

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Southwest Power Pool, Inc.**

)

**Docket Nos. ER14-2850-000  
ER14-2851-000**

**SUPPORTING COMMENTS  
OF THE NORTH DAKOTA PUBLIC SERVICE COMMISSION**

Pursuant to Rule 602(f) of the Federal Energy Regulatory Commission's ("Commission") Rules of Practice and Procedure,<sup>1</sup> the North Dakota Public Service Commission ("NDPSC") respectfully submits Comments in support of the Partial Settlement filed by Southwest Power Pool, Inc. ("SPP") on behalf of itself, Montana-Dakota Utilities Co., ("Montana-Dakota"), Western Area Power Administration - Upper Great Plains Region ("WAPA"), Basin Electric Power Cooperative ("Basin Electric"), Heartland Consumers Power District ("Heartland") and the Midcontinent Independent System Operator, Inc. ("MISO"). As discussed below, the NDPSC believes that the proposed Partial Settlement is fair, reasonable, and in the public interest. Accordingly, the NDPSC supports certification of the Partial Settlement by the Settlement Judge and ultimate Commission approval.

**I.  
SUPPORTING COMMENTS**

The filed Partial Settlement is the culmination of over a year of multi-party settlement negotiations intended, in part, to address the impact that WAPA, Basin and Heartland's integration into SPP would have on Montana-Dakota and its customers.<sup>2</sup> As the Commission

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<sup>1</sup> 18 C.F.R. § 385.602(f) (2015).

<sup>2</sup> *Southwest Power Pool, Inc.*, 149 FERC ¶ 61,113 at P 112 ("November 10 Order"). Emphasis added.

recognized in setting such “seams issues” for settlement and hearing, Montana-Dakota’s transmission system is heavily integrated with the Integrated System (“IS”) of WAPA, Basin and Heartland:

[U]tilities in this area have facilities that are highly integrated with each other as a result of joint planning and ownership of transmission, and ***that these arrangements may need to be reflected in their service arrangements with SPP***, such as, e.g., through transmission facilities credits under section 30.9 of the Tariff, and may present other seams issues.<sup>3]</sup>

As the state regulatory agency with responsibility for ensuring that the rates paid by Montana-Dakota’s retail customers are just and reasonable, the NDPSC is keenly interested in ensuring that the financial and operational impacts on Montana-Dakota and its customers are reasonable. On balance, the NDPSC believes that the Partial Settlement provides a fair and reasonable resolution to the issues set for hearing in the Commission’s November 10 Order and should be approved.

The Partial Settlement facilitates the provision of credits to Montana-Dakota for its Network Customer owned transmission facilities pursuant to Section 30.9 of SPP’s Tariff. Such credits will (1) offset some of the costs that Montana-Dakota will incur by being required to take network transmission service from both SPP and MISO; and (2) insulate WAPA and Basin from some MISO transmission charges by providing SPP with the right to provide transmission service over the credited facilities. In addition, the Partial Settlement appropriately establishes coordination requirements among the Settling Parties, thereby promoting transmission system reliability.

Finally, the NDPSC supports an effective date of October 1, 2015, for the Partial Settlement. The negotiations that led to the Partial Settlement were exceedingly complex and

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<sup>3</sup> *Id.*

the Settling Parties took the time necessary and exercised care in reaching a settlement. An October 1, 2015 effective date will ensure that any impacts on Montana-Dakota and its customers resulting from the integration of WAPA, Basin and Heartland's into SPP as transmission owners effective October 1 are appropriately mitigated by the terms of the Partial Settlement from day one.

**IV.  
CONCLUSION**

WHEREFORE, for the foregoing reasons, the NDPSC respectfully requests that the (1) Settlement Judge certify the Partial Settlement to the Commission; and (2) Commission subsequently approve the Partial Settlement effective October 1, 2015.

NORTH DAKOTA PUBLIC SERVICE COMMISSION

By: \_\_\_\_\_

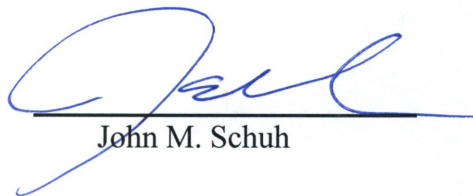
  
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Dated: December 16, 2015

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Bismarck, North Dakota, this 16<sup>th</sup> day of December 2015.



John M. Schuh

**Hamre, John G.**

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**From:** Schuh, John M.  
**Sent:** Friday, December 18, 2015 2:37 PM  
**To:** Hamre, John G.  
**Subject:** FW: FERC Receipt of Filing in ER14-2850-000, et al.:

-----Original Message-----

**From:** [efiling@ferc.gov](mailto:efiling@ferc.gov) [<mailto:efiling@ferc.gov>]  
**Sent:** Thursday, December 17, 2015 1:45 PM  
**To:** Schuh, John M.; [efilingacceptance@ferc.gov](mailto:efilingacceptance@ferc.gov)  
**Subject:** FERC Receipt of Filing in ER14-2850-000, et al.:

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-Submission ID: 631652  
-Docket(s) No.: ER14-2850-000, et al.:  
-Filed By: North Dakota Public Service Commission -Signed By: John Schuh -Filing Desc: Comment on Settlement of North Dakota Public Service Commission under ER14-2850-000, et. al..  
-Submission Date/Time: 12/17/2015 2:42:51 PM -Filed Date: 12/17/2015 2:42:51 PM

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**Hamre, John G.**

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**From:** Schuh, John M.  
**Sent:** Thursday, December 17, 2015 4:26 PM  
**To:** Hamre, John G.  
**Subject:** FW: FERC Acceptance for Filing in ER14-2850-000, et al.:

John,

ER14-2850 and 2851 filings were confirmed by this email.

Thanks,

Jack

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Sent: Thursday, December 17, 2015 1:55 PM  
To: Schuh, John M.; [efilingacceptance@ferc.gov](mailto:efilingacceptance@ferc.gov)  
Subject: FERC Acceptance for Filing in ER14-2850-000, et al.:

Acceptance for Filing  
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-Accession No.: 201512175174  
-Docket(s) No.: ER14-2850-000, et al.:  
-Filed By: North Dakota Public Service Commission -Signed By: John Schuh -Filing Type: Settlement Comment -Filing Desc: Comment on Settlement of North Dakota Public Service Commission under ER14-2850, et. al.  
-Submission Date/Time: 12/17/2015 2:42:51 PM -Filed Date: 12/17/2015 2:42:51 PM

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