs does not commit it to provide funding. “Before funding is issued, DOE and the applicants will undergo a negotiation process, and DOE may cancel negotiations and rescind the selection

for any reason during that time.”

The seven projects selected for negotiation are:

- Appalachian Hydrogen Hub** (West Virginia, Ohio, Pennsylvania)
 - Goal: Reduce cost of hydrogen distribution and storage; jobs for workers in coal communities
 - Power source: Natural gas with carbon capture
 - Jobs: 18,000 construction jobs; 3,000+ permanent jobs
 - Amount: up to \$925 million
- California Hydrogen Hub** (California)
 - Goal: Decarbonizing public transportation,



The seven hydrogen hubs selected by the Department of Energy | © RTO Insider LLC

FERC/Federal News



heavy duty trucking and port operations
Power source: Renewable energy and biomass

Jobs: 130,000 construction jobs, 90,000 permanent jobs
Amount: up to \$1.2 billion

- **Gulf Coast Hydrogen Hub (Texas)**

Goal: Drive down the cost of hydrogen
Power source: Natural gas with carbon capture and renewables

Jobs: 35,000 construction jobs, 10,000 permanent jobs
Amount: up to \$1.2 billion

- **Heartland Hydrogen Hub (Minnesota, North Dakota, South Dakota)**

Goal: Decarbonize production of fertilizer; electric generation; cold climate space heating

Power source: Renewable energy, nuclear energy

Jobs: 3,067 construction jobs, 703 permanent jobs

Amount: up to \$925 million

- **Mid-Atlantic Hydrogen Hub (Pennsylvania, Delaware, New Jersey)**

Goal: Aid in decarbonizing Mid-Atlantic by repurposing oil infrastructure and using existing rights of way

Power source: Renewable and nuclear electricity

Jobs: 14,400 in construction jobs, 6,400 permanent jobs

Amount: up to \$750 million

- **Midwest Hydrogen Hub (Illinois, Indiana, Michigan)**

Goal: Steel and glass production, power generation, refining, heavy-duty transportation and sustainable aviation fuel

Power source: Renewable energy, natural gas, nuclear energy

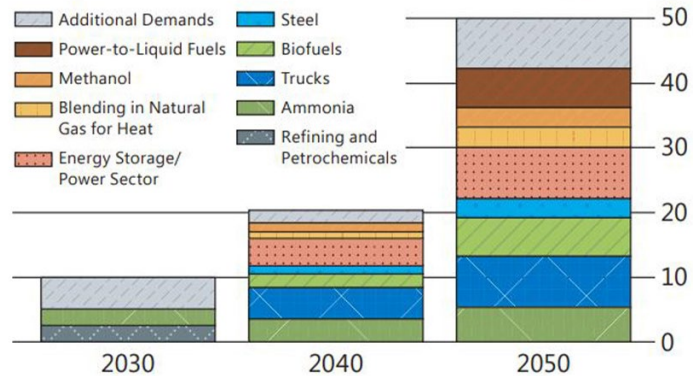
Jobs: 12,100 construction jobs; 1,500 permanent jobs

Amount: up to \$1 billion

- **Pacific Northwest Hydrogen Hub (Washington, Oregon, Montana)**

Goal: Reduce electrolyzer costs

Potential Demand for Clean Hydrogen across Multiple Applications (Million Metric Tons H₂ per Year)



DOE Hydrogen Strategy Roadmap

Power source: Renewable power
Jobs: 8,050 construction jobs, 350 permanent jobs
Amount: up to \$1 billion

DOE and the White House said the H2Hubs would create tens of thousands of jobs directly and tens of thousands more indirectly. Many would be temporary construction jobs but tens of thousands would be permanent.

The California, Mid-Atlantic and Pacific Northwest hubs have committed to negotiating project labor agreements with unions.

Hydrogen holds promise as a source of emissions-free energy for hard-to-decarbonize applications such as heavy-duty transportation and chemical, steel and cement manufacturing.

But most of the easily accessible hydrogen is locked in compounds with other elements and must be separated before it can become a fuel.

Further development is needed to produce clean hydrogen at high volume and low cost without generating excess emissions in the process. And exactly how to define “clean” remains a topic of debate. Friday’s announcement noted that hydrogen can be “produced with zero or near-zero carbon emissions.”

DOE and the White House said Friday that

two thirds of the total H2Hub investment is expected to focus on “green” hydrogen, which uses emissions-free renewable or nuclear energy to power the electrolysis process. But several of the hubs plan to use natural gas with carbon capture, so-called “blue” hydrogen.

Clean energy advocates assert that to make truly green hydrogen, the renewable power must be from a new generation source, not an existing source. If existing renewable electricity is diverted to hydrogen production, its place on the grid might be backfilled with fossil fuel.

In June 2021, DOE launched the Hydrogen Shot, the first of its Energy Earthshots, with the goal of reducing the cost of clean hydrogen by 80% to \$1/kg.

The Biden administration has targeted hydrogen as an economic development engine as well as a source of emissions-free energy. DOE said today’s announcement is “one of the largest investments in clean manufacturing and jobs in history.”

“With this historic investment, the Biden-Harris administration is laying the foundation for a new, American-led industry that will propel the global clean energy transition while creating high quality jobs and delivering healthier communities in every pocket of the nation,” said Energy Secretary Jennifer Granholm. ■

National/Federal news from our other channels



[DOE's Hydrogen Hubs Seek to Balance Industry, Political Priorities](#)



[Hydrogen Hub Announcement Draws Praise and Scorn](#)



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FERC/Federal News

Renewable Thermal Storage Could Zero out Industrial Heat Emissions

Report: Technology Needs Rule Changes, not Government Incentives

By K Kaufmann

Thermal energy storage (TES) powered by renewables could be a flexible, cost-effective way to decarbonize heavy industry in the United States, if such projects could access wholesale power prices and rate structures based on cost causation, says a *new report* from the Renewable Thermal Collaborative and Center for Climate and Energy Solutions.

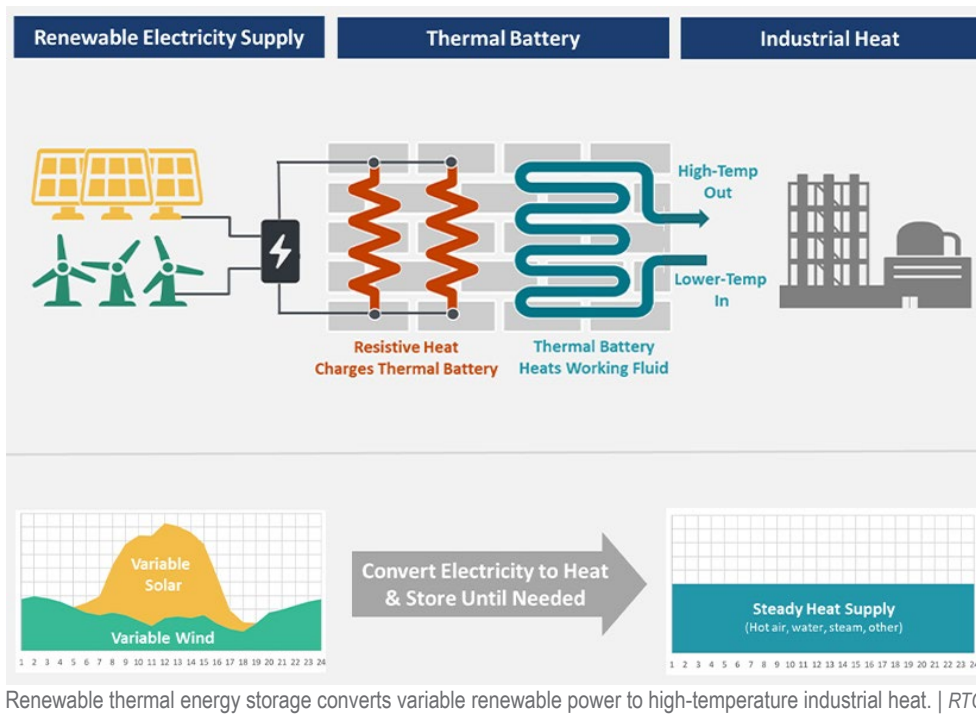
The technology essentially is a two-fer, capable of providing the high-temperature heat needed for a range of so-called “hard-to-abate” industrial processes, as well as vital grid-support services to ensure power system reliability, according to the report, authored by industry consultants The Brattle Group. Like other storage technologies, it also can be used as a hedge against volatile fossil fuel prices, acting as a sponge to absorb excess renewable power during times of high production and low costs, and discharging during periods of peak demand.

“If widely deployed to their maximum potential, renewable-powered thermal batteries could displace the entirety of the emissions associated with industrial heating demand, amounting to 779 million metric tonnes (MMT, also equivalent to 1 Megatonne) of carbon dioxide equivalent (CO₂e) emissions per year in the United States, or approximately 12% of total economy-wide GHG emissions,” the report says.

Globally, renewable TES could slash industrial CO₂ emissions by 6,000 MMT per year, or 14.5% of all energy-related emissions, the report says.

A first step for scaling the technology is simply getting it on the radars of critical stakeholders, from potential industrial users to utilities and state and federal regulators, the report says. For example, policymakers and regulators should classify renewable TES as a “qualified technology solution that can be considered equally alongside other alternatives in” state and federal studies examining economy-wide and grid decarbonization pathways, the report says.

Similarly, the report calls on grid operators to recognize the attributes of renewable TES as a technology that can ramp within minutes or even seconds and operate as either a dispatchable or flexible resource.



Renewable thermal energy storage converts variable renewable power to high-temperature industrial heat. | RTC

Speaking during a recent webinar on the report, Phillip Stephenson, vice president of business development for startup Electrified Thermal Solutions, praised the study for “finally laying out what I think is a great secret we want people to know. ... We actually just need to change the rules a bit to match costs and benefits to make this work.”

“We are not asking for dumping subsidies on us to unleash a lot of decarbonization and [show] how real these benefits are and how widespread the benefits can be in terms of the grid, which means really [for] the energy transition and society,” he said.

‘The Right Thing to Do’

Thermal energy storage is based on the same basic technology as a toaster or electric stove. Electric power is run through a “resistive material” — for example, some form of carbon or graphite that impedes power flow, creating heat that can be stored.

The technology has long been used in space and water heating applications, especially in district heating or combined heat and power systems, to capture waste heat for heating and cooling. Such systems often store heat in vats or other large containers of water.

But the high temperatures needed for heavy

industry — such as glass, paper and chemical production — typically have required the combustion of fossil fuels. Many companies in these sectors anticipate decarbonizing their factories either by switching from fossil fuels to green hydrogen or cutting their fossil fuel emissions with carbon capture and storage. (See *Summit Showcases New Technologies to Accelerate Industrial Decarb.*)

Instead, startup companies like Electrified Thermal and Antora Energy have developed technologies that can turn renewable power into high-temperature heat that is stored in special bricks or carbon blocks and released as needed. At present, these and other renewable thermal storage companies can provide heat of up to 750 degrees Celsius, or 1,382 degrees Fahrenheit, high enough to cover 75% of all industrial heat demand, the report says.

Antora, a startup with funding from Bill Gates’ Breakthrough Energy Ventures, recently announced a pilot project in California where the company’s system produced heat at 1,800 degrees Celsius, or more than 3,200 degrees Fahrenheit, high enough to cover almost any industrial process.

Greg Wellman, technology manager of decarbonization for Eastman Chemical Company, talked about the commercial benefits of

FERC/Federal News



renewable TES for his firm, a Fortune 500 company producing a range of “specialty materials,” such as bird-friendly glass for building facades.

Spun out of Eastman Kodak in the 1990s, the company is looking at thermal storage because it fits well with its existing natural gas-based infrastructure, and the new systems are modular, meaning they can be sized to try out on a single process or to produce industrial heat for a whole factory, he said.

Another reason Eastman is looking closely at the technology is its potential for price parity with natural gas in the near future, Wellman said. “[When] you think about what’s the long-term trajectory of natural gas pricing, what’s the long-term trajectory of electron pricing ... there’s going to be a compelling case to make these changes [to renewable TES], not just because it’s the right thing to do but also because it’s a financially right thing to do,” he said.

The Brattle report notes that for companies like Eastman, renewable TES could allow fuel switching, that is, keeping fossil fuel infrastructure, and natural gas, as backup generation to

respond to price fluctuations or emergency events.

Stephenson said the technology also could be an attractive option for utilities looking at new, higher peaks in energy demand as industrial customers seek to electrify their plants and processes. With renewable TES, industries could electrify “without having those peak demand impacts,” he said.

For utilities, the benefits include improved “economics on their entire system by being able to take all that new heat load coming from the customers ... but tuck it under their existing peak by using only off-peak energy,” he said.

Good for All Customers

Beyond raising industry awareness of renewable TES, scaling the technology will depend on getting it to price parity with natural gas, which, in turn, may depend on a range of factors, such as the configuration of individual systems, rate structures and access to wholesale power prices.

Price parity could vary across system configurations, the report shows, specifically whether

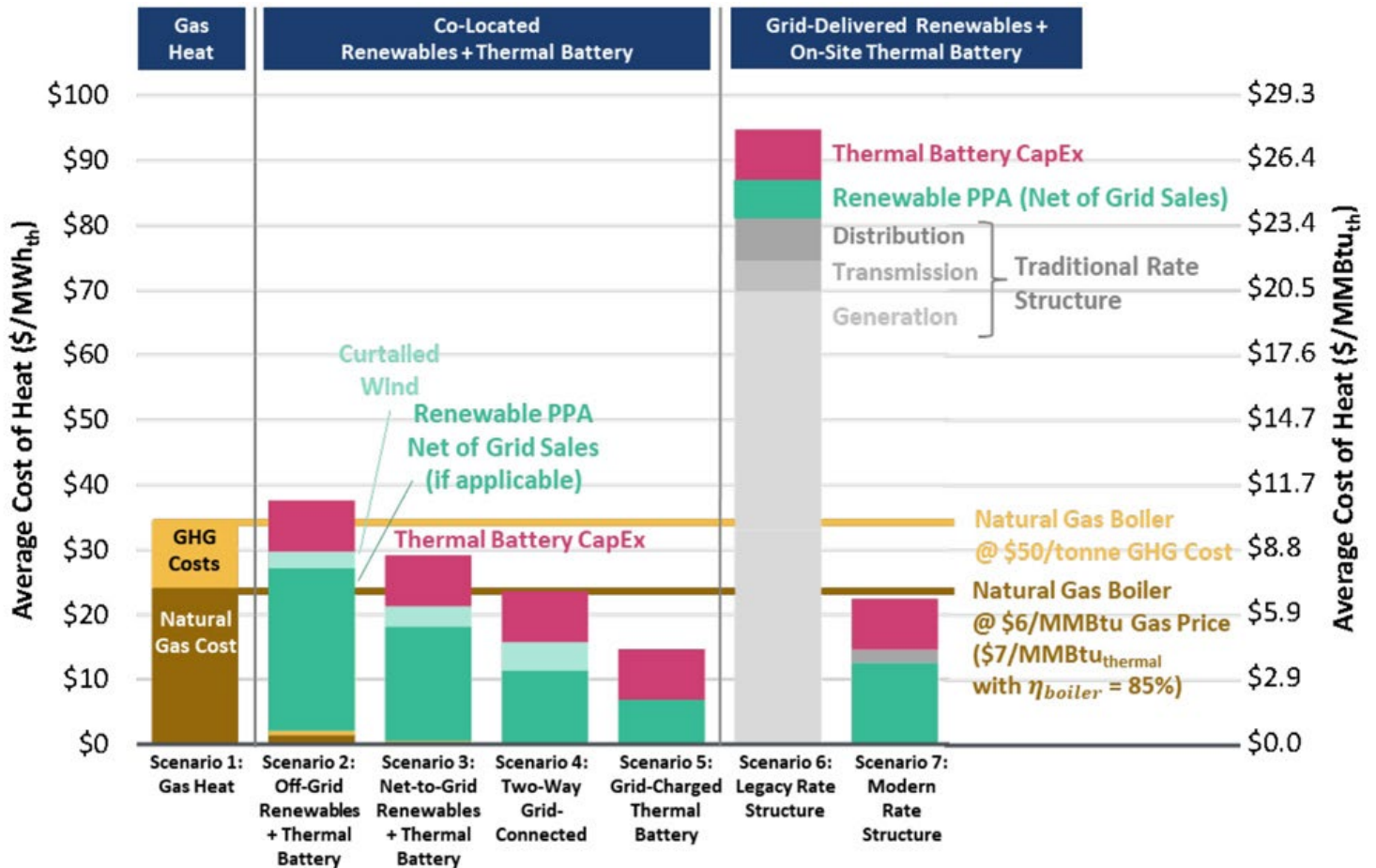
the renewable power is located off- or on-grid, whether the system can export power to provide grid-support services or whether the renewable power is coming from the grid itself.

At present, the report says, the most cost-competitive configurations for renewable TES are for projects that “self-supply or directly contract with a renewable power supplier in an off-grid or partially grid-connected status.”

But project configuration often is determined by the specifics of a customer’s site, said Nick Soncrant, Antora’s head of business development.

“If a customer is space-constrained, colocated, new-build renewables will be pretty tough to implement,” Soncrant said. “If a customer is in a renewable-dense region ... where the price of power is competitive with natural gas, we can look to work with utilities either under their existing tariff or partner with them to develop a new wholesale market tariff.”

Such new “modern” rate structures are vital for renewable TES to successfully compete with natural gas, the report says. Traditional rate



Depending on project configuration and rate structure, renewable thermal energy storage can be cost-competitive with natural gas. | RTC

FERC/Federal News



structures, which include generation, transmission and distribution fees, presume “the customer can’t change when they use power,” said Kathleen Spees, a Brattle Group principal and lead author of the report.

For renewable TES to pencil out, Spees said, will require “very principled ratemaking structures of cost causation. ... You only apply costs that are really relevant and caused by this sort of customer, which are low because you can really optimize when you would withdraw any power from the grid with a thermal battery,” she said.

“The good news about these modern rate structures, of course, is that they are good for all customers,” Spees said. “They’re good to incentivize all customers to behave in ways that actually reduce costs to the power grid. There is just much more potential and capability to shape whether and when any consumptions patterns take place.”

The report points to two electric cooperatives, the Vermont Electric Cooperative and the Victory Electric Cooperative in Kansas, that have adopted new rate structures based on cost causation. The Victory co-op, for example, has

a rate for industrial customers that, the report says, is “aligned with wholesale power prices, consumption during system coincident peak demand and other (smaller) cost components, including local delivery charges.”

841 and 2222

Whether renewable TES projects will be able to access wholesale prices raises another key question: Is the technology covered under either FERC *Order 841* or *Order 2222*, regulations that require, respectively, that energy storage and distributed energy resources be able to participate in wholesale power markets.

To date, Spees said, “that question has not been specifically asked or answered” and would require one or more affirmative rulings from FERC.

The fact that renewable TES can provide multiple value streams, both storing and discharging power, adds another layer of complexity to the issue, said Jordan Kearns, vice president of project development for Antora Energy.

“We ... and other folks in the space have systems that can produce electricity back from these thermal batteries, and it’s kind of hard

to argue that’s not a battery that would be covered under 841 or 2222,” Kearns said in an interview with *RTO Insider*. “But then how do you treat the heat [that] goes off of it? Are you going to be punished for capturing and ... putting that waste heat to good use?”

The report offers several recommendations for grid operators and FERC to ensure thermal TES can participate on a level basis in energy, capacity and ancillary markets, including:

- Having the same size requirements for standalone batteries and renewable TES, with a minimum of 100 MW.
- Establishing “distinct participation models” for different renewable TES configurations, such as standalone thermal batteries with controllable demand, collocated renewable electricity and thermal battery systems that can be scheduled to charge or discharge power, and TES systems that receive renewable power from the grid.
- Allowing thermal batteries to access wholesale energy prices based on the same locational marginal price available to generation resources and electric batteries. ■



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FERC/Federal News



EBA Forum Examines the Details of the Grid's Transition

By James Downing

WASHINGTON — Affordability and reliability can be maintained as the grid transitions to clean energy if the right decisions are made, FERC General Counsel Matthew Christiansen said Wednesday at the Energy Bar Association's Mid-Year Energy Forum.

The technological trends are all moving toward new forms of energy including wind, solar and storage, with other possible technologies including advanced nuclear, long-duration storage and carbon capture just around the bend. That is coupled with strong policy certainty after the Inflation Reduction Act passed last year, and state laws that have been enacted in the previous decade, said Christiansen.

"I think we also — this is every bit as important — have a good sense of the challenges that come with that," he added. "I think a lot of people are justifiably excited about the changes that are underway. But at the same time, I think it's really important not to undersell the challenges that are going to go with those changes."

FERC and Christiansen's "clients" — its commissioners — have a chance to make decisions now that will ensure a reliable and affordable supply of power even as the grid undergoes significant changes. That window is not narrow, but it is also not open-ended.

While planning to meet the highest hour of demand on the hottest day of the year is not as easy as it sounds, it is easier than maintaining reliability on the changing grid, said Christiansen. The new resources bring some expected unavailability (solar will drop off as the sun sets) and some unexpected, such as the wind not blowing or cloudy conditions lasting for days, he said.

"As if that weren't enough, they're taking place against the backdrop of an increased incidence of extreme weather, which is due in large part



FERC General Counsel Matthew Christiansen gives the keynote speech at the Energy Bar Association Mid-Year Forum. | © RTO Insider LLC

to climate change," he added. "So, we have as big a reliability challenge that I think we're going to have to manage, at least at any point that I'm aware, in the history of the industry. I don't think that challenge is even remotely close to insurmountable."

Identifying the specific challenges that the industry faces and then figuring what is needed to ensure the grid can handle those reliably is the main job of FERC and others overseeing the transformation, said Christiansen.

"So, let's be really specific," Christiansen said. "Let's go out and procure those things using our regulatory constructs — markets where we have them — so that we know that we have the specific tools that we need."

Doing that will ensure reliability, but affordability is almost more impactful, he added.

"In my view, the best way to ensure that we have those services when we need them, and that we have them at a price that we can afford as customers, is to harness the benefits of competition to ensure that everyone is competing to provide those services," Christiansen said.

Washington state is one of those that has moved to decarbonize its power industry, requiring net-zero emissions by midcentury, and that has turned the Utilities and Transportation Commission from a purely rate-setting board to one that also implements policy, said Commissioner Ann Rendahl.

The UTC only oversees the investor-owned utilities in the state, not the dozens of public utilities that are all preferred customers of Bonneville Power Administration and benefit from a higher share of its emissions-free hydroelectricity. The private utilities rely more on fossil fuel than those publicly owned firms.

"So, it's a lot of rate pressure," Rendahl said. "And we're trying to mitigate that rate pressure at the same time as we're implementing this new thing of energy justice for the customers, which is not something we have previously done. It's very important."

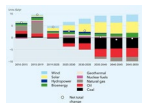
D.C. has similar goals, but with a very different backdrop of just one utility, Pepco, which must import almost all of its power from other jurisdictions in PJM as the dense city lacks any central-station generation, said Public Service

National/Federal news from our other channels



[Solar, Enviro Groups Forge Plan to Accelerate Renewable Deployment](#)

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[EIA, DNV Lay out Progress, Headwinds in Energy Transition](#)

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Commission Chair Emile Thompson.

“We are, you know, for the most part at the mercy of our RTO, PJM,” Thompson said. “And PJM’s mix right now is about 4% renewable. And so, for us to get to 100% renewable in D.C., what that most likely is going to reflect is renewable energy credits, which is not really what the legislature wants.”

Thompson said another disconnect happens on the natural gas side when people ask why the PSC cannot just order Washington Gas to stop selling the fuel in the district. The issue there is the firm has a federal charter to sell natural gas in the district, and federal law outweighs any law that the D.C. Council might pass, he said.

Maryland is going through the same shifts, with a policy to electrify most of its natural gas demand, but that long-term goal has not filtered down to the planning at its local delivery companies, said People’s Counsel David Lapp.

The state has retail competition for natural gas, so utilities are indifferent to the amount of fuel flowing through their systems, but they are hyper-focused on that delivery infrastructure and have major investment plans in it in the coming decades, Lapp said. They spend \$1 billion a year on their systems now, and that is expected to go up to \$3 billion by 2050, he said.

“This is of great concern to customers, and we think it’s inconsistent with the state’s climate goals,” Lapp said.

With state and federal incentives for electrification, more of those customers will leave natural gas service as their bills rise, with fewer left behind to cover those costs. Those customers will tend to be the ones who can



From left: Wilkinson Barker Knauer Partner Nikki Hall White, Maryland People’s Counsel David Lapp, Washington Utilities and Transportation Commission Ann Rendahl, D.C. PSC Chair Emile Thompson and ThompsonMcMullan Director Cliona Robb at the EBA Mid-Year Forum | © RTO Insider LLC

least afford it, he said.

“The people left on the gas system are going to be the people who can’t get off the gas system, and that’s lower-income customers,” Lapp said. “Eventually we think this will lead to stranded costs.”

The utilities would still be able to recover those stranded costs even if customers leave the natural gas system in droves, he added. In a competitive system, those investments

would not be made, and regulation is supposed to stand in for the market in such cases, so the People’s Counsel has asked the PSC in a petition to engage in comprehensive planning of the gas system.

“Rates can’t be just and reasonable if they are based on an assumption that gas use is going to continue in five, 10, 20, 50 to 60 years, as it is occurring today. The state can’t meet its climate goals to accomplish that, and customers are at risk.” ■

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- Commissioner
Gov. Regulator

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FERC/Federal News



EBA Participants See Some Consensus in Gas-electric Harmonization Talks

By James Downing

WASHINGTON — Despite years of talking past each other, some see a thaw in the most recent discussions around coordination between the electric and natural gas industries, panelists said at the Energy Bar Association's Mid-Year Forum on Wednesday.

"We've made some substantial progress and [are] having an open and frank conversation about how each of the two sectors should interact with one another," Gee Strategies Group President Robert Gee said.

Gee was one of three co-chairs on a recent effort from the North American Energy Standards Board on harmonizing the two industries. That effort at least got both industries to agree that it would be beneficial to better align the natural gas trading day with day-ahead power markets, he said. (See [NAESB Forum Chairs Push for Gas Reliability Organization](#).)

Despite some progress, Gee noted that the 20 recommendations the process came up with saw differing levels of support between the two industries. And while he and the other two co-chairs — Hunt Energy Network CEO and former FERC Chair Pat Wood and the Analysis Group Senior Adviser Susan Tierney — endorsed a reliability organization for natural gas, the idea has not caught on with that industry.

PJM's report on December 2022's Winter Storm Elliott showed that most of the power plants unavailable because of a lack of natural gas were trying to secure their fuel after being dispatched in the real-time market, said Electric Power Supply Association Senior Vice President Nancy Bagot. (See [PJM Recounts Emergency Conditions, Actions in Elliott Report](#).)

"If generators had day-ahead notification, they very often were able to make their fuel arrangements," she said.

Dealing with issues around the few days a year when gas supplies are stressed from cold weather would be more effective than requiring generators to have long-term, firm supply contracts for natural gas, which do not guarantee they will get fuel during extreme cold snaps, Bagot added.

"Even though we've been working on gas-electric issues for what seems like decades, I sense a different kind of feeling or that we're learning more this round, and for good reasons," said Natural Gas Supply Association



From left: EPSSA's Nancy Bagot, INGAA's Joan Dreskin, PJM's Brian Fitzpatrick, Gee Strategies' Robert Gee and NGSA's Patricia Jagtiani at the EBA Mid-Year Forum | © RTO Insider LLC

Executive Vice President Patricia Jagtiani.

FERC and NERC have come out with reports on multiple reliability incidents involving gas-electric coordination over the past decade, and each iteration has become more refined and detailed on what happened, she added. With Elliott, nearly 90% of the outages in PJM from fuel issues happened to plants dispatched in real time.

Trying to buy gas without a preexisting contract in the middle of a cold snap is difficult, and even if it can be secured, FERC requires that gas be delivered within three hours while power plants have to start up within one hour, Jagtiani said.

"I think a firm contract helps," she added. "I think PJM's report and FERC's Uri report [on the February 2021 storm] showed that there was value in holding a firm contract: It improved your chance of getting confirmed."

Gee questioned whether any kind of contracting regime would be enough to deal with the issue, noting that ultimately the fix might have to come from expanding infrastructure outside of the market. The task force asked FERC and the National Association of Regulatory Utility Commissioners to request a study from the Department of Energy on whether new natural gas storage might help, and whether that might need to be paid for in some way out of the markets, he added.

Redesigning the entire system from scratch, it would make sense to connect every gas-fired

generator to a storage field, PJM Principal Fuel Supply Strategist Brian Fitzpatrick said.

"Quite frankly, I don't see that existing in the future," Fitzpatrick said. "But some of the major concerns I have going forward are just the headwinds, the negative headwinds, against the gas industry, whether it be state driven, whether it be federal driven, [such as] EPA regulations; they're disincentivizing investment in natural gas infrastructure."

Roughly half of PJM's capacity is driven by natural gas, and it has 30 to 40 GW of coal-fired capacity that is going to retire in the coming decade that will largely be replaced by natural gas.

Gee agreed that the fuel was not going to disappear from the grid any time soon, even if it begins to be used more often to meet the ramping and balancing needs of a system dominated by renewables. But some states like Texas, where Gee said CenterPoint Energy is predicting that peak demand on its system will triple in the next 25 years, are going to continue needing the fuel for baseload generation.

"I think that we'll have to figure out a way to weave together, in a coherent fashion, our climate goals along with our energy demand goals," said Gee. "I think the road ahead could be quite rocky if we don't proceed at a very careful pace and fully understand the impact of some of the decisions we're making. And I say that as somebody who fully embraces that we need to address climate change and mitigate the amount of carbon the atmosphere." ■

FERC/Federal News



Community Engagement Key to Moving Transmission Projects Ahead

ACORE Forum Tackles Grid Challenges at Federal and Local Levels

By K Kaufmann

ROSSLYN, Va. — Getting transmission built in the U.S. today takes intensive community, workforce and supply chain engagement, while ensuring communication on all those fronts starts early and often, according to a panel of transmission developers at the American Council on Renewable Energy's recent Grid Forum.

It doesn't work to take on any one part of a project — such as supply chain — in a vacuum, said Steve Caminati, vice president for government and regulatory affairs at Pattern Energy, which recently started construction on the 550-mile SunZia transmission line.

"You're trying to do that as you're trying to line up permitting, as you're trying to line up financing, as you're trying to figure out the tolling arrangements through the line, [and] the projects that are going to utilize the line. You're trying to land all these planes simultaneously," Caminati said.

"It's like playing a three-person game of chess or something where you're trying to get all the pieces together," agreed Stuart Nachmias, CEO of Con Edison Transmission. "Strategic partnerships and relationships are certainly one piece of it. So, we really need to think, how is this going to unfold, because the need is tremendous."

With an estimated 2,000 GW of renewables and storage sitting in RTO/ISO interconnection queues across the country, the need for rapid expansion of the country's transmission system, and in particular, interregional high-voltage, direct current (HVDC) lines, has become an electric power industry imperative. The Department of Energy's draft [Transmission Needs Study](#), released in March, called for a 57% expansion of the existing grid by 2035.

But the obstacles to permitting and building such projects have become almost legendary. SunZia's 525-kV line, which will bring wind energy from New Mexico to Arizona, took 16 years to permit. Pattern got the final go-ahead from the Bureau of Land Management in May. (See [SunZia Project Wins Final Approval, Signs Offtakers](#).)

But while discussing the difficulties involved in such projects, the panel also focused on successes and lessons learned, with a strong focus on community and stakeholder engagement.



Talking transmission at ACORE's Grid Forum are (from left) Monique M. Dyers, Enight Energy Consulting; Stuart Nachmias, Con Edison Transmission; Patrick Whitty, Invenergy, and Steve Caminati, Pattern Energy. | © RTO Insider LLC

Nachmias said getting to know upstate communities was critical to the success of the recently completed New York Energy Solution project, a 67-mile, 345-kV line installed in an existing right-of-way.

"I would often meet with the team, and they would tell me ... about the beekeeper, about the llama lady, about all the people on the right-of-way," Nachmias said. "We had people who live there and who brought cookies to our field crews, and the reason they did that is we engaged with them."

A major selling point for the project was that it was going to remove about 600 old lattice transmission towers and replace them with 400 monopile towers, he said.

"We showed renderings of what the right-of-way would look like; we gave local community centers and libraries [computers] and encouraged people to go in and look at the maps, which indicated exactly where the towers would be," Nachmias said. "We heard if there were concerns; we didn't promise we'd be able to move towers, but ... if there was a request to move a little bit here or there, we did so."

Job 1: Name Recognition

Patrick Whitty, senior vice president for public affairs at transmission developer Invenergy, stressed the importance of ensuring that interregional transmission lines deliver benefits — and power — to the states they cross. The company's Grain Belt Express, a 5-GW, 800-mile line starting in Kansas and running across Missouri and Illinois to Indiana, was originally designed to deliver 500 MW of power to Missouri, Whitty said.

"The desire to see more local delivery and more power delivered locally was a driving factor of [Missouri] stakeholders ... and so Invenergy went to work, looking at how that issue and how that stakeholder input could be reflected back into positive changes to the project," he said.

The Missouri Public Service Commission on Wednesday [approved](#) Invenergy's updated plan for the project, which will now deliver 2,500 MW to the state.

Invenergy also had to do basic public education, Whitty said.

"The name of a company like ours isn't one that everybody knows how to pronounce when they read it. ... So, we have to work from the very first minute to build credibility and to educate about the need and what we're doing and why we're there," he said. "One aspect that's really important is you've got to get a team that is familiar with and drawn from the places you're working."

Caminati added that building relationships, even with people or groups opposed to a project, can be important.

"It's hard to build a \$10 billion infrastructure project and not have opposition," he said. But even opponents of SunZia have conceded that Pattern listened to them and has tried to mitigate some of their concerns, he said.

Communication across a range of stakeholders can be especially critical in heading off misinformation, Nachmias said.

"Don't underestimate that people make stuff up, and things that are not true [can] get a life of their own," he said. "If you don't think about that and get ahead of it, so there's consistency and accuracy and factual information being shared, that's when you start to lose control and then you can have more delays."

Workforce and Supply Chains

Workforce development requires striking a balance between immediate needs for project construction and a longer-term vision for providing local workers opportunities to build careers, the panelists said.

Pattern is looking to align incentives in the Inflation Reduction Act — which are often linked to projects paying prevailing wages and working with registered apprenticeship programs — with its own conversations with

FERC/Federal News



local and state workforce development groups, including labor unions, Caminati said.

Construction jobs may be temporary, so the company is trying to figure out how its transmission projects can be “about building a more robust permanent industry,” he said.

Yearslong permitting timeframes do allow developers to work with local unions and community colleges to stand up training programs, Nachmias said, but even then, getting the mix right can be tricky. “We need all levels,” he said. “We need people who are going to be in the field. We need electrical engineers ... it’s not popular in schools, but we need them.”

Whitty shared an anecdote about a New Mexico project Invenegy has in early development. In a community meeting in Hardin County, one of the local residents repeatedly stressed how sparsely populated the area is. “I ended up looking it up, and it’s the 15th-least-populous county, by people per square mile, in the country, and that includes counties in Alaska,” he said.

The issue was brought back to the construction team, he said, to ensure they could be working on it ahead of time.

Increasingly, community benefits packages, with money for workforce training, are becoming a standard part of Invenegy’s project planning, he said. “We’ve realized that almost every market we’re working in, that’s an essential piece of what the industry looks like.”

Whitty also spoke on supply chain challenges Invenegy is facing, particularly in securing converter stations that are an essential component of HVDC lines, “where the power switches from AC to DC and vice versa.”

The stations are “incredibly complex, incredibly expensive facilities that require years of planning and engineering and manufacturing work,” he said, and in the wake of Russia’s invasion of Ukraine, the global supply chain has been largely bought up by TenneT, the Dutch-German transmission operator.

Developers for U.S. transmission projects typically need two or three converter stations but could find themselves “in the back of the line” behind TenneT, he said. Invenegy is working with Siemens on equipment for the Grain Belt Express and also negotiating for the power lines it will need for several projects at once “to enhance certainty across the whole portfolio,” he said.

‘Do the Cheap Stuff First’

The transmission developers’ panel, which

closed out the forum, provided an on-the-ground counterpoint to the keynotes on high-level federal policy that started the conference.

FERC Commissioner Allison Clements framed the U.S. energy transition now underway as a response to the opportunities and challenges of “extreme weather, a rapidly changing resources mix, aging, outdated infrastructure, [and] cyber and physical threats.”

“I am focused on whether our federal regulatory framework is aligned with what’s happening in the world,” Clements said. “Throughout history, there have been lots of moments where regulations lagged behind where the markets want to go. I think this is the ultimate example.”

FERC’s role is to modernize the rules, to facilitate change while ensuring affordability and reliability and without favoring any specific technology, she said. “That’s where the country is moving, so that’s what this commission is going to do.”

The way forward, she said, should be “data-driven, reality-based planning and market reform. Make ... the low-cost, easy changes first while taking the time to grind the regulatory machine for deeper reform.”

FERC [Order 2023](#) on interconnection is a first step, though it’s on hold as the commission considers the multiple requests it has received for a rehearing. (See [FERC Order 2023 Gets Rehearing Requests from Around the Industry](#).)

But, Clements said, “If you are thinking about what you can do near term ... you have to start with grid-enhancing technology on the grid, period. You cannot stand up and say you represent consumer and their interests if you are not serious about getting grid-enhancing technologies.”

“If we want to create the room for interconnection, if we want to create the opportunity to invest in relatively expensive transmission alongside, we have to do the cheap stuff first,” she said, noting that support for grid-enhancing technologies — such as advanced conductors and dynamic line ratings — is included in [Order 2023](#).

While the bigger issue of market reform is hard if not impossible to simplify, Clements believes the next step is to “get regional transmission system planning done and align our interconnection process with our regional planning

process. If we finalize that, we have a chance of moving system planning out from under this ill-suited interconnection process,” she said.

Rep. Scott Peters (D-Calif.) took on the issue of permitting reform in an impassioned keynote address. Instead of combating the climate crisis with the urgency it requires, he said, “we’re debating whether a decade is an appropriate amount of time to construct a single high-voltage transmission line, an offshore wind facility or a geothermal plant.”

With the IRA and the Infrastructure Investment and Jobs Act, the previous Congress provided the money for a strong response to climate change, he said, but “we will still fail if we don’t act faster.”

The National Environmental Policy Act (NEPA) was written and enacted into law when “our environmental imperative was to stop dirty projects,” he said. “It was a law that responded to the challenge of its time, but it didn’t come down from Moses on stone tablets.”

NEPA can and should be updated to meet the need to build new, green infrastructure that can cut emissions, Peters said. “Climate activism is about building stuff, not stopping stuff,” he said.

Peters and Sen. John Hickenlooper (D-Colo.) recently introduced the [Building Integrated Grids with Inter-Regional Energy Supply \(BIG WIRES\) Act](#), which would require all RTOs and ISOs to be able to transfer at least 30% of their peak load to other regions. With the House of Representatives still without a speaker, Peters said he didn’t know if the bill could pass this session. (See [Hickenlooper and Peters Introduce BIG WIRES Act](#).)

But Peters said he is working with colleagues across the aisle on a permitting reform package that “would improve community input and fix the broken judicial process.”

A main obstacle to permitting reform could be the political process itself, Peters said. “Transmission has become seen as ... the way to displace oil and gas. If it’s perceived as that, then we’d have problems. ... Transmission is needed for all sorts of projects. It’s a reliability issue; it’s a cost to consumers issue and a competition issue.

“The learning we need to pursue right now is to make sure people understand transmission is bigger than just renewables.” ■



FERC Commissioner Allison Clements | © RTO Insider LLC



U.S. Rep. Scott Peters | © RTO Insider LLC

CAISO/West News

In West, Proposals for Tx Planning Proliferate Faster than New Lines

CREPC-WIRAB Conference Ponders Parallel Plans to Boost Development

By Robert Mullin

SEATTLE — The state-led Committee on Regional Electric Power Cooperation (CREPC) should spearhead an effort to boost development of new transmission in the West, according to the findings of an initiative that included contributions from former FERC Chair Richard Glick.

The findings were the product of the Western States Transmission Initiative (WSTI), a partnership between CREPC and decarbonization nonprofit Gridworks formed to gather input from electricity sector stakeholders on what actions the committee can take to help give Western transmission planning a more interconnection-wide perspective.

The WSTI proposals came just two days after the Western Power Pool (WPP) floated a plan to create a new group intended to spur the kind of interregional transmission development envisioned in the WSTI effort. (See [Plan Seeks to Boost Prospects for New Transmission in the West](#).)

Key among the WSTI recommendations: CREPC should create a Transmission Working Group that would seek federal funding to hire

staff and consultants to examine the state of the Western grid with an eye to fostering a shift from the region's current "bottoms-up" approach to transmission planning, which favors smaller projects that satisfy local needs, to a process that prioritizes meeting the needs of the wider West with larger-scale projects.

The group would also be tasked with identifying specific interregional projects and could possibly seek National Interest Electric Transmission Corridor (NIETC) designations for some of those projects. That would allow them to reduce investment risk by tapping federal funding, Glick pointed out during an Oct. 4 discussion of the WSTI recommendations at the fall joint meeting of CREPC and the Western Interconnection Regional Advisory Body (WIRAB) on Seattle's waterfront.

"There's also one other element to it that people may not agree with, especially state regulators: It would also give FERC backstop siting authority for those particular routes that were essentially rejected by one or more states," Glick said.

The Transmission Working Group would also focus on potential approaches to allocating costs for interregional projects and seek to

coordinate approaches among Western states.

The WSTI also recommended that the group host a Western transmission conference that would include multiple stakeholders, including officials from U.S. states and Canadian provinces.

"I think the idea of hosting a conference is to get input from ... various stakeholders," Glick said. "Not just utilities and [independent power producers] and transmission developers, but also other entities as well — voices that are normally not heard, whether it be communities, consumer groups, the business community [and] big industrial customers."

The Transmission Working Group's other "potential actions" could include encouraging "independent" planning processes; promoting "forward-looking and inclusive" planning; monitoring and participating in FERC transmission planning and cost allocation rulemaking and compliance proceedings; and participating in other regional transmission planning efforts.

'Meaningful' Planning

Sharing the dais with Glick at the CREPC-WIRAB meeting, Gridworks Director Kate Griffith said the WSTI recommendations were the product of a six-month project that included interviews with 40 organizations, which included state agencies, non-governmental organizations, utilities, tribes and other stakeholder groups from across the West.

Key themes emerging from those interviews included the "insufficient" pace of transmission development in the West, the lack of "meaningful" interregional and interconnection-wide transmission planning, and the impediment to development caused by the lack of agreement over cost allocation.

Interviewees also said most utilities lack the resources to build major projects on their own and that state/provincial coordination could play a key role in transmission development but would need more resources.

"Today's presentation and discussion really just starts a conversation at CREPC," Griffith told the audience at the Seattle conference. "After today's conversation, CREPC co-chairs will be encouraging you all to share your feedback with them, and we'll be scheduling a follow-up conversation about whether or not to pursue these recommendations."



Richard Glick and Kate Griffith, Gridworks | © RTO Insider LLC

CAISO/West News

If CREPC decides to advance on the recommendations, Griffith said, Gridworks plans to announce the formation of the Transmission Working Group by the end of October and begin efforts to identify transmission corridors and seek consultants to engage in the effort.

State officials attending the conference largely seemed to support a larger role for CREPC in transmission planning.

Washington Utilities and Transportation Commissioner Ann Rendahl said it is “critical” to bring the states together to participate in the process. Rendahl described her experience with NorthernGrid, the Northwest’s planning entity, as one in which the group tells regulators, “We’ll check in with you and see if you have any thoughts’ — and that doesn’t really feel like being included in the process and having a perspective.



Oregon PUC Chair Megan Decker | © RTO Insider LLC

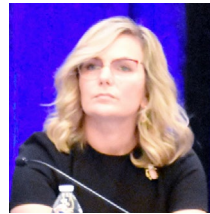
“With changes in state policies across the board in the West, it’s important to ... get everybody’s views as to what’s important and what’s needed for the states to accomplish” their goals, Rendahl said.

“What happens next depends on the feedback we get from all of you today and over the course of the rest of the conference ... and the follow-up conversation

that we have,” Megan Decker, CREPC co-chair and chair of the Oregon Public Utility Commission, told meeting participants.

Dare to Dream

“I know how much CREPC enjoys an October surprise,” WPP CEO Sarah Edmonds joked during an Oct. 5 panel at the conference as she described why she released WPP’s “concept paper” for the Western Transmission Expansion Coalition (WTEC) two days ahead of the Seattle meeting.



Sarah Edmonds, Western Power Pool | © RTO Insider LLC

“I posted that for all of you on [Oct. 3] knowing that we could really leverage this opportunity to be together knowing what the Gridworks recommendations were going to be and what we’re trying to do as well, where I see a lot of potential overlap,” Edmonds said.

Edmonds explained that the WTEC concept took shape after Bonneville Power Administration CEO John Hairston told her he saw a need for BPA to be a strong leader for transmission development in the Northwest but thought the conversation should be held in a forum bigger than what the agency offered.

“I said to him I was interested in it as long as it was a West-wide, inclusive activity,” said Edmonds, whose organization operates

the Western Resource Adequacy Program (WRAP) and facilitates the functions of NorthernGrid.

WTEC would intend to take a “top-down” approach to Western transmission planning, one that would include the Southwest transmission planning entity WestConnect, CAISO, BPA and the Western Area Power Administration, and not seek to upend the region’s transmission planning groups, Edmonds said.

“This is not a proposal that fits under FERC-jurisdictional activities,” she said, calling it “an exploratory effort” to engage in a new approach to planning, with FERC-related processes possibly addressed further in the future.

Edmonds also sees the potential for partnership between the WTEC and the WSTI. She said engagement between the two efforts could identify “a range of things we could shoot for” while avoiding coming into conflict or harming each other.

“We might dare to dream of harmonizing, but what about synchronizing?” Edmonds said. “I’m really open for discussion on all those points because I know, and I also would say because BPA ... knows, how important the state partnership is on these decisions. The entities that will build transmission and seek cost recovery also understand that critical part of the relationship. It would be new and different to think of a partnership like this, and I know the devil is in the details.” ■

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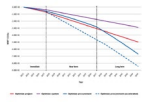
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CAISO/West News

Load Flexibility Could Hold Key to Calif. Grid Constraints

Flexibility Fastest, Cheapest Option; Building Sectors, Refrigeration Offer Opportunity

By Dej Knuckey

Load flexibility is the fastest and cheapest way to prepare for rising electricity demand, and both the residential and commercial building sectors could be tapped as renewables supply an increasing portion of power, attendees at the Building Electrification Summit co-hosted by the California Energy Commission (CEC) and the Electric Power Research Institute (EPRI) heard last week.

Building electrification and the rise of EVs mean California needs to plan for using more electricity, not less, said CPUC President Alice Reynolds. When it comes to avoiding grid upgrades and coping with growing demand, moving the time at which electricity is consumed can be a massive lever. Load flexibility refers to the ability to change when electricity is consumed, and it can range from turning off an HVAC system for a short period during peak demand times to delaying EV charging until evening.

“Luckily these appliances that we’re all talking about growing, including electric vehicles and heat pumps, are the type of load that is flexible, so we have a lot of reasons for optimism,” especially as the grid moves to 100% clean energy, Reynolds said.

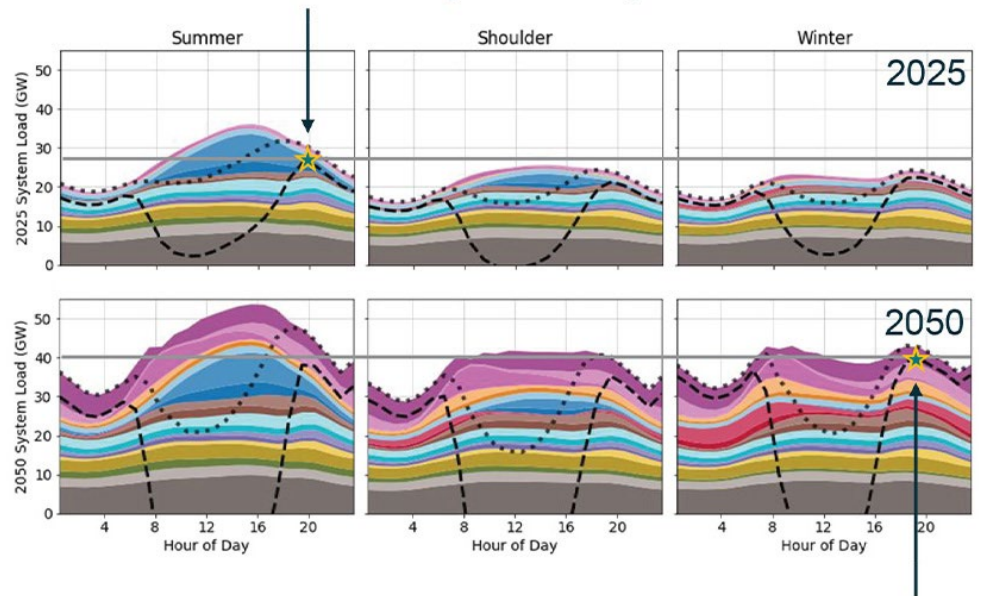
“Load flexibility is one of the cheapest and best approaches to improve grid reliability as far as greening our grid,” said Stefanie Wayland, load management standards lead at CEC. “We know that load flex works both at grid scale and at local scale, whether you’re doing it for sub-generation or for non-wire solutions where you’re avoiding distribution upgrades,” she said.

As buildings and transportation are electrified, the size and seasonality of peak demand will change, said Jessica Granderson, director of Lawrence Berkeley National Laboratory’s Building Technology and Urban Systems Division.

Granderson said that from 2025 to 2050, peak demand would increase from about 30 GW to 40 GW, while annual peak would shift to winter — when renewables generate less power — because of the load created by electric heating.

“As we successfully decarbonize the grid, we’re seeing this increase in the mismatch between that clean supply and the downstream demand

Summer system net peak <30 GW



Cooling Heating EVs

Winter system net peak, 40GW

By 2050, electrified buildings and vehicles will increase electricity loads and change the timing of the peak. | Lawrence Berkeley National Laboratory

from our buildings and increasingly our vehicles,” she said.

As buildings and transportation are electrified, the need for load flexibility will grow, along with the ability to control those loads through software.

Load flexibility is important during times of both excess and shortages of power, said Cisco DeVries, CEO of OhmConnect.

“So how do we adjust demand? We do that at home, in part through controlling devices and appliances directly in people’s homes. everything from EV chargers and battery storage systems all the way to hot water heaters’ spark plugs and thermostats,” DeVries said. “That allows us to very quickly and effectively reduce energy use in homes and help people get control of their energy bills, which is really critical.”

Labor Day in September 2022 proved the value of load flexibility in California. On a day when extreme heat produced high demand that was expected to lead to potential blackouts, OhmConnect’s customers were proactively reducing load. “They reduced 1.6 GWh

of electricity over a few days, and we paid them over \$2.7 million for the help that they gave. And that’s one of the reasons we didn’t have blackouts that day,” DeVries said.

The commercial building sector also offers significant opportunities to implement load flexibility strategies, Ammi Amarnath, principal technical executive at EPRI, said. For example, there are 12,000 convenience stores with significant refrigeration loads in California, most with present defrost cycles that can be reprogrammed. “A small change in the defrosting cycle in these small food stores can save up to 10 to 20 megawatts of electricity during those peak hours” in Los Angeles County alone, he said.

The 10,500 larger supermarkets, along with 112 refrigerated warehouses, each with peak demand of 250 kW to 4 MW, offer even larger load flexibility potential, Amarnath said, with a current EPRI project showing power can be modulated up to 25% while keeping the facilities within the carefully controlled temperature bands required. ■

CAISO/West News

Eclipse Barely Dims CAISO Operations

By Elaine Goodman

CAISO maintained normal grid operations during Saturday morning's solar eclipse, with swings in solar production that were more muted than what the ISO had modeled based on clear-sky conditions.

As the moon obscured much of the sun throughout California and other Western states, solar production in CAISO's territory dropped to 3,434 MW at 9:30 a.m. PST, following an early morning peak of around 8,100 MW shortly before 9 a.m. That's a drop of 4,666 MW.

As expected, net demand in the ISO spiked at 9:30 a.m. as both utility-scale and behind-the-meter rooftop solar dropped off. Still, demand of 24,023 MW at 9:30 a.m. was well within the 44,756 MW of available capacity at that time. Energy supplies from natural gas and imports increased between 8:30 a.m. and 9 a.m. as solar output fell.

After bottoming out at 9:30 a.m., solar output quickly climbed to nearly 11,000 MW around 11 a.m. The eclipse lasted from about 8 a.m. to 11 a.m.

The eclipse-day figures are from CAISO's daily outlook data posted to its website on Saturday.

"The power grid remained stable throughout the duration of the eclipse, and system operations returned to normal shortly after the conclusion at 11:05 a.m.," CAISO spokesperson Anne Gonzalez told *RTO Insider* in an email Monday. "Overall, generators followed their forecasted dispatches closely, and ramping was smooth heading in and out of the eclipse."

The ISO plans to release a full analysis of eclipse operations in December, she said.

In modeling of eclipse impacts ahead of the Oct. 14 event, CAISO had forecast a dip in solar production to 3,240 MW at 9:30 a.m., with a rapid ramp up to 14,041 MW at 11 a.m.

In a *technical bulletin* released in August regarding the Oct. 14 eclipse, CAISO identified that ramping period as a time of "operational interest" that it would study "to ensure adequate supplies of generation [reserves] are available to mitigate any adverse effects of the anticipated steep up-ramp in solar production." (See [CAISO Sheds Light on October Solar Eclipse Preparations](#).)

The swings in solar production seen on Saturday were less intense than what CAISO had modeled. CAISO had estimated a ramp-up rate of 120 MW per minute between 9:30 and 11 a.m. The actual rate was roughly 84 MW

per minute.

CAISO's modeling was based on a day with clear skies, when the drop-off and return of solar would be most marked. The ISO noted the modeling was a "high impact" scenario, and that cloudy skies on Oct. 14 would lessen the impact.

Saturday's weather conditions included cloudy conditions in parts of California.

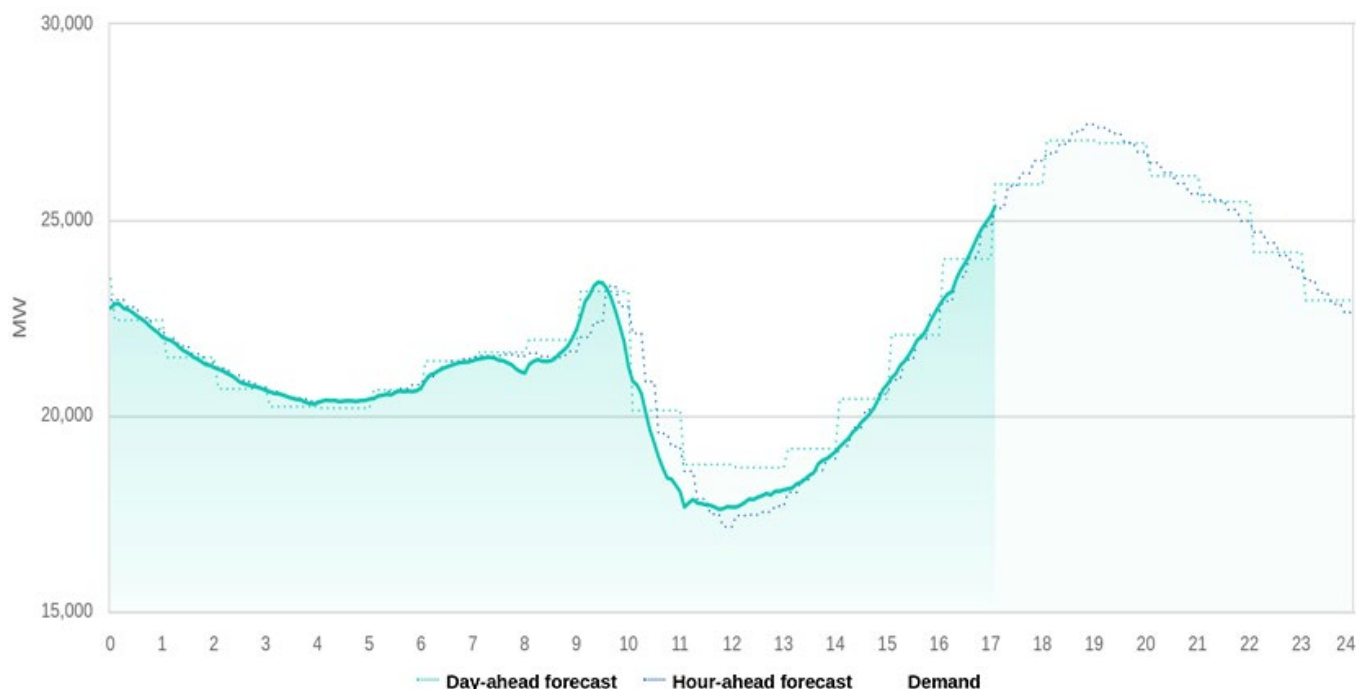
The Oct. 14 event was a partial — or annular — eclipse, in which the sun was obscured by 65% to 90% within the Western Energy Imbalance Market territory.

In its technical bulletin, CAISO contrasted Saturday's event with the total eclipse on Aug. 21, 2017.

Since 2017, grid-scale solar within the CAISO footprint has increased from 10,000 MW to 16,500 MW, and behind-the-meter solar has grown from 5,700 MW to 14,350 MW. That raised concerns that this year's eclipse might have greater impacts than the 2017 event.

On the other hand, because the Oct. 14 eclipse fell on a Saturday, demand was expected to be less than it would have been on a weekday. The 2017 eclipse was on a Monday morning. ■

System demand, in megawatts, compared to the forecasted demand in 5-minute increments.



Graph shows CAISO's net demand increasing sharply around 9:30 a.m. on Oct. 14 as solar rolled off the system because of the eclipse. | CAISO

CAISO/West News

California PUC Launches New Resource Adequacy Proceeding

By Robert Mullin

California utility regulators voted Thursday to launch a proceeding to establish rules and requirements for the state's resource adequacy program from 2025 to 2028.

"This rulemaking continues the California Public Utilities Commission's oversight of the resource adequacy program, establishes forward RA procurement obligations applicable to load-serving entities beginning with the 2025 compliance year and considers structural reforms to the program," the commission said in the [order instituting rulemaking](#) (OIR) approved last week.

"Reliability is a critical priority for California's electric system. Resource adequacy ensures reliability in real time, and I look forward to building on the work we've done in recent years to refine the program and support the achievement of our ambitious climate goals," CPUC President Alice Reynolds said in a statement after the commission approved the proposal.

The CPUC said the "preliminary scope" of the proceeding would include adoption of LSEs' local capacity procurement requirements for 2025-2028 and flexible capacity procurement requirements for 2025 and 2026. Both sets of requirements will be rooted in CAISO's annual local capacity area technical study, the



CPUC headquarters in San Francisco | © RTO Insider LLC

commission said.

Other matters to be considered in the rulemaking include:

- potential modification of the state's new 24-hour "slice-of-day" planning framework, which requires LSEs to show they have enough resources on hand to meet load and planning reserve margin requirements for the day with the highest peak load in each month;
- potential changes to the RA penalty structure and consideration of new ways to incentivize compliance;
- increased coordination with utility integrated resource plan activities, including consideration of "appropriate" planning reserve margin requirements for short-term

planning compared with the longer time frame for IRP proceedings;

- exploration of changes to the methodology for counting qualifying capacity from resources, including demand response resources; and
- the possible application of an unforced capacity methodology "for resource counting that would account for ambient derates and forced outages."

The agency also will use the proceeding to seek additional suggestions from affected parties, it said.

Comments on the scope, schedule and administration of the proceeding are due no later than 20 days after approval of the OIR, and reply comments are due within 30 days after that. A prehearing conference for the rulemaking is scheduled for Nov. 17, and the commission seeks to issue a scoping memo in December. A proposed decision is slated for May 2024, with a vote on the final plan expected in June.

"California's resource adequacy process is critical to ensuring sufficient resources are available to the California Independent System Operator for the safe and reliable operation of the grid, to advance our clean energy goals and to minimize costs to ratepayers," Commissioner Darcie Houck said. ■

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CAISO/West News

9th Circuit Sides with BPA over Conservation Groups on Fish Spat

James Downing

A three-judge panel from the U. S. Court of Appeals for the 9th U.S. Circuit Court of Appeals on Monday rejected a lawsuit from the Idaho Conservation League alleging Bonneville Power Administration is underfunding fish conservation efforts.

The Northwest Power Act (NWP) requires BPA to protect fish and wildlife from the impacts of its dams. The conservation league and its allies argued a decision to lower rates would place the federal power administration in violation of that law.

While BPA is under the Department of Energy, it is self-funded based on revenues from its sales of electricity and the transmission of electricity, which means it must set its rates high enough to cover costs. By statute, that must be balanced with the requirement that BPA sell power at the lowest possible rates.

The administration's rates are set through rate cases that resemble agency rulemakings, which include numerous chances for the public and interested parties to comment, including with written briefs. BPA estimates its anticipated spending through a process called Integrated Program Review, which also offers a chance for public input.

In neither process does BPA set specific funding levels for different programs, nor does it decide which costs to incur.

One of the concerns BPA was dealing with in 2022-23 rates at issue in the case was its latest strategic plan, which required a response to concerns over growing costs, centered on cutting costs and improving its financial health.

BPA must recover the costs associated with fish and wildlife measures by developing a realistic projection of those costs that reflect the best information at the time rates are set.

The NWP set up the Pacific Northwest Electric Power and Conservation Planning Council, which is made up of representatives from the state governments of Idaho, Montana, Oregon and Washington. While BPA and the council operate independently, the power administration must adhere to its "program" laying out measures to protect, mitigate and enhance the fish and wildlife affected by its dams and reservoirs.

BPA expected to earn an extra \$100 million from wholesale power sales and initially was split between lowering rates 4.5% to provide

short-term rate relief or holding rates flat while investing the surplus in financial reserves – the option it preferred.

Stakeholders were split on the issue, and BPA eventually reached a settlement that split the difference: cutting rates by 2.5% and taking measures to improve its finances. While most parties supported it, the conservation groups opposed it because they believed the lower rates would mean underfunding fish and wildlife protections.

"Essentially, petitioners want BPA to use some of its surplus in favor of greater fish and wildlife mitigation measures," the court said.

FERC approved the rates BPA came up with and the Idaho Conservation League challenged them before the commission. FERC's order determined compliance with fish and wildlife protection obligations was outside of that proceeding, so the conservation groups took the issue to court.

A big part of the case was devoted to whether the conservation groups had standing, with two of the judges agreeing they did and the third filing a dissent saying they would have thrown out the decision because of that issue.

BPA must provide equitable treatment for fish and wildlife while considering the conserva-

tion planning council's program to the fullest extent practicable. The conservation groups argued that meant BPA had to set aside more funds for fish and wildlife, while BPA said those requirements do not apply to ratemaking at all.

BPA argued it must take those provisions into account when it manages and operates its dams, but the court did not go that far. The judges concluded the fish and wildlife mitigation laws do not extend to ratemaking.

The relevant language in the NWP does not mention ratemaking, which does come up in another part of that law with technical requirements focused on the ratemaking process. Congress did not even acknowledge the fish and wildlife provisions of the law in NWP's ratemaking sections.

"In this case, the NWP simply does not 'mandate the comprehensive, detailed mechanism that petitioners seek BPA' to implement, and 'we cannot impose this procedural requirement ourselves,'" the court said, quoting a 2003 precedent on BPA.

If Congress wanted to apply the fish and wildlife conservation requirements to ratemaking and budget projections (a significant legal obligation), it would have drafted the statute to say that, the court said. ■



Spillway at BPA's Bonneville Dam. | © RTO Insider LLC

ERCOT News



ERCOT Smoothly Handles Annular Solar Eclipse

ERCOT said it did not experience grid reliability issues with the loss of solar generation during Saturday's annular solar eclipse, in what some saw as a performance check before next year's total eclipse.

"It should be a really good test case," ERCOT COO Woody Rickerson told the Public Utility Commission during an open meeting Thursday. "We don't expect any problems."

The Texas grid operator had several ancillary services available should there have been an "unknown, unforeseen" issue, he said. (See [ERCOT Prepared for Eclipse, Loss of Solar.](#))

Solar production dropped from just over 7,000 MW to 1,474 MW between 10:49 and 11:49 a.m. CT as the eclipse's "ring of fire" traversed Texas. Natural gas resources helped compensate for the solar drop with more than a 4,000-MW increase in their generation.

"A solar plant will experience a shadow moving over it, but at a different time than other solar plants," Rickerson said.

A total eclipse will cross over Texas from Mexico and continue into Canada on April 8. It will be last eclipse visible in the continental U.S. until 2044.

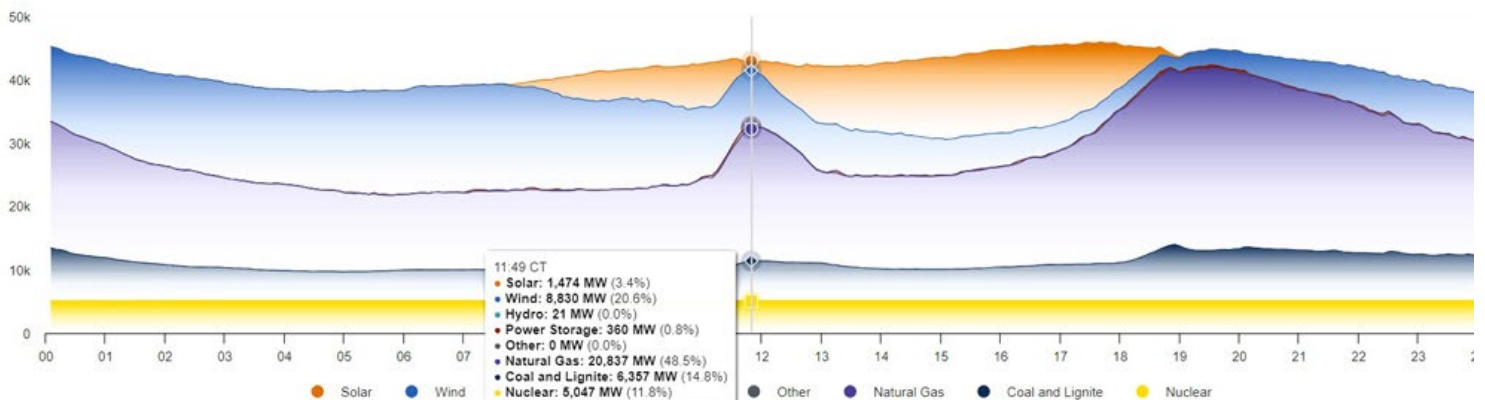
ERCOT has almost 12 GW of solar capacity available during the fall season. The resource was credited with helping the grid operator meet record demand during a blistering summer this year, [accounting for about 15% of the grid's fuel mix](#) during the heat of the afternoon. ■

— Tom Kleckner



Crescent shadows on an Austin sidewalk | Eric Goff

Last Updated: Oct 15, 2023 09:34 CT



ERCOT's fuel mix during the eclipse | ERCOT

ERCOT News



ERCOT Defends Admin Fee Increase Before PUC

By Tom Kleckner

ERCOT's senior leadership defended the grid operator's 2024-25 budget and its planned 27.9% increase to its system administration fee during a public hearing Friday before the Public Utility Commission's legal counsel.

CEO Pablo Vegas said the ERCOT board's Human Resources and Governance Committee invited stakeholder feedback regarding strategic priorities and objectives for the next five years. He said that feedback informed the budget's development.

The ISO is proposing the first increase to the administration fee since 2016, raising it from \$0.555/MWh to \$0.710/MWh. Much of that difference will be passed on by retailers to ratepayers. Consumer advocates didn't oppose the increase, saying it was long overdue and will help pay for the real-time co-optimization project that is expected to save billions.

The [biennial budget](#) will provide ERCOT with \$424.03 million and \$426.99 million in 2024 and 2025, respectively. That will cover operating expenses, project spending and debt-service obligations.

The board approved the budget and administration fee increase during its June meeting. (See "Board OKs 27% Increase in Admin Fee," [ERCOT Board of Directors Briefs: June 19-20, 2023](#).)

"The board's approval reflects that the budget complies with ERCOT's financial corporate standard and associated financial metrics approved by the board," Vegas said, reading from his tablet. "The board, along with ERCOT management, supported the reasonableness of the budget request to provide for ERCOT operations and meet our strategic objectives for 2024 and 2025, including the commission's requests."

Vegas told Kasey Feldman-Thomason, the commission's general counsel and the hearing's moderator, that ERCOT considered several alternatives to the administration fee's increase. Management looked at an increase each year, every other year, or every four years.

The board, after "significant deliberation," ultimately approved a rate increase that keeps the admin flat for four years, Vegas said. The next increase is projected to occur in 2028.

"This option was selected for three principal reasons" he said. "One, it addresses poten-



ERCOT CFO Sean Taylor (left) listens to CEO Pablo Vegas' budget discussion. | Texas PUC

tial liquidity constraints in 2024 and 2025, resulting from deferring the expected increase from 2022 into 2024. Second, it provides great stability to Texas consumers. And three, it helps to minimize the potential intergenerational inequity issues among the ratepayers by appropriately charging ratepayers for the services they are receiving."

ERCOT held off on increasing the fee in 2020. The deadly 2021 winter storm has increased the grid operator's costs for legal support and IT projects, the latter a result of recent legislation.

"ERCOT maintains acute awareness that consumers of Texas fund ERCOT," Vegas said.

The grid operator has asked that the budget be approved by Nov. 15. It will become effective Jan. 1.

During the PUC's open meeting on Thursday, Commissioner Will McAdams encouraged stakeholders to participate in the budget hearing.

"The magnitude of the increase is significant, and I want to hear from stakeholders," he said. "We so far have heard nothing about that within the ERCOT process ... I'd like to know a little bit more detail about if there are questions or

concerns and then how that affects the commission's deliberations."

The Texas Industrial Energy Consumers and Sierra Club were the only two groups to ask for more information from ERCOT during the hearing. They asked for more analysis of some of staff's assumptions and questioned the need for additional legal and public affairs staff.

The hearing's notice was not posted to the PUC's online calendar until Thursday over what the commission's executive director, Thomas Gleeson, called an "oversight." He said a different meeting accidentally was posted first.

Nuclear Group Names Members

Commissioner Jimmy Glotfelty said he has a "well-rounded" members' list for the PUC's Texas Advanced Nuclear Reactor Working Group he is chairing ([55421](#)).

"We are going to be moving very [quickly], but we are excited to be moving forward," he told the commission. "I'm just happy that we got over this hurdle."

The [17-member list](#), released Oct. 10, includes ERCOT CEO Pablo Vegas; Entergy's Dillon Allen, senior manager of advanced nuclear development; CPS Energy's Bret Colby, nuclear

ERCOT News



oversight principal as part of the municipality's ownership stake in the South Texas Project; and Clayton Scott, executive vice president of business development for NuScale, a developer of advanced nuclear reactor technology.

Glotfelty said those not selected shouldn't feel they're not part of the group. He said six or seven more teams will be formed to address specific issues such as supply chains and high technology interest in the Texas workforce, similar to the commission's Aggregated Distributed Energy Resources (ADER) task force.

"We had two leaders and we had about 70 people participating," Glotfelty said. "That's what we want in this."

Texas Gov. Greg Abbott (R) in August ordered the working group's formation. It is to evaluate what steps need to be taken so advanced nuclear reactors can provide power for Texas. The group must report its findings and recommendations to Abbott by Dec. 1, 2024.

PUC Missing RRs' Discussion

The PUC approved [29 ERCOT protocol changes](#) and other revisions, but not before Glotfelty questioned the grid operator's COO, Woody



Will McAdams | Texas PUC

Rickerson, to better understand the revisions' effect on the ERCOT market ([54445](#)).

"I don't feel like we get the benefit of the discussion when these protocols are being approved," Glotfelty said. "There are a lot of policy issues in here that I think rise to the commission level that we should take a position on ... I also think that there has been some shyness to speak your mind during the ERCOT

committee process as a result of feared backlash."

Under legislation passed after the 2021 winter storm, the PUC now must approve revision requests after they emerge from the stakeholder process. ERCOT's Board of Directors approved the last round of revision requests in June with minimal discussion.

The pre-Winter Storm Uri board would hold closed sessions before its meetings so the independent directors could ask clarifying questions about the changes.

"We're supposed to all be working in one direction, but I do think the reason we're asking these questions ... is how do we stay out of this technical condition of potential system failure?" McAdams said. "The stakeholder votes on these policies are extremely important and we look to those. So, if they're not 100% on board, we need to know that."

The commission also approved publication of a rule that repeals and replaces the state's renewable portfolio standard with a temporary solar-only renewable energy credit as required by [2023 legislation](#). The temporary program will expire Sept. 1, 2025 ([55323](#)). ■

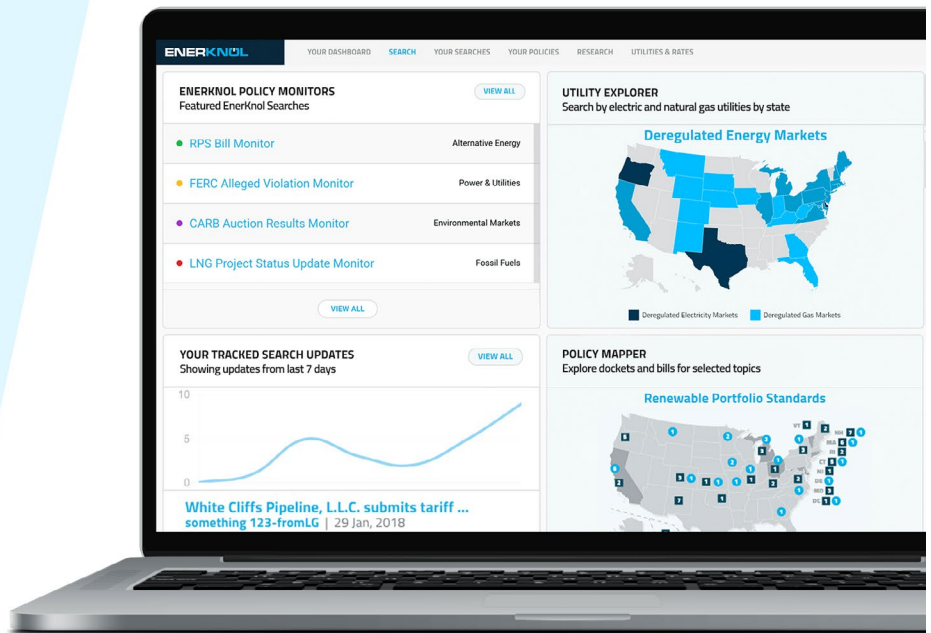
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ERCOT News



ERCOT Monitor's Name Change Raises Legislative Concerns

Texas PUC Replaces 'Independent' with 'Electric'

By Tom Kleckner

A change in nomenclature has heightened some concerns that Texas regulators are attempting to restrict the ERCOT Market Monitor's independence.

Several ERCOT market observers were quick to notice that the Public Utility Commission's [request for proposals](#) for a four-year monitoring contract refers to an "electric market monitor," as opposed to an "independent" market monitor. The PUC said it is simply updating the Monitor's name to align it with the statute and accurately represent its role.

However, state Sen. Charles Schwertner (R), who has overseen legislative changes to ERCOT's market since the deadly February 2021 winter storm, said in a letter to the commission that renaming the Independent Market Monitor (IMM) as the Electric Market Monitor (EMM) "implies the position is no longer truly independent."

"While this contractor is hired through a contract with the PUC, it is ultimately the people of Texas within ERCOT who pay for this position," Schwertner wrote. "This position is similar to an auditor or ombudsman, and their analysis should not be influenced, nor their recommendations suppressed, by politicians or bureaucrats."

To be fair, the RFP does refer to an "independent wholesale electric market monitor." PUC spokesperson Ellie Breed said that because this was the first time the Monitor's contract has come up in four years, it was the "appropriate time to update" its name.

"For context, the word 'independent' describes the market monitor's relationship to the ERCOT ISO and market participants," she said, pointing to the [commission's rules](#) that the Monitor "shall offer independent analysis to the commission to assist in making judgments in the public interest."

"I don't know that they're necessarily doing anything to weaken the position, but I don't see how you take the word 'independent' out of the name and not have everybody conclude that's what you're trying to do," said Stoic Energy's Doug Lewin, who closely watches the state's electric market. "It sends a pretty strong signal, whether intended or not."

The missive was co-signed by Lt. Gov. Dan

Patrick, who is president of the Senate and has a contentious relationship with Gov. Greg Abbott, who appoints the PUC's commissioners.

Beth Garza, who served as the IMM's director from 2014 to 2019, pointed to that rivalry between two of the state's political leaders as possibly playing a role in the letter's issuance.

"I would like to think this has a lot to do about nothing, but it could just be signaling just these bigger tensions between the Legislature and the commission, which may just be evidence of underlying tensions between our lieutenant governor and the governor," she said. "You can build a pretty credible kind of conspiracy for a pretty credible argument for all of this."

Monitor Carrie Bivens — a vice president for Potomac Economics, the firm that has held the IMM's contract since 2006 — has twice found herself at loggerheads with the commission.

She has consistently opposed the performance credit mechanism, former PUC Chair Peter Lake's preferred market design, and recently said ERCOT's use of its new contingency reserve service "likely" raised the real-time market's energy value by \$8 billion to \$10 billion in three months. (See [Market Monitor Pans ERCOT Market Redesign and ERCOT IMM Raises Concerns over Newest Ancillary Service.](#))

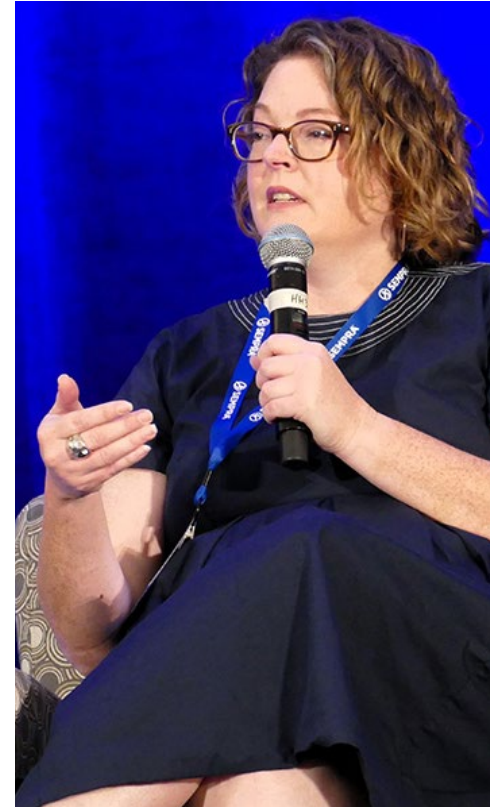
"It's a tense position, because you really do need to take unpopular positions that not only the commission may not like, but there's very few in the market that are going to like it," Lewin said. "You're going to get just a lot of it by its very nature. It's not conflict, but it's tension. It's just inherent in the role."

Bivens said she was unable to comment on the matter.

Schwertner also criticized the RFP's language requiring the PUC to be notified by the Monitor of any request to speak and for the apparent ability of the commission's executive director to remove the IMM's director with the commissioner's approval.

"We urge you to consider the concerning provisions contained in the new RFP and ensure the IMM's continued independence in the final scope of work and the contract," he wrote.

Breed clarified that the EMM would not be required to seek approval from the commission for speaking engagements, but only notify the PUC of those engagements and the



ERCOT IMM Carrie Bivens participates in panel discussion during recent Gulf Coast Power Association conference. | © RTO Insider LLC

topics they are invited to address. She said the commission's standard contract terms and conditions direct that, at the PUC's request, the contractor "must remove from the project any individual whom the PUC finds unacceptable for any reason" in its discretion.

Garza said requiring the Monitor to notify the commission of any speaking requests and the topic "was a practice during my time at the IMM."

"They're just codifying that expectation," she said.

The issue may be moot anyway. Responses to the RFP are due Oct. 30, and the contract begins Jan. 1. Should the contract not be awarded to Potomac, the new Monitor would have to begin a transition period Dec. 1.

"The timing of the RFP would indicate to me that the commission is not really in a position to go to somebody else," Garza said. ■

ISO-NE News

ISO-NE Details FCA 19 Domino Effect

By Jon Lamson

A one-year delay of Forward Capacity Auction 19 (FCA 19) would have cascading effects in the five subsequent auctions, ISO-NE told the NEPOOL Markets Committee on Thursday.

ISO-NE has recommended a one-year delay of the auction to implement resource capacity accreditation (RCA) changes and discuss moving to a prompt and/or seasonal market for FCA 19. The auction is scheduled for 2025 and would apply to the 2028-29 Capacity Commitment Period. (See *ISO-NE Recommends Delaying FCA 19*.)

Alan McBride of ISO-NE presented to the MC on a proposed schedule for FCA 19 through FCA 25. Following a one-year delay of FCA

19, subsequent auctions would be conducted on a 10-month timeline, instead of the typical 12-month timeline. This would return the FCM to the typical 3½-year forward auction process for FCA 26.

This would mean that along with the delay of FCA 19, five auctions in a row would be delayed to some extent, while the first annual re-configuration auction for capacity commitment periods 19 through 24 would be eliminated. If ISO-NE moves to a prompt capacity market for FCA 19, these changes would become obsolete.

ISO-NE has emphasized the importance of implementing RCA for FCA 19 but would not be able to accomplish this under the current timeline. The RCA changes will alter how

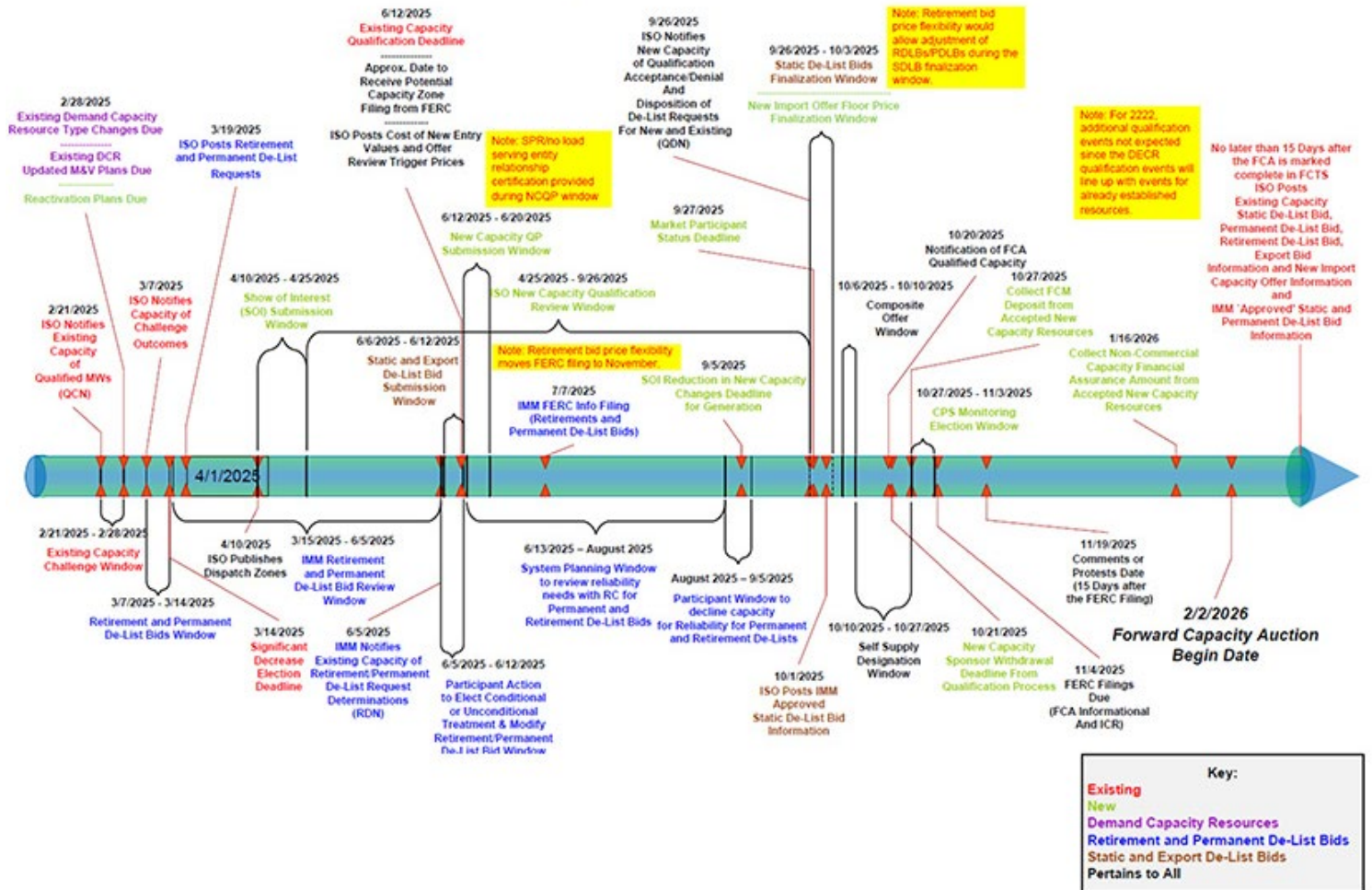
ISO-NE accredits resources like oil and gas generators and energy storage in the forward capacity market.

The RTO said it hopes to submit the filing as early as possible in anticipation of a potential government shutdown in November and has scheduled an extra MC meeting on the morning of Oct. 26 to vote on the proposal. It then would go to a general vote at the Nov. 2 Participants Committee meeting.

Some clean energy stakeholders have expressed concerns about the effects that delaying FCA 19 would have on new resources looking to secure capacity rights in the auction.

Mike Berlinski of BlueWave, a company that develops, owns and operates solar and storage projects, said it's "disappointing that ISO-NE

Draft - Forward Capacity Auction 19 Schedule Capacity Commitment Period: 2028-2029



Proposed timeline for FCA 19 through FCA 25 | ISO-NE

ISO-NE News

had not considered the impact of delaying FCA19 by a year on the ability of new resources to participate in the Capacity market in the 2025-2026 period.”

“Because new resources need to go through an FCA qualification process in order to be eligible for a reconfiguration Capacity auction, which unlocks capacity payments for near-term periods, pushing back the FCA19 process ... would create a one-year gap where new resources could not enter the capacity market,” Berlinski told *RTO Insider*, adding that this could hurt projects in development and lead to decreased supply in [reconfiguration auctions](#).

“If ISO-NE is determined to delay FCA19, we hope they will agree to implement some alternative process to enable capable projects to participate in the capacity market in the interim period,” Berlinski said.

Analysis Group Report on Prompt, Seasonal Construct

Chris Geissler of ISO-NE [detailed](#) scope of work for the Analysis Group report on the potential structural changes to the forward capacity market.

The intent of the Analysis Group study is to weigh the “pros, cons and key considerations associated with moving to a prompt and/or seasonal capacity market,” Geissler said,

adding ISO-NE will use this study to inform its ultimate recommendation.

The report will focus on the effects on market efficiency, entry and exit decisions, price volatility, interactions with capacity accreditation, and supplier offers and risk. Geissler added the analysis will be quantitative and qualitative.

Geissler asked for feedback as soon as possible, as ISO-NE hopes to share the report with stakeholders in December.

“Due to the limited time to complete the assessment, AGI may not be able to complete analysis that addresses every stakeholder request,” Geissler said.

The Analysis Group is planning to present the methods of the report at the November MC meeting.

Upward Mitigation Prevention

The MC approved one aspect of ISO-NE’s proposed compliance to FERC’s show cause order ([EL23-62](#)) on Wednesday. The show cause order directed ISO-NE to change or justify parts of its tariff relating to “mitigation rules that can result in market power mitigation that increases the offers of a market participant.”

To prevent potential upward mitigation, ISO-NE proposes to “compare each financial parameter (e.g., block or component) of the

Supply Offer and Reference Level and use the lesser of the two values when performing certain automated mitigation procedures,” Andrew Withers of ISO-NE [told](#) the MC in September. “This differs from current practice, where the entirety of the Supply Offer is replaced with the Reference Level.”

Withers also [detailed](#) the RTO’s proposal to allow two fuel price adjustments (FPAs) to the supply offer, compared to the single FPA currently allowed. The higher FPA of the two would be triggered at a designated MW threshold and is intended to better represent how fuel costs can increase as energy output increases.

Withers said ISO-NE still is evaluating the viability of this proposal and the tariff changes it would require.

FRM Market Power Concerns

Ash Bharatkumar of ISO-NE [presented](#) on proposed changes to the Forward Reserve Market (FRM) to address market power concerns raised by the Internal Market Monitor in the [spring markets report](#).

ISO-NE proposes to reduce the Forward Reserve offer cap from \$9,000/MW-month to \$6,300/MW-month and move to a 12-month delay on the publication of auction offer data, compared to the current four-month delay. ■

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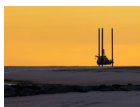
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ISO-NE News

FERC Responds to ISO-NE Rehearing Request on Order 2222

FERC Will Delay Implementation, Clarify DER Issues

By Jon Lamson

FERC responded to ISO-NE's request for rehearing on its Order 2222 compliance Friday, agreeing to delay the required timing of implementation while providing a clarification about the responsibility and role of distributed energy resource (DER) aggregators and utilities in providing ISO-NE with metering information and data (ER22-983-002).

Order 2222 directed RTOs and ISOs to remove barriers for aggregations of DERs to participate in wholesale markets. ISO-NE filed its initial compliance in February 2022, and FERC partly accepted and rejected it in March 2023. (See *FERC Gives ISO-NE Homework on Order 2222*.) ISO-NE requested a rehearing at the end of March.

A significant portion of FERC's order Friday focused on its requirement that DER aggregators be responsible for reporting the necessary metering information to their respective RTO or ISO. In ISO-NE's compliance filing, the organization proposed to task the host utility — which refers to either a transmission owner or a distribution utility — with this responsibility.

"Shifting the meter reporting role for [DER aggregations] to the DER aggregator would

treat DERAs differently from all other resources participating in New England Markets and place them at a disadvantage relative to all other resources," ISO-NE wrote in its March request for rehearing.

ISO-NE also interpreted FERC's order in March to require the exclusion of host utilities from the flow of metering information from the DER aggregator to the RTO. ISO-NE argued that because host utilities typically are in charge of metering, giving the responsibility to the DER aggregator while excluding the utility from the process would be difficult to implement and would require new infrastructure and tariff changes.

In its response to the rehearing request, FERC maintained that the DER aggregator is responsible for providing metering information to ISO NE.

The commission said it disagreed with the "underlying interpretation upon which ISO-NE bases its rehearing request" and said Order 2222 "does not preclude metering data coming from or flowing through the host utility."

"Metering data may come from or flow through distribution utilities if ISO-NE coordinates with distribution utilities and relevant electric retail regulatory authorities to

establish protocols for sharing such metering data and explains how such protocols minimize costs and other burdens and address concerns raised with respect to privacy and cybersecurity," the commission wrote.

FERC said this clarification would preclude the need for the significant metering changes and burdens highlighted by ISO-NE in its rehearing request.

Also in Friday's order, FERC sustained part of the March order directing ISO-NE to explain or alter its measurement requirements for some classes of behind-the-meter DERs.

Time Change

In ISO-NE's initial compliance filing in 2022, the RTO wrote that it would need a response from FERC no later than Nov. 1, 2022, to include distributed energy capacity resources (DECERs) in Forward Capacity Auction (FCA) 18, which is scheduled for 2024 affecting the 2027/28 capacity commitment period. Since FERC did not make a determination until March 2023, ISO-NE argued in its rehearing request that it should not be required to include DECERs in FCA 18.

FERC accepted this request Friday, noting ISO-NE has proposed a new effective date that would require DECERs to be included in FCA 19.

Commissioner Christie's Dissent

Commissioner Mark Christie dissented with Friday's order, as he did with the commission's order in March regarding ISO-NE's compliance filing.

"Today's order represents yet another example demonstrating that Order No. 2222 has created nothing short of an incomprehensible quagmire bearing a substantial price tag that will inevitably add to the rising power costs already faced by consumers," Christie wrote.

He expressed his concern that the order does not adequately address ISO-NE's concerns and will require "yet another return to the drawing board for ISO-NE and its market participants."

Christie added that the order "uses the 'clarification' as a sword to dispense with the rehearing request, but also as a shield from providing substantive explanation on how this 'clarification' addresses each of ISO-NE's problems and concerns." ■



| Shutterstock

ISO-NE News

FERC Rules Against Additional Mystic Agreement Disclosures

By Jon Lamson

Independent entities cannot review and challenge tank congestion charges and revenue credits in the annual true-up process for the cost-of-service agreement between ISO-NE and the Mystic Generating Station, FERC ruled Friday (ER18-1639).

The commission also ruled against a request by a group of municipally owned utilities for additional audit disclosures related to the agreement, saying that ISO-NE’s existing audit procedures and disclosures are adequate.

The ruling responded to both the municipal utilities’ request for additional information and a request for rehearing by Constellation Mystic Power, which argued against FERC’s determination that “interested parties” can review and challenge the true-up. That “could be read to allow interested parties to obtain information that is commercially sensitive, and that poses a security risk,” the company said.

In contrast, the utilities argued that the significant costs of the agreement — which they estimated to be more than \$400 million over the first 10 months — necessitated the disclosure of additional information to allow interested parties to challenge the credits and charges. (See [Public Power Groups Seek Information on Mystic Agreement.](#))

Credits account for revenues that Mystic earns from sources other than the agreement, while tank congestion charges refer to any costs associated with the increased need for uneconomic self-scheduling or short-term vaporization LNG.



Mystic Generating Station, on the Mystic River in Everett Mass. | Shutterstock

FERC sided with Constellation, reversing its previous determination and also agreeing that shared revenue from third-party natural gas vapor sales should not be included in the true-up process. The commission said these contested issues are inconsistent with the Mystic agreement’s true up process because “none of them are projected in advance, but rather they are each settled and audited on a monthly basis.”

The commission also denied the municipal utilities’ request for additional audit information, which is “not supported by the Mystic agreement and unnecessary, given the attention that ISO-NE, its auditors and the Market Monitor give these items on a regular basis.” The request “goes beyond the terms of the Mystic agreement, which vests ISO-NE with audit rights and requires ISO-NE to maintain the confidentiality of audit-related information.”

“Allowing all interested parties to review Mystic’s revenues and revenue credit could require

disclosure of proprietary information about Mystic’s actual fuel costs,” FERC wrote. “We recognize the potential competitive harm to Mystic, Constellation LNG and the market that could ensue from the disclosure of unmasked, offer-specific, commercially sensitive information to third parties.”

FERC wrote that it is “sympathetic” to the concerns about the high costs of the Mystic agreement, but “there is no record evidence that the Mystic agreement formula rate is being improperly executed.”

“The existing cost review and audit processes, which are facilitated by ISO-NE, its auditors and the Internal Market Monitor ... are sufficient to ensure that Mystic adheres to its filed rate,” FERC added.

FERC also accepted a proposal ISO-NE had filed as an intermediate solution, which stopped short of the broad disclosures requested by the public power groups but allows for releasing redacted audit reports, providing summaries of its discussions with Constellation about fuel supply decisions, and making a member of Levitan & Associates’ tank congestion audit team available for questions at several points throughout the agreement.

“We are pleased that the commission has recognized the significant information the ISO has made available regarding the ongoing auditing of Constellation’s fuel supply decision,” an ISO-NE spokesperson told RTO Insider via email. “We will continue to work with Constellation and our stakeholders on ways to provide additional information while protecting confidentiality.” ■

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December 5, 9am-5:30pm
The Colonnade Hotel, Boston

Reliability
Charles Dickerson, Keynote
President and CEO of the Northeast Power Coordinating Council

CEO Roundtable
Cheryl Lafleur, Moderator
Mark Sudbey, CEO of Generation Bridge
Matt O'Connor, Managing Director and Head of Carlyle Power Partners
Alicia Barton, CEO of FirstLight Power

Policymakers Roundtable
Commissioner Katie Dykes, DEEP, CT
Chairman Ron Gerwatowski, PUC, RI
Secretary Rebecca Tepper, EOEAA, MA

Schedule:
Registration 8:30am
Summit 9am-3:30pm
Networking Hour 3:30pm

More speakers to be announced!

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MISO News

MISO: Possibility of Winter Emergency in January

Typical Demand not an Issue, but Deep Freeze Could be

By Amanda Durish Cook

In keeping with its winter estimates from previous years, MISO said it could run into trouble in January should it experience high load or high outages.

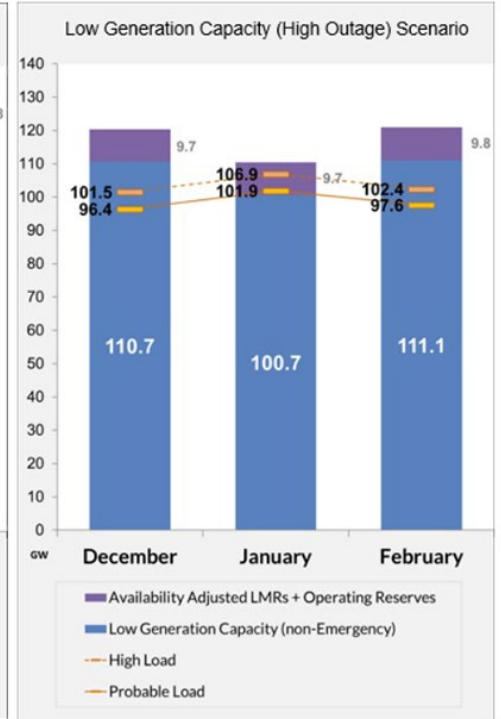
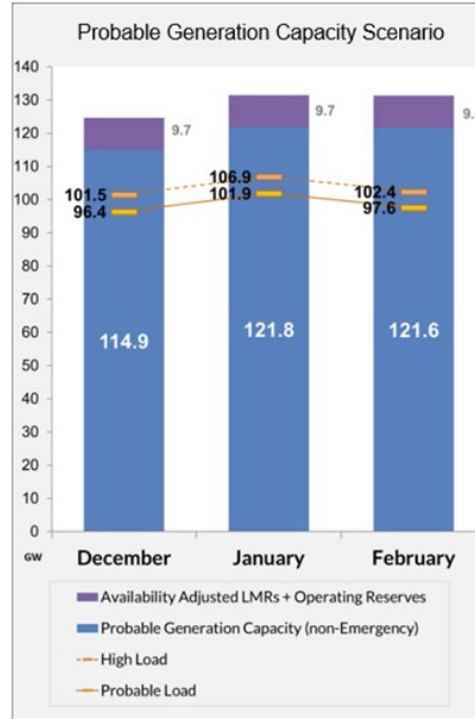
In a winter outlook published last week, MISO said it should fare well over the season under typical demand and generation outages. However, the RTO said it may need to declare an emergency in January if a deep freeze spurs either unusual generation outages or elevated demand.

Otherwise, MISO said it should have sufficient firm resources to cover winter peak load forecasts.

The grid operator predicts a 96.4-GW peak in December under typical circumstances or 101.5 GW in a high-load scenario. It said it should have nearly 115 GW of firm resources to cover peak, though that could be downgraded to 110.7 if generation outages creep up.

MISO said its system most likely will realize a nearly 102-GW peak in January under typical demand or up to 107 GW in an amplified demand situation. It said it should have as much as 121.8 GW or as little as 100.7 GW of firm resources available in its fleet, all but guaranteeing the need for emergency procedures and resources.

System strain will ease in February, MISO said, with a 97.6-GW peak or a less likely 102.4-GW peak. In either case, the RTO said it should be



MISO wintertime capacity predictions under differing load and available generation scenarios | MISO

able to handle demand without an emergency, having anywhere from 121.6 GW to 111 GW available in firm resources.

MISO anticipates it will have access to about 10 GW worth of load-modifying resources and other operating reserves this winter if it orders

emergency procedures.

MISO declared one maximum generation event last winter during a Dec. 23 arctic blast, a product of high load and high generation outages. (See *MISO Winter Recap Centers on December Emergency.*) ■

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MISO News

IMM Presses MISO for New Rules After DR Market Gaming

IMM Wants Consumption Expectation Attestations, DRR Offer Floors

By Amanda Durish Cook

MISO's Independent Market Monitor is angling for demand response offer floors and attestations of expected levels of energy consumption in the wake of an Arkansas steel mill's gaming of the MISO demand response market.

Meanwhile, a second demand response resource in MISO might be under fire for promising load reductions and not delivering them.

In late August, FERC accepted a \$35 million total settlement between Big River Steel in Osceola, Ark., Entergy Arkansas and FERC's Office of Enforcement, of which \$21 million will be returned to MISO customers. The steel mill for years collected payments from MISO for demand response while not actually reducing electricity use. (See [FERC OKs \\$21M Settlement in](#)

Arkansas Steel Mill's DR Scheme in MISO.)

Carrie Milton, of the Independent Market Monitor's team, said the IMM is advising MISO to reinforce its rules for demand response resources (DRRs) "to prevent similar gaming in the future."

"After seeing this kind of conduct, we have recommended [that] MISO establish an offer floor for DRRs and that DRRs indicate their forecasted, pre-curtailment expected consumption," Milton said during an Oct. 5 Market Subcommittee meeting.

Milton said IMM staff recently referred another MISO DRR to the Office of Enforcement for offering "phantom load reductions" similar to Big River Steel. In this case, the unnamed company collected more than \$35 million in payments from MISO.

Neither MISO nor the IMM revealed the name

of the company involved with the possible new investigation. MISO said the IMM's screening first uncovered the "information that led to FERC's investigation" of Big River Steel.

Milton said the IMM team is working with MISO to gain support for the DRR rule changes.

MISO did not say whether it agrees with the IMM's proposal but said it is open to exploring with stakeholders what improvements might be necessary.

"Following any situation like this, MISO is closely collaborating with the IMM and FERC to evaluate potential enhancements to help prevent similar conduct in the future, which will be vetted through MISO stakeholder process in an open and timely fashion," spokesperson Brandon Morris said in an emailed statement to *RTO Insider*. ■



Big River Steel in Arkansas | *Big River Steel*

MISO News

FERC: MISO's 2030 Finish Date on Order 2222 Compliance not Soon Enough

By Amanda Durish Cook

MISO cannot wait until 2030 to roll out the welcome mat for DER aggregations in its markets, FERC ruled last week.

FERC said MISO must submit a new date to achieve Order 2222 compliance in a more “timely manner.” The commission also ruled MISO has more work ahead of it to be fully compliant with its order unlocking participation in wholesale markets to distributed energy resource aggregations (ER22-1640).

MISO requested FERC allow it until Oct. 1, 2029, to register DER aggregations, with the first offers to follow in the first quarter of 2030. The RTO explained it first needed to replace its market platform before it has the technological capability to register, enroll and facilitate offers from DER aggregations. (See [MISO Stakeholders Protest RTO's Order 2222 Implementation Timeline.](#))

FERC said while MISO “persuasively explained” why its new market engines are a prerequisite for DER aggregator software and participation systems in its markets, the RTO didn’t justify the need for an additional five-year gap between completion of the new market platform in 2024 and the first DER aggregation registrations in late 2029.

“We find that MISO’s proposed effective date of Oct. 1, 2029, is not timely because, once MISO implements the [market platform replacement] project, MISO proposes to defer Order No. 2222 implementation for several years,” FERC said.

FERC said while it understood MISO wants to create a multiple configuration resource modeling, it said that shouldn’t also keep the RTO from opening its markets to DER aggregations for multiple years. MISO had said it should prioritize introducing a multi-configuration resource participation model before it tackles offers from DER aggregations because the former will yield more economic and reliability benefits.

However, FERC said, “facilitating distributed energy resource participation ... will provide many of these same benefits.”

Single or Multiple Pricing Nodes?

FERC sent MISO back to the drawing board on several other aspects of its Order 2222 compliance.

Notably, FERC said MISO’s plan to limit ag-



| WPPI Energy

gregations to a single pricing node rather than across multiple nodes might be counter to the order’s directive that the locational requirements of DER aggregations be geographically broad as technically feasible.

MISO’s DER aggregation proposal specified that DER aggregations be at least 0.1 MW, be wholly located within MISO and limited to a single pricing node and self-commit their output in the MISO markets based on their own forecasts.

FERC said it understood MISO has concerns about congestion management challenges that could arise if DERs are aggregated at the opposite sides of a transmission constraint; however, it said “MISO has not demonstrated that it is not technically feasible for DERs to aggregate across a broader geographic area than a single node, at least for some nodes or groupings of electrical facilities that have similar impacts on the same transmission constraints.”

FERC told MISO it should better explain whether a broader aggregation is technically infeasible, not just challenging. It also said MISO’s potentially incomplete compliance with the locational requirements of Order 2222 raises the question of whether MISO must establish market rules that address distribution factors. MISO originally said its single-node pricing framework would not require distribution factors.

Commissioner Mark Christie said he thought MISO’s proposed pricing was fair and that pricing aggregations at more than one node would create a different compensation method for one category of resources and thus, undue preference.

“MISO’s proposal to price [aggregation] compensation at the node is technically feasible and is economically efficient, non-discriminatory and fair because it treats all resources similarly,” Christie said in a concurrence.

Christie said FERC should accept MISO’s pricing proposal “right now rather than make MISO produce more paperwork.” He said he only wrote a concurrence instead of a dissent because FERC didn’t outright reject MISO’s pricing plan.

Danly: A ‘Good Faith Effort’ on a Daunting Task

In a concurrence again lambasting Order 2222’s “micro-management” of RTO activities, Commissioner James Danly said MISO made a “good faith effort” to comply with the order but came up short.

“While I continue to disagree with Order No. 2222 itself, I agree that MISO failed to fully comply with its scores of dictates. I do not envy MISO the task we imposed upon them. One hundred percent compliance probably is impossible in a first, or perhaps even second,

MISO News

attempt. We shall see,” Danyl wrote.

Other Compliance Shortcomings

FERC asked MISO to clear up several other aspects of its plan, including the role of relevant regulatory authorities over distribution systems. The commission said although regulatory authorities can choose to conduct their own distribution technical reviews and establish other rules that can override aggregators' operations, MISO didn't explicitly describe that role in Tariff revisions.

FERC also ruled MISO must add Tariff language that requires DER aggregators submit attestations that their aggregations comply with the operating procedures of distribution companies and the rules and regulations of their regulatory authorities. MISO's plan should include an instruction to aggregators to provide a list of the individual DERs in their aggregations, FERC added.

The commission rejected MISO's proposal to use a 10-MW threshold for aggregations before applying some market mitigation rules. FERC pointed out that MISO doesn't use a size-based threshold for mitigation rules for

any other class of resources.

FERC said MISO's compliance plan didn't explicitly spell out that aggregators will submit offers up to 30 minutes to the operating hour to reflect capability and must update offers in real time if DER availability changes.

FERC told MISO its proposed double-counting and technical review process of DER aggregations exceeded Order 2222's 60-day limit. It also said MISO didn't specify how it would share information about specific DERs provided to it by a distribution utility with aggregators as part of the distribution utility review process.

FERC also said MISO should be clearer on its protocols for sharing metering and telemetry data and should explain how such protocols will minimize costs while addressing privacy and cybersecurity concerns.

Beyond that, the commission said MISO needs to define how it will handle possible disputes over the potential impact of DER aggregations' interconnections on the transmission system. MISO additionally must clarify how it will manage dispute resolution under its pro-

posed distribution utility review process. The commission said while it agreed with MISO that many disputes are best left to the relevant regulators of DER aggregations, some disputes — especially those concerning information sharing during distribution utility review — will need to be resolved by MISO.

Finally, FERC said though MISO proposed that distribution companies could perform eligibility reviews, that section didn't contain any criteria or standards distribution companies might use to establish whether a DER is capable of participating in an aggregation. The commission ordered MISO to explain whether it would incorporate additional eligibility criteria beyond those related to the required double-counting review.

FERC similarly said MISO's proposed distribution utility review process to determine whether a DER will pose harm to the distribution system lacked criteria.

The commission said MISO should continue to coordinate with distribution utilities on those processes. It gave MISO 60 days to address its compliance imperfections. ■

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MISO News

MISO Agrees to Dial Back Tx Service Requirements for Energy Storage

RTO Agrees Network Integrated Transmission Service Should be an Option

By Amanda Durish Cook

CARMEL, Ind. — MISO last week said it agrees with its stakeholders it has onerous transmission service requirements for energy storage resources charging from the grid and should relax requirements.

Until now, MISO has operated under the assumption that storage resources would secure long-term, firm, point-to-point transmission service before they began charging.

Members of MISO's Environmental Sector argue FERC's Order 841 doesn't require storage to obtain firm, point-to-point transmission service and instead allows as-available transmission service. After reviewing Order 841, MISO agreed it should loosen its requirement that storage secure yearly, firm point-to-point transmission service. (See *Stakeholders Puzzled by MISO Transmission Service Requirements for Battery Storage*.)

Manager of Resource Utilization Kyle Trotter said battery storage should be treated like any other intermittent load in MISO.

Speaking at an Oct. 11 Planning Subcommittee meeting, Trotter said MISO agrees storage resources should be afforded the option to use either non-firm, point-to-point transmission service or its Network Integrated Transmission Service under any length of time.

"You're not restricted to firm, you're not restricted to duration," Trotter said during an Oct. 11 Planning Advisory Committee. He said MISO expecting long-term, firm, point-to-point is an "overly restrictive transmission service requirement" for charging storage resources.

"Operationally, batteries do not charge 24/7; nonfirm is available down to the hour and provides more flexibility to the customer," Trotter said.

Trotter said MISO believes storage resources in charging mode are willing to be curtailed when prices are high from transmission congestion or emergency conditions. He said MISO doesn't require other capacity resources to acquire firm fuel supply or firm station service load, so storage shouldn't be treated differently. He also said long-term service is unnecessary for storage because their charging behavior is mostly price-driven and occurs off-peak.

"I think this is really important to straighten out for energy storage resources," Southern Renewable Energy Association's Andy Kowalczyk said.

Trotter said he will return to the Nov. 15 Planning Advisory Committee meeting with suggested revisions to MISO's business practice manuals to strike the requirement. ■



| NextEra Energy Resources

NYISO News

NY Sets New Wind Record amid Uncertainty over Future OSW Projects Developers Warn They May Exit PPAs over Inflation Concerns

By John Norris

NYISO announced last week that the state broke its hourly wind generation record Oct. 8, generating 1,939 MW from 28 wind power facilities.

The ISO said that meant wind energy met 12.9% of New York state’s electricity demand between 3 and 4 p.m. that day. The previous record of 1,897 MW was set Feb. 17, 2022, during the 1 a.m. hour.

“Wind generation is an important part of the diverse energy mix that helps maintain system reliability for consumers across the state,” NYISO CEO Rich Dewey said in a statement. “While there’s much more work to be done to decarbonize our system, this new record demonstrates wind energy’s increasing contribution to the state’s climate goals.”

“New York’s clean energy transition is ensuring more homes and businesses across the state are powered by renewable energy sources like land-based wind — a shift that is especially important during times of peak demand,” said Doreen Harris, CEO of the New York State Energy Research and Development Authority.

The milestone comes as offshore wind developers exit the power purchase agreements off New England and seek to renegotiate them amid high inflation and supply chain constraints. (See *Park City Wind to Cancel PPAs, Exit OSW Pipeline.*)

“Unforeseeable economic forces — including



Arkwright Summit Wind Farm located in Chautauqua County, N.Y. | EDP Renewables

unprecedented global supply chain bottlenecks, high inflation [and] rising interest rates, along with permitting and grid delays — have eroded the financial viability of” Empire Wind and Beacon Wind, their developers told the PSC in comments filed Friday, “to the point where contract restructuring is required to permit those capital-intensive projects to move forward. Notwithstanding these severe

market shocks, however, the projects remain the most cost-effective means of fulfilling the [state’s] renewable energy mandates.”

On Oct. 6, the PSC granted a one-year extension for NYSERDA to create an implementation plan for Tier 4 of its renewable resource procurement program. (See *NYSERDA Can’t Meet Deadline to Design New REC Plan.*) ■

NYISO News

NYISO Operating Committee Briefs

Comprehensive Reliability Plan

The NYISO Operating Committee on Wednesday voted to recommend that the Management Committee approve the *draft* annual Comprehensive Reliability Plan, which reported no “actionable” long-term reliability issues but noted narrowing reliability margins.

The report also reinforced findings from the ISO’s second-quarter short-term reliability report, which identified a shortfall in New York City that needs to be addressed by summer 2025. (See *NYISO Addresses NYC Near-Term Reliability Need*.)

NYISO noted that the CRP also shows fossil fuel generator retirements are outpacing the addition of renewable resources. That threatens future reliability, which has become increasingly reliant on the timely completion of transmission projects like the Champlain Hudson Power Express.

“Without the CHPE project in service or other offsetting changes or solutions, the reliability margins would be deficient for the 10-year

planning horizon,” NYISO said in its *presentation* of the draft.

The report also stressed the need for more state investment and research into dispatchable, emissions-free resources, which will be needed to serve future loads at times when intermittent resources cannot produce enough energy because of poor weather.

Summer Operations

Aaron Markham, NYISO vice president of operations, *discussed* the impact of three summer heat waves on the ISO’s operations, noting how solar resources are becoming increasingly important as peaker unit retirements reduce surplus capacity and solar production shifts peak load times.

“It was a cool, wet summer, but from a capacity perspective, we definitely observed less surplus in real time due to retirement of the peaker units,” Markham said. “We also continue to see the net load peaks shift to later in the afternoon due to the addition of behind-the-meter solar resources.”

Markham also highlighted how the summer’s historic Canadian wildfires that blanketed the East Coast reduced solar production by about 1,446 MW. (See *RTOs Report Diminished Solar Output, Loads as Wildfire Smoke Passes*.)

Markham noted that although the heat waves required no emergency actions, they underscore the pressures on New York’s grid as it transitions to more weather-dependent energy resources and the importance of public policy transmission projects to alleviate bottlenecks.

Interconnection & Transmission

Thinh Nguyen, NYISO senior manager of interconnection projects, *updated* stakeholders about proposed tariff revisions that the OC recommended last year but that were not brought before the MC. (See “Interconnection & Transmission,” *NYISO Operating Committee Briefs: Dec. 15, 2022*.)

The revisions are intended to improve coordination between NYISO’s interconnection and transmission expansion studies. They would, among other things, revise the criteria for what transmission projects are included in study assumptions and account for generators that are outside of the ISO’s interconnection procedures but are included in state agencies’ own processes.

While the OC gave its approval in December, the ISO held off on presenting the revisions to the MC while it waited to see how FERC would rule on a proposal by transmission owners to clarify their ability to exercise a right of first refusal for public policy transmission network upgrade facility upgrades. (See *NY TOs Seek Clarification on ROFR for Upgrades*.) The commission approved that proposal in April.

The revisions were further held up by FERC’s Order 2023. The ISO told the committee it has determined the order’s directives do not conflict with the revisions.

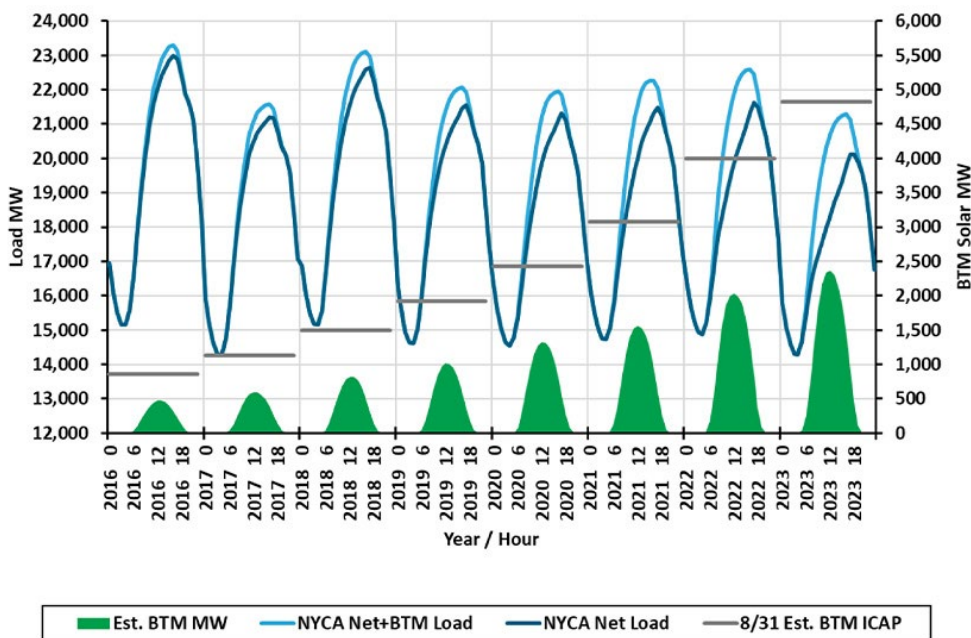
NYISO will present the revisions to the MC for approval Oct. 25.

September Operations Report

Markham also *informed* the OC that September saw the summer’s peak load of 30,206 MW, short of the record, 33,956 MW, set in 2019.

The ISO has added 20 MW of energy storage and 60 MW of behind-the-meter solar resources since August. ■

May to August BTM Solar Growth and System Load Impacts Since 2016



NYISO News



NY State Reliability Council Executive Committee Briefs

IRM Modeling Updates Approved

The New York State Reliability Council's Executive Committee on Friday approved the modeling assumptions for its 2024/25 installed reserve margin requirement study base case, including those for emergency assistance.

The committee approved both the final base case assumptions *matrix* — which sets parameters like load forecast, system *topology* and generation — and the final emergency operation procedures *white paper*, which examines how emergency assistance is accounted for in the IRM modeling and provides recommendations for improved operations.

The base case projects expected system conditions in New York, particularly during extreme weather events or major system failures, which could force the state to rely on neighboring jurisdictions like PJM to ensure reliability during emergency operations.

The base case is crucial for setting the state's IRM, which represents the minimum level of capacity that NYISO market participants must procure through its capacity market.

The white paper serves as a five-year strategic plan focused on improving resource adequacy modeling. The report highlighted tightening reliability conditions in the state, particularly during winter conditions, and recommended that more emergency assistance be incorporated into IRM modeling in case of a future emergency.

Update on Environmental Regulations

Committee Chair Chris Wentlent provided updates on recent *discussions* with the New York Department of Environmental Conservation and EPA regarding upcoming environmental regulations at the state and federal levels.

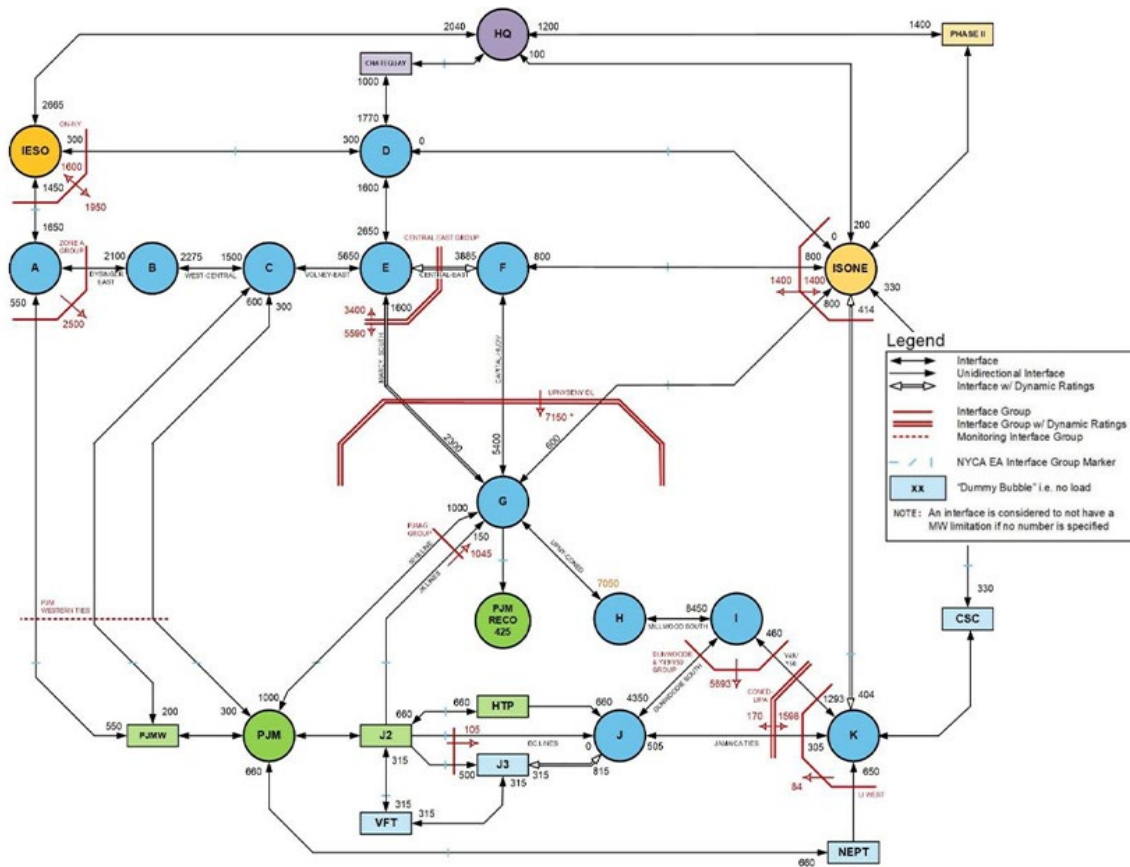
Wentlent said the DEC indicated it may propose new rules to New York's cap-and-invest program next year following a potential second round of informal stakeholder outreach for comments and recommendations. The department said the proposed rules would come after it produces either a white paper or fact sheets summarizing the feedback that helped inform its rulemaking process.

Wentlent also reported that EPA requested a call with the NYSRC to review the *comments* it submitted on the federal agency's proposed power plant emissions rule. (See *EPA Power Plant Proposal Gets Mixed Reception in Comments.*)

The council had requested that EPA include "a reliability safety valve" in the final rule. "It's important to have that flexibility because there's no way for anybody to figure out all the potential outcomes with all the moving variables that are going on right now within the industry," Wentlent said, citing load growth, the changing resource mix and the timing of new resources and infrastructure as some of the uncertainties.

The NYSRC also urged the agency to consider how its rules might impact the interactions between neighboring jurisdictions. Although New York is going green, the state's grid is highly interconnected with neighbors that may have less ambitious clean energy goals, potentially impacting the level of imports and exports available, he said. ■

— John Norris



Proposed IRM final base case topology for NYCA (2024-2025) | NYISO

NYISO News



PSC Takes FERC Back to Court Over NYISO's 17-Year Amortization

The New York Public Service Commission on Friday petitioned the D.C. Circuit Court of Appeals to review FERC's approval of NYISO's 17-year amortization period in its installed capacity market.

The saga around NYISO's proposal to shorten the assumed lifetime of a hypothetical peaker plant from 20 to 17 years seemed to be settled after FERC earlier this month reaffirmed its decision to approve it (ER21-502). (See [FERC Reaffirms NYISO's 17-Year Amortization, Dismisses Protests.](#))

But the PSC's [petition](#) argued the D.C. Cir-

cuit should add FERC's October order to an existing case before the court. The PSC said a comprehensive review by the court of "all aspects of FERC's decisions" is necessary "to remove any doubt" about the matter (23-1192/23-1259).

NYISO sought the shorter amortization period in response to the state's strict energy and climate legislative mandates. The PSC says the ISO's proposal is "unjustified" and will likely increase capacity costs by more than \$225 million per year, and \$400 million over the 22-month period from July 2023 through

April 2025.

NYISO's proposal was first rejected by FERC, but after the commission's ruling was appealed by generators, the D.C. Circuit remanded the case back to the commission. FERC reversed course and accepted the ISO's proposal.

The ISO incorporated its proposals as part of the demand curve reset, a set of adjustments made to help forecast the energy supply needed to meet demand for the upcoming capability years. ■

— John Norris



D.C. Circuit Court of Appeals | D.C. Circuit Court of Appeals

PJM News



PJM Files Capacity Market Revamp with FERC

Comments Due Nov. 3

By Devin Leith-Yessian

PJM filed its proposed capacity market revamp Friday, saying the changes would improve reliability and incentivize resource development while ensuring market forces control costs.

The filing lays out the tariff revisions the Board of Managers outlined last month following conclusion of the critical issues fast path (CIFP) process. (See *PJM Board Releases Outline of Capacity Market Changes*.)

“These proposed capacity market reforms will help PJM do what we do best — operating markets that attract critical investment in the resources we need to keep the lights on,” PJM Vice President of Market Design and Economics Adam Keech said in an *announcement* of the filing. “Maintaining enough resources that can support reliability [is] crucial to PJM’s ability to serve demand through the transition to a less carbon-intensive grid.”

The slate of changes the board directed was divided into two filings: one (*ER24-98*) concerns the market seller offer cap, which market sellers are eligible to receive Capacity Performance (CP) bonus payments and forward energy and ancillary service revenues.

The second filing (*ER24-99*) encompasses the remaining changes, including a shift to the marginal effective load carrying capability, an accreditation framework PJM said reflects the

actual capacity value that resources provide. It also increases the granularity of risk modeling and tightens testing requirements for capacity resources. The filing also includes changes to the fixed resource requirement framework to align with the Reliability Pricing Model.

Comments on the filings are due Nov. 3.

During the Oct. 4 meeting of the Market Implementation Committee (MIC), PJM Senior Counsel Chen Lu said staff were weighing splitting the proposed changes into two filings to mitigate the risk of components seen as riskier sinking the whole proposal. (See “PJM Reviews Board of Managers CIFP Letter,” *PJM MIC Briefs: Oct. 4, 2023*.)

The RTO said the current tariff language concerning how resources include the cost of the risk of nonperformance charges — capacity performance quantified risk (CPQR) — lacks clarity, resulting in disputes among PJM, market participants and the Independent Market Monitor.

The proposal would add a provision stating that CPQR values can be included in offers when supported by documentation and review from an independent third party. While it would not change the CPQR review and approval process, PJM argued that adding third party review would give more certainty regarding which components are “consistent with actuarial practices used in this industry.”

The proposal would not change the penalty rate for generators that don’t live up to their capacity obligations during an emergency; however, it would base the annual stop-loss limit on the Base Residual Auction (BRA) clearing price. Currently, both are derived from the net cost of new entry.

The filing would also limit the eligibility of CP bonus payments — which go to resources that overperform during a PAI and are paid out of the CP penalties — to cleared capacity resources. “Noncommitted capacity resources, non-capacity resources and imports not associated with committed pseudo-tied external resource would not be eligible,” the filing said.

Although the proposed stop-loss would reduce the total penalties generators could face for failing to perform, the filing argues that the tightened triggers for initiating a PAI will maintain the incentive to ensure performance.

PJM argued that the capacity resources coming online now have different characteristics that change the daily and seasonal periods with the highest risk. The December 2022 winter storm also revealed shortcomings in its current approach to modeling thermal generation. The RTO said natural gas resources that lack on-site storage are vulnerable to common-mode outages should production sites or transportation falter. Such problems contributed to resource outages during Elliott and the 2014 Polar Vortex.

“The resources coming online have different operating characteristics and vulnerabilities than those they are replacing. Additionally, recent operating experiences, particularly in the winter periods, such as Winter Storm Elliott, have demonstrated that current modeling approaches focused on peak load conditions and average performance do not fully capture all of the risks that impact resource adequacy needs and resource performance,” PJM said.

PJM’s new approach to risk modeling would include a longer weather lookback — starting in 1993 — which it expects will shift some risk into the winter.

“PJM and the PJM board thank stakeholders for their focused consideration of market reforms designed to support resource adequacy and grid reliability,” said PJM CEO Manu Asthana. “The grid is evolving, and our markets must also adapt to facilitate the energy transition without sacrificing reliability.” ■



PJM CEO Manu Asthana | © RTO Insider LLC

PJM News



NJ Energy Conference: Business Skepticism vs Government Resolve

State's Pro-electricity Plans Under Scrutiny

By Hugh R. Morley

EDISON, N.J. — New Jersey's commitment to a rapid adoption of clean energy will be unwavering, the newly appointed head of the New Jersey Board of Public Utilities (BPU) told a conference of skeptical business leaders last week, underscoring their concern with the state's push to make electricity the prime energy source.

In one of her first public speeches as BPU president, Christine Guhl-Sadovy told the annual energy conference organized by the New Jersey Business and Industry Association (NJBIA) that her clean energy policies would be largely unchanged from those of her predecessor, Joseph L. Fiordaliso, 78, who died unexpectedly on Sept. 7, while still in office. (See *NJ BPU President Fiordaliso Dies*.)

Guhl-Sadovy will "carry on his legacy on advancing the clean energy economy," she said at the conference, characterizing her task as seeking to mitigate climate change while advancing the energy economy.

"For those people who say we are moving too fast or being too ambitious, my first response is always we can't afford to wait," said Guhl-Sadovy, who was appointed by Gov. Phil Murphy (D) on Sept. 11. That position is partly driven by the urgency of climate change, but also by the wealth of federal funding available to pursue clean energy projects, she said.

"Why wouldn't we want to take full advantage of that?" she asked.

Uninformed Certainty

The BPU chief's comments capped a day-long conference that highlighted the challenges facing New Jersey in meeting climate change and underscored the sense that even as Gov. Phil Murphy has moved aggressively to meet them, there's a wide diversity of opinion in the business community about whether the strategy is the right one.

The NJBIA is one of the most vocal opponents of Murphy's policies. The association has raised concerns about costs, especially with the offshore wind program, and has pushed back on Murphy's effort to cut building

emissions by electrifying heating and water systems. The association is leading a coalition of business groups in opposition to the state's adoption of California's Advanced Clean Cars II rules. (See *NJ Businesses Demand Halt to EV Sales Promotion Rules*.)

The conference offered a broad range of perspectives, including that of Judith Curry of the Climate Forecast Applications Network, who opened her presentation by saying Murphy's climate change strategy reflects "political bias and uninformed certainty." She argued that — despite the opinions of numerous scientists that climate change is an urgent, man-made threat — the change stems in large part from "natural climate variability" and the main problem is that the world has overplayed its response.

"Making Net Zero targets is causing us to make bad choices about future energy systems," she said, arguing as an example that "widespread implementation of wind and solar power is impairing grid resiliency and reliability."

Still, Ray Cantor, the NJBIA's main lobbyist, framed the conference more moderately in his opening remarks.

"There's no doubt that we have to decarbonize," he said. "The real question is, how do we do it?"

Imbalance of Power

Whatever the path taken, the challenges facing the state, like others, will be immense as it puts together a network of solutions at unprecedented speed that can cut emissions while maintaining customer service, speakers said.

Timothy Burdis, lead strategist of state government policy for PJM, laid out the delicate balancing act the RTO will have to make in the next few years as New Jersey and the other 13 PJM members adopt differing levels of renewable energy development.

New Jersey at present generates about 14,000 MW, of which about one quarter is generated by nuclear energy and about two thirds by natural gas generators, according to his presentation. Solar energy accounts for about 1.5%, and the state, with a demand for about 20,000 MW of electricity, is an energy importer, and so relies on energy generated by other PJM members, Burdis said.

Yet even as states ramp up clean energy



NJ BPU President Christine Guhl-Sadovy | © RTO Insider LLC

PJM News



production, a crunch moment looms because generating capacity will decline as plants — mainly coal generators — are closed, either because they are uneconomic or state and federal environmental laws require it.

The PJM system has about 260,000 MW of new capacity waiting in the queue, of which about 26,000 MW is in New Jersey, Burdis said. Historically, only about 10% of the capacity in the queue makes it to completion, although that percentage may increase because of government funding and programs designed to support clean energy projects.

In comparison, PJM predicts that far more capacity — about 40,000 MW — will come offline in the next seven years, Burdis said.

“Even those resources that make their way through our queue are not necessarily coming online at the pace that we need them to,” Burdis said, citing financial, supply chain, siting and permitting issues. “With these resources coming on and the resources coming off, it starts to get a little tight at around 2030.”

Ensuring the tightness doesn’t become a crisis will partly require PJM and the utilities in its system to improve their performance, to ensure those facilities providing electricity can produce at critical moments, such as during storms, he said. In addition, PJM and utilities will have to manage carefully the timing of plant retirements to match the loss in power with the rate at which new plants are coming



Richard Thigpen, PSEG | © RTO Insider LLC

on, he said.

“It’s looking at the stuff coming off of the system and what do we need to do to preserve it if we have to, to encourage it to stick around, encourage it to make investments that it has to,” he said.

Decarbonization Playbook

Planning for the change will be key, not only to prepare for the dramatic increase in demand for electricity, but when it’s needed, said Richard T. Thigpen of PSEG. He presented a slide that showed that by 2040 or 2050 existing demand patterns will have reversed.

“The peak demand is going to switch from summer to winter,” he said. “And that’s something that the experts with planned distribution systems seem to talk about quite a bit, it’s something that we’re going to have to think about very carefully in terms of managing our costs as we go forward.”

Yet a well-planned, aggressive move toward renewable energy production at PJM can yield big benefits for the company’s customers, said Jesse Jenkins, an assistant professor and energy system engineer at Princeton University, outlining what he called a “decarbonization playbook.” Jenkins leads a team that has studied the impact on clean energy development of the federal Inflation Reduction Act and the infrastructure law.

Without the federal funding, the sector’s current trajectory would see emissions increase by about 14% between now and 2035 and the wholesale cost of electricity decrease by about 30%, he said. With federal funding in place, costs will decline by about one-third and emissions will reduce to 36% below 2021 levels, he said.

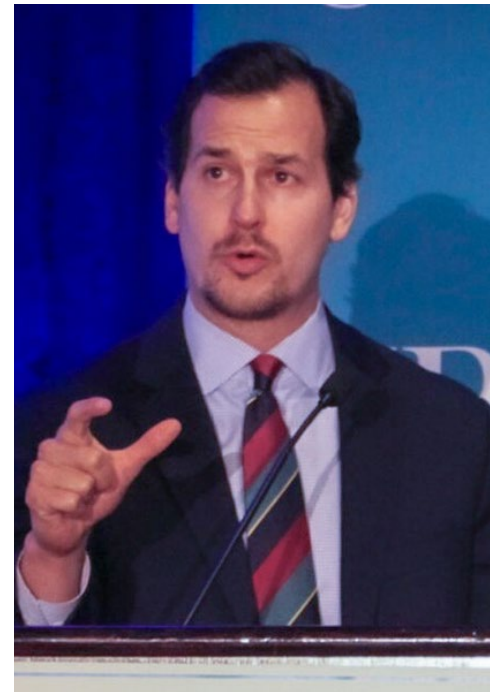
If PJM added to that by requiring 80% of its energy to be clean electricity, emissions would be cut 80% to 90% while customers would pay about the same as at present, or less, he said.

So “maintaining affordability, reliability, across the clean energy transition” is achievable if “we follow the decarbonization playbook,” he said.

To get there, New Jersey and other states need to take three steps, he said: build wind and solar projects at a “record pace;” expand the grid to handle electrification and renewable energy; and retire coal-fired generating plants.

New Fuel in Old Pipes

Representatives of natural gas supplying



Timothy Burdis, PJM | © RTO Insider LLC

utilities urged the conference audience to not discount the use of gas in the state’s future energy mix, saying it would continue to be a key energy in any transition to renewable energy.

Stephen D. Westhoven, president and CEO of New Jersey Resources and New Jersey Natural Gas, said the state had invested too much into the infrastructure to discard it in favor of building up the electricity infrastructure.

“We’ve got a \$17 billion head start. It’s really the investment that we’ve already made in the pipeline grid, here in New Jersey,” he said, adding that the 35,000 miles of pipeline “[supply] energy to 75% of New Jersey residents.”

“We have an electric system, we’ve got a pipeline system, and they work together to serve the energy needs of our state,” he said. “We’re already building renewable to put clean electrons on the electric grid. So, the question I ask is why don’t we have the same commitment to put renewable energy clean fuels into our pipeline system?”

That could include renewable natural gas, synthetic methane and hydrogen, Westhoven said, noting the federal government has allocated \$8 billion for hydrogen hub development. It also could include biogas, extracted from the state’s landfills and could provide as much as 10% of existing customer usage, he said.

“They allow us to use our pipeline assets to reduce emissions,” he said. ■

SPP News



FERC Denies Rehearing over SPP IC Costs

By Tom Kleckner

FERC on Friday rejected a rehearing request by a solar developer of the commission's denial of its complaint and a tariff waiver over SPP's interconnection studies for the planned facility (EL22-89).

The commission, citing *Allegheny Defense Project v. FERC*, denied the rehearing request by "operation of law." FERC modified the discussion in its previous order but arrived at the same conclusion.

The D.C. Circuit Court of Appeals' 2020 ruling in *Allegheny* found the commission no longer could grant rehearing requests "for the limited purpose of further consideration."

The developer behind Cage Ranch Solar and Cage Ranch Solar II, a 900-MW project in West Texas, sought to reverse the commission's May decision that found Cage Ranch had not met its burden to show that SPP violated its tariff or conducted its studies in an unjust

and unreasonable manner. FERC said the solar facility did not demonstrate the study models underlying the cluster study were defective. (See *FERC Sides with SPP Over Interconnection Study Complaint*.)

Cage Ranch argued FERC erred by finding its interconnection was the "but for" cause of network upgrades, failing to address the developer's cost-causation arguments; and that its waiver request did not address a concrete problem.

The commission said it was unpersuaded by the rehearing arguments and continued to find that Cage Ranch had not met its burden under the Federal Power Act to show SPP violated its tariff or that its allocation of costs was otherwise unjust and unreasonable.

"Nothing in the rehearing request demonstrates that the [SPP] study models underlying [SPP's study] are defective," FERC said. "Accordingly, we continue to find that Cage Ranch has failed to demonstrate that the net-

work upgrades assigned to Cage Ranch ... and the associated [study] payment amount that Cage Ranch was required to post, are unjust and unreasonable and unduly discriminatory or preferential. ... None of the issues raised in the rehearing request persuade us that the commission's conclusions were in error."

Cage Ranch had said the SPP study in question should not have been used to determine interconnection costs for the solar farm and other customers in the study group because SPP failed to resolve alleged nonconvergence issues. FERC pointed out that the grid operator assigned Cage Ranch network upgrade costs using a modeling approach it applies to all interconnection customers.

Cage Ranch Solar also filed a challenge of FERC's earlier ruling in August with the D.C. Circuit. It said the orders violate the Federal Power Act and the Administrative Procedure Act and are arbitrary, capricious and an abuse of discretion (23-01227). ■



FERC has rejected a solar developer's rehearing request over SPP's interconnection cost allocation. | *Hecate Energy*

Company Briefs

Georgia Power to Pay \$413M to Settle Lawsuit over Vogtle Cost Overruns



Georgia Power will pay \$413 million to settle a lawsuit accusing the utility of renegeing on financial promises to nuclear reactor partner Oglethorpe Power Corp. regarding Plant Vogtle.

Oglethorpe sued Georgia Power in June 2022 in a contract dispute over who should pay for cost overruns for a third and fourth reactor at Vogtle. Southern Co., which owns Georgia Power, said it would write off a \$152 million loss on the settlement.

Georgia Power also announced that it must replace one of the four pumps that cools the Unit 4 reactor after operators found a problem with the pump's motor during testing. The company said the reactor is still on schedule to begin operating by March.

More: [The Associated Press](#)

El Paso Electric to Add New Gas-Fired Generation

El Paso Electric (EPE) last week said it



expects to bring another 228 MW of natural-gas-fired generation online in December while also operating an additional four gas-fired units over the next several years.

The company requested proposals for renewable energy projects in an Oct. 6 regulatory filing. The filing comes after it said it could add more than 270 MW of gas-fired generation to its fleet by 2040.

EPE, which is set to begin operating the new 228-MW Unit 6 at the Newman Generating Station in El Paso by the end of this year, said it plans to bring 88 MW of gas-fired generation online in 2032. It also plans to add a 52-MW gas-fired unit in 2034, an 80-MW unit in 2038 and a 54-MW combustion turbine in 2040.

More: [POWER Magazine](#)

Suniva to Reopen Solar Plant in Georgia

Solar cell manufacturer Suniva last week said it plans to reopen a shuttered factory

in Georgia and create as many as 240 jobs amid a surge of new tax incentives aimed at shoring up the U.S. green energy manufacturing supply chain.

Suniva specifically cited a provision in the Inflation Reduction Act that provides \$10 billion in tax credits for firms to build solar manufacturing facilities.

The company closed the factory and filed for bankruptcy in 2017.

More: [The Atlanta Journal-Constitution](#)

Stellantis, Samsung to Open Second EV Battery Plant in Indiana

Stellantis N.V. and Samsung SDI last week announced they will invest \$3.2 billion to open Indiana's second EV battery manufacturing facility.

The second StarPlus Energy gigafactory is expected to create more than 1,400 jobs, with production planned for early 2027, according to the companies.

Construction on the first StarPlus Energy plant is expected to finish by 2025 and open in spring of the same year.

More: [WTHR](#)

Federal Briefs

Supreme Court Passes on GOP Challenge to Social Cost of Carbon

The Supreme Court last week said it will not take up a lawsuit led by the state of Missouri that sought to block the Biden administration's "social cost of carbon" measure.

The court denied a writ of certiorari in the case, *Missouri v. Biden*, without further explanation. In the case, 11 Republican-led states, guided by Missouri Attorney General Andrew Bailey (R), challenged the formula used by the administration to determine the financial costs associated with greenhouse

gases. After the Trump administration significantly slashed the cost measure to around \$1 per metric ton, the Biden administration increased it to around \$51.

In the lawsuit, state attorneys general claimed the rule would be associated with "a host of injuries that relate to the fact that the Interim Values will inevitably expand the federal regulatory burdens on the States and their citizens in virtually every major sector of American economic life."

More: [The Hill](#)

DOE Backs Solar Loans for Low-income Puerto Ricans



The Department of Energy's Loan Programs Office last week finalized a \$3 billion loan guarantee to Sunnova Energy, a residential solar company with nearly 350,000 customers in the U.S. and the largest operator in Puerto Rico.

The DOE will back loans nationwide under Sunnova's Project Hestia. The agreement requires that at least 20% of the loans be issued to customers with credit scores of 680 or less, and that between 10% and 20% be issued in Puerto Rico.

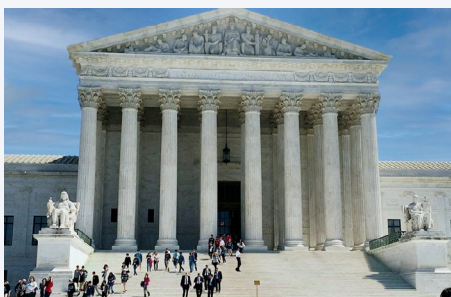
The carveout for Puerto Rico is part of an effort by the Biden administration to bring clean energy to the U.S. territory as fast as possible, which was a commitment made last year after Hurricane Fiona left the entire island without grid power.

More: [Grist](#)

NRC: Exposed Nuke Plant Workers not Checked for Radiation Correctly

Energy Northwest will receive a second white finding for an incident in May 2021 that significantly exposed workers to radiation, it was told at a meeting with the Nuclear Regulatory Commission last week.

Maintenance and repairs were being done on May 28, 2021, at the Columbia Generat-



ing Station, the Northwest's only commercial nuclear power plant. During the work, radioactive particles became airborne and were inhaled. Two of the workers in the room received the most exposure. An NRC report said Energy Northwest failed to take

timely measurements of airborne concentrations of radioactive materials in work areas, to collect as many urine and fecal samples as were needed to provide good test results and to evaluate certain isotopes in workers' bodies, including plutonium.

A "white finding" is for issues of low to moderate safety significance and can lead to additional NRC inspections to make sure issues have been corrected.

More: [Tri-City Herald](#)

State Briefs

ARIZONA

Regulators to Review Solar Power Buyback Rate

The state Corporation Commission last week voted to formally review the reimbursement rate that future rooftop solar customers of state-regulated utilities will get for excess power they send to the grid, despite opposition from solar supporters.

After more than four hours of public comment, the commission voted 3-2 to open a case to discuss the state's current 10% annual limit on the amount utilities can cut solar export rates, as well as an associated 10-year rate lock-in period. The commission moved to proceed despite many commenters and solar supporters who said the move to change a landmark 2017 "Value of Solar" decision that gradually reduces solar-export credits would upset the state's solar industry.

The commission's 2017 decision ended net metering, where rooftop solar customers were credited the full retail price for any excess energy production.

More: [Arizona Daily Star](#)

CALIFORNIA

Newsom Signs Bill Intended to Speed up OSW Development



Gov. **Gavin Newsom** last week signed a bill that aims to shorten the way agencies approve offshore wind development.

According to the bill, if a local government and the state Coastal

Commission consent to it, a consolidated permit may be used to approve offshore wind development.

The bill aims to get input from those involved by creating a working group. These

groups will make a plan for how the state will develop offshore wind and require the Coastal Commission to assemble the Department of Fish and Wildlife, the State Lands Commission, the Ocean Protection Council, representatives from the commercial fishing industry, as well as representatives from the offshore wind industry, federal agencies, labor, Native American tribes and other community leaders, according to the release.

More: [Times-Standard](#)

Newsom Signs, Vetoes Climate Bills

Last weekend, Gov. Gavin Newsom signed dozens of bills dealing with renewable energy, landscape conservation and water use while vetoing others.

Newsom signed two bills that will require big companies to disclose how much carbon they release into the atmosphere — and the financial risks they face from climate change. Another bill will "require new transparency and disclosure requirements for buyers and sellers of carbon offsets," making it harder for companies to exaggerate the climate benefits of their investments.

Meanwhile, Newsom rejected a bill that would have sped up the permitting process for power lines. The bill would have allowed developers to request environmental reviews from the Energy Commission rather than the Public Utilities Commission. Not a single lawmaker voted against it.

More: [Los Angeles Times](#)

PUC Proposes \$45M Penalty for PG&E Regarding 2021 Dixie Fire



The Public Utilities Commission last week proposed a \$45 million shareholder-funded penalty against Pacific Gas and Electric (PG&E) for its connections to the 2021 Dixie wildfire.

The proposed penalty, pending PUC approval, consists of a \$2.5 million fine to the

California General Fund, a \$2.5 million payment to tribes impacted by the fire and \$40 million for capital expenditures to transition records to electronic format. PUC enforcement staff is recommending the penalty under an Administrative Consent Order and Agreement.

The settlement will be on the PUC's voting meeting agenda on Nov. 16.

More: [Reuters](#)

FLORIDA

FPL Launches 'Clean Hydrogen' Pilot Project



Florida Power & Light last week unveiled its "FPL Cavendish NextGen Hydrogen Hub" pilot project to produce electricity using

clean hydrogen at a facility in Okeechobee County.

Company officials said the project uses water and solar to create clean hydrogen that is then blended with natural gas to generate electricity.

The project is part of FPL's effort to decarbonize its infrastructure by 2045.

More: [WRLN](#)

ILLINOIS

Navigator Drops CO2 Pipeline for Second Time



For the second time this year, Navigator Heartland Greenway

has withdrawn its application with the commerce commission to construct a carbon dioxide pipeline through the state.

Navigator filed its motion last week but plans on reinitiating its application later with the state Commerce Commission after completing a full evaluation.

The 1,350-mile pipeline would have stretched across five midwestern states and has encountered similar challenges in Iowa and South Dakota, who denied Navigator a construction permit. In Illinois, 292 miles of pipeline would have gone through 12 counties.

More: [Springfield State Journal-Register](#)

KANSAS

AG Loses Price Gouging Lawsuit on Technicality

Attorney General Kris Kobach (R) last week lost a federal lawsuit seeking to recover money for alleged price gouging of natural gas during the February 2021 winter storm.


The lawsuit alleged that natural gas provider Macquarie Energy's actions caused more than \$50 million in excess costs for Kansas consumers.

Kobach lost on a technicality after firing the state's outside counsel, and the founder of law firm Morgan & Morgan said the state would have won had their services been retained. The judge's order dismissed the case on a technicality and didn't address whether Macquarie manipulated gas prices to their own benefit and at the expense of residents.

More: [Topeka Capital-Journal](#)

NEW JERSEY

Ørsted Puts Up \$100M Guarantee for State's 1st OSW Farm by 2025

 Ørsted last week put up a \$100 million guarantee that it will build New Jersey's first offshore wind farm by December 2025.

The Board of Public Utilities approved an agreement with Ørsted under which the company would forfeit the money if the project is not up and running within 12 months of a series of deadlines previously ordered by the board. Those deadlines call for the project to reach commercial operation in stages by May 1, Sept. 1 and Dec. 1, 2024. But it would forfeit the guaranteed money if the project is not operational by December 2025.

The money put up by Ørsted and placed in an escrow account was required under a law Gov. Phil Murphy (D) signed in July allowing Ørsted to keep federal tax credits that it otherwise would have had to return to ratepayers.

More: [The Associated Press](#)

NORTH CAROLINA

GOP Overturns Cooper Vetoes, Classifies Nuclear as 'Clean' Energy



Republicans, wielding a veto-proof supermajority in the General Assembly, overturned five vetoes from Democratic Gov. **Roy Cooper** last week.

One of the vetoes will allow a utility to reclassify nuclear energy as "clean energy," meaning the source will count toward carbon-free energy goals. The Senate voted 30-19, followed by the House with a vote of 77-37.

Another veto will loosen water quality requirements for a pipeline project called MVP Southgate. The Department of Environmental Quality has denied water quality certifications for the project in the past, but the bill will make it easier for MVP Southgate to get certified. The bill also limits the scope of what DEQ regulators can consider when permitting hog farms.

More: [The News & Observer](#)

OREGON

Brookings City Council Rejects OSW Development

The Brookings City Council this week unanimously approved sending a letter to the Bureau of Ocean Energy Management in opposition of offshore wind energy development.

The council outlined its reasons, including potential impacts to commercial fishing, tourism and the potential harm floating wind turbines may cause to seabirds, marine mammals and other wildlife.

The council's rejection of offshore wind

development comes about two weeks after BOEM representatives held open houses in Gold Beach, Coos Bay and Brookings. BOEM is focused on two call areas: one about 13.8 miles from Coos Bay and the other about 13.8 miles from Gold Beach and Brookings.

More: [Wild Rivers Outpost](#)

SOUTH CAROLINA

Santee Cooper Fined for Air Pollution from Coal Plant

The Department of Health and Environmental Control last week fined Santee Cooper \$99,000 for its failure to control sulfur dioxide from its Winyah coal-fired plant.

The plant's sulfur dioxide exceeded government limits on more than 130 days, beginning in early 2021, according to an Aug. 7 enforcement order. The action brings the total to at least \$144,450 in fines levied against Santee Cooper for air pollution violations at the plant since 2005.

The 1-GW plant is scheduled to close by 2030, but the company has indicated it may delay the closure as it looks for alternative power sources.

More: [The State](#)

SOUTH DAKOTA

Wind Turbine Complainant Fails to Show at PUC Hearing

The Public Utilities Commission last week unanimously motioned to dismiss a complaint against a Crowned Ridge Wind farm after the complainant failed to show up at an evidentiary meeting.

A landowner behind an initial appeal to the PUC to deny the permit for the company recently filed another complaint about the noise level coming from the turbines. The PUC has been working on the applications for Crowned Ridge Wind for years, including sound studies, Commissioner Chris Nelson said. It seems the landowner did not find those studies adequate, but without showing up to the evidentiary hearing there was no way to discuss it.

More: [Mitchell Republic](#)

National/Federal news from our other channels



[Amid Industry Concerns, NERC Works to Prioritize Standards Projects](#)

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