

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

Southern California Edison Company
Docket No. ER13-1437-000

June 25, 2013

Southern California Edison Company
P.O. Box 800
2244 Walnut Grove Avenue
Rosemead, CA 91770

Attention: James A. Cuillier
Director, FERC Rates & Regulation

Reference: Wholesale Distribution Access Service Agreement and Small Generator
Interconnection Agreement

Dear Mr. Cuillier:

On May 8, 2013, Southern California Edison Company (SoCal Edison) submitted for filing a Small Generator Interconnection Agreement (SGIA) and Service Agreement between SoCal Ed and Coram Energy, LLC (Coram) under SoCal Edison's Wholesale Distribution Access Tariff (WDAT) for the 7.5 MW Coram CELLC wind turbine generating facility located in Tehachapi, California (Project). SoCal Edison states that the SGIA specifies the terms and conditions pursuant to which it will own, operate, and maintain, and under which Coram will pay for, the interconnection facilities required to interconnect the Project to SoCal Edison's distribution system. The WDAT Service Agreement sets forth SoCal Edison's agreement to provide distribution service for the Project. Waiver of the Commission's notice requirements pursuant to section 35.11 of the Commission's Regulations (18 C.F.R § 35.11) is denied, and the SGIA and WDAT Service Agreement are accepted for filing, effective July 7, 2013, 60 days after filing, as discussed below.

SoCal Edison requests waiver of the Commission's 60-day prior notice requirement to allow the SGIA and the WDAT Service Agreement to become effective May 9, 2013, one day after filing. SoCal Edison recognizes that it has been providing Coram with ongoing interconnection service since the termination, in 2011, of a power sale agreement and interconnection agreement between the parties. The Commission's

rules allow service agreements under tariffs to be filed up to 30 days after electric service has commenced.¹ A waiver of prior notice is granted for untimely filings only upon a showing of extraordinary circumstances.² SoCal Edison has not made such a showing. Furthermore, it is the Commission's policy that, to the extent SoCal Edison charged rates for service prior to the effective date granted herein, it is required to refund the time value of revenues collected for the time period during which rates were charged under the SGIA and the WDAT Service Agreement without Commission authorization,³ with the refunds limited so as not to cause SoCal Edison to suffer a loss.⁴ Accordingly, SoCal Edison is required to refund the time value of any payments it collected related to the interconnection and any distribution service provided to Coram from the termination date of the power sale agreement and interconnection agreement in 2011 to July 7, 2013, with the refunds limited as discussed above. SoCal Edison must also file a refund report with the Commission within 30 days of the date of issuance of this order.

The filing was noticed on May 8, 2013, with comments, protests, or interventions due on or before May 29, 2013. No protests or adverse comments were filed. Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214). Any opposed or untimely filed motion to intervene is governed by the provisions of Rule 214.

This acceptance for filing shall not be construed as constituting approval of the referenced filing or of any rate, charge, classification or any rule, regulation or practice affecting such rate or service contained in your tariff; nor shall such acceptance be deemed as recognition of any claimed contractual right or obligation associated therewith; and such acceptance is without prejudice to any findings or orders which have

¹ 18 C.F.R. § 35.3(a)(2) (2013).

² See *Central Hudson Gas & Electric Corporation, et al.*, 60 FERC ¶ 61,106, *reh'g denied*, 61 FERC ¶ 61,089 (1992), and *Prior Notice and Filing Requirements Under Part II of the Federal Power Act*, 64 FERC ¶ 61,139, *clarified*, 65 FERC ¶ 61,081 (1993).

³ See *El Paso Electric Co.*, 101 FERC ¶ 61,276 (2002), *reh'g denied*, 105 FERC ¶ 61,131 (2003).

⁴ See *Southern California Edison Co.*, 98 FERC ¶ 61,304 (2002); see also *Florida Power & Light Co.*, 98 FERC ¶ 61,276, *reh'g denied*, 99 FERC ¶ 61,320 (2002).

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been or any which may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against SoCal Edison.

This action is taken pursuant to the authority delegated to the Director, Division of Electric Power Regulation - West under 18 C.F.R. § 375.307. This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Sincerely,

Steve P. Rodgers, Director
Division of Electric Power
Regulation – West

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