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December 13, 2016

**VIA ELECTRONIC FILING**

The Honorable Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Midcontinent Independent System Operator, Inc.  
FERC Docket No. ER17-\_\_\_\_-000  
Filing of a Generator Interconnection Agreement

Dear Secretary Bose:

The Midcontinent Independent System Operator, Inc. (“MISO”) hereby submits<sup>1</sup> a Generator Interconnection Agreement (“Interconnection Agreement”) among **Marshall Cogen LLC**, a limited liability company, organized and existing under the laws of the State of Delaware (“Interconnection Customer” with a Generating Facility), and **Missouri Basin Municipal Power Agency d/b/a Missouri River Energy Services**, a body corporate and politic, organized under Chapter 28E of the Code of Iowa, and existing under the intergovernmental cooperation statutes of the States of Iowa, Minnesota, North Dakota, and South Dakota (“Transmission Owner”) and **MISO** (“Transmission Provider”). MISO has designated the Interconnection Agreement as Original Service Agreement No. 2974 under MISO’s FERC Electric Tariff, Vol. No. 1 Fifth Revised (“Tariff”). MISO has designated this project as Project No. J391 in its interconnection queue. As discussed below, the Parties request waiver of the Commission’s 60-day prior notice requirement and request an effective date of December 14, 2016.

**I. OVERVIEW OF FILING**

The body of the attached Interconnection Agreement conforms to the *pro forma* Generator Interconnection Agreement (“*pro forma* GIA”) and is being filed with the Commission because it contains language pending before the Commission in Docket Nos. ER16-2374-000 and ER16-2374-001. Accordingly, MISO asks that the Commission accept the Interconnection Agreement subject to the outcome in Docket No. ER16-2374, *et al.*

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<sup>1</sup> See Section 205 of the Federal Power Act (“FPA”), 16 U.S.C. § 824d, and Section 35.12 of the Federal Energy Regulatory Commission’s (“FERC” or “Commission”) regulations, 18 C.F.R. § 35.12 (2016).

If the inclusion of such pending revisions will result in a conforming agreement that would normally be reported in the MISO Electric Quarterly Report (“EQR”), the Commission has found it appropriate to direct that such revisions be made and that the revised agreement be reported in MISO’s EQR. See *Midcontinent Independent System Operator, Inc.*, 149 FERC 61,224 at P 26 (2014) (directing MISO to submit an informational filing in Docket No. ER14-2464 to note the execution of the FCA, revise the FCA to conform to the *pro forma* agreement and report it in MISO’s EQR) *order on reh’g*, 151 FERC 61,220 (2015); *Midwest Independent Transmission System Operator, Inc.*, 125 FERC ¶ 61,277 at P 12 (2008) (directing the Midwest ISO to revise proposed interconnection agreements to conform with the new *pro forma* interconnection agreement, but to report them in the EQR); *cf. Midwest Independent Transmission System Operator, Inc.*, 137 FERC ¶ 61,223, at P 15 (2011) (directing MISO to refile a non-conforming FCA that remained non-conforming after certain revisions were accepted). The Commission has applied this logic to broader revisions to *pro forma* agreements as well. In MISO’s Small Generator Interconnection Procedure/Small Generator Interconnection Agreement (SGIP/SGIA) compliance filing, the Commission directed MISO to review previously processed SGIA’s and “revise such agreements to be consistent with the findings in this order,” but specifically did not require compliance filings in Docket Nos. ER06-192, et al., because the SGIP and SGIA had been superseded). *Midwest Independent Transmission System Operator, Inc.*, 139 FERC ¶ 61,219 at Ordering Paragraph (C) (2012).

MISO respectfully requests that the Commission allow MISO to make conforming revisions to this Interconnection Agreement after the outcome of Docket Nos. ER16-2374-000 and ER16-2374-001 and report this Interconnection Agreement in the MISO EQR going forward.

## II. DOCUMENTS SUBMITTED IN THIS FILING

The documents being submitted with this filing include this transmittal letter;

Tab A: Clean copy of the Interconnection Agreement; and

Tab B: Redlined copy of the Interconnection Agreement reflecting changes as compared to the *pro forma* GIA<sup>2</sup>.

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<sup>2</sup> MISO has highlighted for the Commission the language that is currently pending the before the Commission in Docket Nos. ER16-2374-000 and ER16-2374-001.

### III. PROPOSED EFFECTIVE DATE

MISO requests that the Commission waive its sixty (60) day notice requirement<sup>3</sup> and make this Interconnection Agreement effective as of December 14, 2016.<sup>4</sup> The Parties have indicated their intention for and support of an effective date of December 14, 2016. MISO requests that the December 14, 2016 date be used to provide certainty to the Parties as to the status of the agreement. To the extent that the Commission determines that any requirements of 18 C.F.R. § 35 apply that have not been specifically addressed herein, the MISO respectfully requests waiver of such requirements.

### IV. COMMUNICATIONS

Correspondence, pleadings and other materials regarding this filing should be addressed to the following persons:<sup>5</sup>

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### V. NOTICE AND SERVICE

MISO notes that it has served a copy of this filing electronically, including attachments, upon all Tariff Customers under the Tariff, MISO Members, Member representatives of Transmission Owners and Non-Transmission Owners, MISO Advisory Committee participants, as well as all state commissions within the Region. The filing has been posted electronically on MISO's website at <https://www.misoenergy.org/Library/FERCFilingsOrders/Pages/FERCFilings.aspx> for other interested parties in this matter. In addition, MISO has served a copy of this filing electronically on all parties to this agreement.

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<sup>3</sup> 18 C.F.R. § 35.3(a) (2016).

<sup>4</sup> The Commission's policy permits waivers of the 60-day prior notice of filing requirement in the case of a non-rate change to the terms and conditions of a Commission-accepted Rate Schedule. See *Central Hudson Gas & Electric Corp.*, 60 FERC ¶ 61,106, *reh'g denied*, 61 FERC ¶ 61,189 (1992).

<sup>5</sup> MISO requests waiver of section 385.203(b)(3) of the Commission's regulations to permit the designation of more than two persons upon whom service is to be made in this proceeding. 18 C.F.R. § 385.203(b)(3) (2016).

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## VI. CONCLUSION

For the above reasons, MISO requests that the Commission accept this Interconnection Agreement for filing and grant the proposed effective date of December 14, 2016, and grant waiver of any Commission regulations not addressed herein that the Commission may deem applicable to this filing.

Respectfully submitted,

/s/ Jacob T. Krouse

Jacob T. Krouse  
Attorney for the Midcontinent Independent  
System Operator, Inc.

Attachment