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September 22, 2014

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. ER14- _____ -000
Filing of Facilities Construction Agreement
PUBLIC VERSION

Dear Secretary Bose:

Pursuant to 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 (2013), the Midcontinent Independent System Operator, Inc. (“MISO”) hereby respectfully submits a Facilities Construction Agreement (“FCA”) among **Oregon Clean Energy, LLC**, a limited liability company organized and existing under the laws of the State of Delaware (“Interconnection Customer”), **International Transmission Company, dba ITCTransmission**, a corporation organized and existing under the laws of the State of Michigan (“Transmission Owner”), and **MISO** (“Transmission Provider”) (collectively, the “Parties”). MISO has designated the FCA as Original Service Agreement No. 2694 under MISO’s FERC Electric Tariff, Fifth Revised Vol. No. 1 (“Tariff”). MISO has designated this project as Project No. Y1-069 in its interconnection queue. A non-public version of the FCA containing Critical Energy Infrastructure Information (“CEII”) is being provided under separate cover as explained below.

I. OVERVIEW OF FILING

The body of the attached FCA conforms with exceptions to the *pro forma* Facilities Construction Agreement and contains revisions conditionally accepted by the Commission in Docket No. ER12-309-000.

Midcontinent Independent
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Accordingly, MISO asks that the Commission conditionally accept the FCA subject to any subsequent revisions to be accepted by the Commission in Docket No. ER12-309, et al.

The exceptions are found in Article 1 Definitions. The following changes were made.

1.6 – “Commercial Operation” was revised to specifically reference ‘into PJM’.

1.7 – “Commercial Operation Date” removed reference to ‘Appendix E’ and adds the word ‘Service’ to “Interconnection Agreement” to correctly reference the Agreement as Interconnection Service Agreement.

1.17 – “Interconnection Agreement” was revised to add the word ‘Service’ to “Interconnection Agreement” and identify the existing agreements referenced by the definition.

II. DOCUMENTS SUBMITTED IN THIS FILING

The documents being submitted with this filing include this transmittal letter and a public and non-public version of the FCA in accordance with the parties’ designation of the diagrams contained in this filing as CEII under the Commission’s rules 18 C.F.R. §§ 388.112 & 388.113 (2013). Pursuant to the Commission’s Notice Announcing New Combined Notice of Filings, issued on May 13, 2005, and the Commission’s subsequent listing on its website, no form of notice is required under 18 C.F.R. § 35.8 (2011).¹ The Parties have designated the diagram of their interconnection in Exhibits A2 and A3 as CEII.

MISO hereby requests confidential treatment of the CEII contained in Exhibits A2 and A3 of the non-public version of the FCA enclosed pursuant to 18 C.F.R. § 388.12. The CEII has been marked according to the Commission’s instructions.

The Parties assert that Exhibits A2 and A3 qualify as CEII pursuant to 18 C.F.R. § 388.113(c)(1) for the following reasons: the diagrams attached to the FCA are system maps that provide specific detailed design information about existing critical transmission system infrastructure. The Exhibits are exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. § 552. Members of the public can obtain access to the Exhibits by complying with the Commission’s procedures per 18 C.F.R. § 388.113.

Accordingly, MISO requests confidential treatment of the public version of this filing as CEII pursuant to 18 C.F.R. § 388.12. MISO submits a non-public version of this agreement under separate cover.

¹ See Documents and Filings, Notice Formats, available at <http://www.ferc.gov/docs-filing/not-form.asp>.

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

- Tab A Clean copy of the Public Version of the FCA;
- Tab B Redlined copy of the FCA reflecting changes as compared to the *Pro Forma*²; and
- Tab C CEII Protective Agreement.

III. PROPOSED EFFECTIVE DATE

MISO respectfully requests that the Commission waive its sixty (60) day notice requirement as required by Section 35.3(a) of the Commission's regulations, 18 C.F.R. § 35.3(a), and make this FCA effective as of September 23, 2014.³ The Parties have indicated their intention for and support of an effective date of September 23, 2014. MISO requests that the September 23, 2014 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:

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² MISO notes for the Commission that there is currently no pending language before the Commission in MISO's *pro forma* Facilities Construction Agreement.

³ 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).

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 the 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.

VI. CONCLUSION

For all of the foregoing reasons, MISO respectfully requests that the Commission accept for filing this FCA and grant the proposed effective date of September 23, 2014, 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