United States
Department of Energy

Office of Electricity Delivery and Energy Reliability

EDF Trading North America, LLC

OE Docket No. EA-367-A

Order Authorizing Electricity Exports to Canada

Order No. EA-367-A

October 13, 2015
EDF Trading North America, LLC

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Authorizing Electricity Exports to Canada

I. BACKGROUND

The Department of Energy (the Department or DOE) regulates electricity exports from the United States to foreign countries in accordance with the Federal Power Act (FPA) § 202(e) (16 U.S.C. § 824a(e)) and regulations thereunder (10 C.F.R. §§ 205.300 et seq.). This authority was transferred to DOE under §§ 301(b) and 402(f) of the DOE Organization Act (42 U.S.C. §§ 7151(b), 7172(f)).

An entity that seeks to export electricity must obtain an order from DOE authorizing it to do so. Under FPA § 202(e), DOE “shall issue such order upon application unless, after opportunity for hearing, it finds that the proposed transmission would impair the sufficiency of electric supply within the United States or would impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of [DOE].” 16 U.S.C. § 824a(e). DOE has discretion to condition the order as necessary or appropriate; the Department “may by its order grant such application in whole or in part, with such modifications and upon such terms and conditions as the [DOE] may find necessary or appropriate, and may from time to time, after opportunity for hearing and for good cause shown, make such supplemental orders in the premises as it may find necessary or appropriate.” Id.

A. Application to Renew Export Authorization

EDF Trading North America, LLC (Applicant) is a power marketeer seeking renewal of its existing export authorization to sell electric energy into Canada, which was originally granted in OE Docket No. EA-367 in 2010. In its Application, the Applicant requests a renewal of its export authorization for a term of five years. See Application of EDF Trading North America, LLC for Renewal of Authorization to Export Electricity from the United States to Canada (July 24, 2015) (Application or App.) at 1.

The Applicant is a Texas limited liability company with its principal place of business in Houston, TX. The Applicant is a wholly-owned direct subsidiary of EDF Trading Holdings, LLC (f/k/a EDF Trading North America, Inc.), which itself is a wholly-owned indirect subsidiary of Électricité de France, SA. App. at 2. The Applicant is authorized by the Federal Energy Regulatory Commission (FERC) to make sales of electric power at wholesale in interstate commerce at negotiated (market-based) rates. App. at 2.
The Applicant does not own or operate any transmission or distribution facilities
and does not have a franchised service area. App. at 2, 3. The electric energy that the
Applicant proposes to export to Canada will be purchased from third parties, such as
wholesale generators, electric utilities, and federal power marketing agencies, pursuant
to voluntary agreements, and thus surplus to the needs of the selling entities. App. at 4.

Because the Applicant does not own transmission facilities, the electric energy
that it proposes to export will be wheeled over transmission facilities owned and
operated by other parties. App. at 4. Under this model, the Applicant will comply with
terms and conditions for cross-border facilities as well as any other export limitations
DOE deems appropriate. App. at 5. The Applicant will schedule each transaction with
the appropriate balancing authority in compliance with applicable reliability standards
and guidelines of the North American Electric Reliability Corporation (NERC). App. at
5.

As discussed below, the Applicant contends that its proposed exports will neither
jeopardize the sufficiency of electric supply nor the reliability of the transmission grid;
thus, the Applicant asserts that it meets the criteria of FPA § 202(e).

B. Procedural History

On July 24, 2015, the Applicant filed an application with DOE requesting an
export authorization for a term of five years. On August 10, 2015, DOE published
DOE asked for any interested parties to submit comments on the application by
September 9, 2015. DOE received two comments on August 10, 2015 and September 2,
2015. Both comments are discussed in Section III.

II. DISCUSSION AND ANALYSIS

DOE is statutorily obligated under FPA § 202(e) to grant requests for export
authorization unless the Department finds that the proposed export would negatively
impact either: (i) the sufficiency of electric supply, or (ii) the coordination of the electric
grid. Regarding the first exception criterion, DOE shall approve an electricity export
application “unless, after opportunity for hearing, it finds that the proposed transmission
would impair the sufficiency of electric supply within the United States ....” 16 U.S.C.
§ 824a(e). DOE has interpreted this criterion to mean that sufficient generating capacity
and electric energy must exist, such that the export could be made without
compromising the energy needs of the exporting region, including serving all load
obligations in the region while maintaining appropriate reserve levels. E.g., BP Energy
(May 3, 2012).

Under the second exception criterion, DOE shall approve an electricity export
application “unless, after opportunity for hearing, it finds that the proposed transmission
would ... impede or tend to impede the coordination in the public interest of facilities
subject to the jurisdiction of [DOE].” 16 U.S.C. § 824a(c). DOE has interpreted this criterion primarily as an issue of the operational reliability of the domestic electric transmission system. Accordingly, the export must not compromise transmission system security and reliability. E.g., BP Energy Co., OE Order No. EA-314, 2 (Feb. 22, 2007), renewed, OE Order No. EA-314-A, 2 (May 3, 2012).

A. The Applicant’s Requested Authorization Will Not Impair the Sufficiency of Electric Supply in the U.S.

Sufficiency of supply, the first exception criterion, addresses whether regional electricity needs are met in the current market. DOE has analyzed this issue from both an economic and a reliability perspective. The economic perspective concerns the supply available to wholesale market participants. The reliability perspective focuses on preventing problems that could result from inadequate supplies. Taken together, DOE examines whether existing electric supply is available via market mechanisms, and whether potential reliability issues linked to supply problems are mitigated by reliability enforcement mechanisms.

From an economic perspective, DOE finds that the wholesale energy markets are sufficiently robust to make supplies available to exporters and other market participants serving United States regions along the Canadian and Mexican borders. Following enactment of the Energy Policy Act of 1992, Pub. L. No. 102-486, which encouraged FERC to foster competition in the wholesale energy markets through open access to transmission facilities, energy markets developed across the United States to provide opportunities for a more efficient availability of supply. Subsequently, the Energy Policy Act of 2005, Pub. L. No. 109-58, reaffirmed the Government’s commitment to competition in wholesale energy markets as national policy. FERC has continued to encourage the expansion of wholesale energy markets through its orders to remove barriers\(^1\) and to ensure these markets are functioning properly.\(^2\) As a result, market participants have access to traditional bilateral contracts, as well as organized electricity markets run by regional transmission organizations or independent system operators (RTOs/ISOs). FERC oversees these interstate wholesale electricity markets across most of the lower 48 states. Absent an indication in the record that the geographic markets relevant to this export authorization analysis are flawed and result in uneconomic exports that jeopardize regional supply, DOE finds that the proposed transmission for export does not impair the sufficiency of electric supply within the United States.


From a reliability perspective, DOE focuses on the prevention of cascading outages and other problems that could result from inadequate resources. Reliability issues are addressed by the authority granted to FERC through the Energy Policy Act of 2005. That Act added § 215 to the Federal Power Act, which directed FERC to certify an electric reliability organization and develop procedures for establishing, approving, and enforcing mandatory electric reliability standards. 16 U.S.C. § 824o. FERC certified NERC in 2006 to establish and enforce reliability standards for the bulk power system in the United States. The reliability standards address issues such as resource and demand balancing, emergency preparedness and operations, interchange scheduling and coordination, and interconnection reliability operations and coordination.

Through enforcement by FERC, NERC, and eight Regional Entities overseen by NERC, all bulk power system owners, operators, and users are held responsible for complying with reliability standards. The reliability standards are structured so that many entities have overlapping responsibility for the electric grid, thereby resulting in several layers of reliability monitoring. Entities such as reliability coordinators and balancing authorities coordinate power generation and transmission among multiple utilities to serve demand within an integrated regional wholesale market. One of the principal functions of these entities is to schedule adequate generating and reserve capacity. This allows them to serve demand at the regional level and to ensure that there are sufficient power supplies to maintain system reliability. Reliability oversight is designed to benefit the overall region; the reliability standards explicitly place the interests of the interconnection before the interests of any particular entity such as an exporter. See Reliability Standard IRO-001-1.1 R9. DOE finds that FERC’s comprehensive enforcement mechanism ensures that bulk power system owners, operators and users have a strong incentive both to maintain system resources and to prevent reliability problems that could result from movement of electric supplies through export. As a result of this reliability oversight, DOE finds that the sufficiency of supply is not impaired by the Applicant’s proposed export authorization.

DOE’s sufficiency of supply findings are further supported by the fact that power marketers, such as the Applicant, do not have an obligation to serve a franchised territory. Before the current role of power marketers emerged in the industry, the FPA § 202(e) inquiry into sufficiency of supply had a narrower focus and was designed for an applicant that was a vertically integrated utility with an obligation to serve native load.

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3 A related reliability analysis follows in the next section of this order.
4 This focus should not be confused with resource adequacy planning and capacity requirements that have traditionally been the domain of state regulatory commissions.
5 The eight entities are the Florida Reliability Coordinating Council, Midwest Reliability Organization, Northeast Power Coordinating Council, Reliability First Corporation, SERC Reliability Corporation, Southwest Power Pool Regional Entity, Texas Reliability Entity, and the Western Electricity Coordinating Council.
6 A “vertically integrated utility” is a “single regulated utility” that provides “electricity generation, transmission, and distribution for a particular geographic area.” Wis. Pub. Power, Inc. v. FERC, 493 F.3d 239, 246 (D.C. Cir. 2007).
Under that traditional scenario, the inquiry regarding sufficiency of supply logically sought to confirm that exports would be surplus to the needs of a vertically integrated utility’s native load obligations and reserve margins. As explained in DOE’s notice of the first application by a power marketer for export authorization, the sufficiency of supply inquiry became unnecessary when applied to power marketers:

The applicant also is required to demonstrate that it would have sufficient generating capacity to sustain the proposed export under the terms and conditions of its export agreement, while still complying with any established reserve criteria. Since marketers generally could not be seen as having any “native load” requirements, the latter criterion of maintaining sufficient reserve margins appears inappropriate and unnecessary in this instance.

59 Fed. Reg. 54,900 (Nov. 2, 1994). Power marketers such as the Applicant do not have franchised service areas and, consequently, do not have native load obligations like a traditional local distribution utility that could be impaired by exports.

In sum, market mechanisms and reliability oversight protect against the Applicant exports that would jeopardize domestic sufficiency of supply. Therefore, an export by the Applicant would not trigger the first exception criterion of FPA § 202(e) regarding the sufficiency of electric supply within the United States.

B. The Applicant’s Requested Authorization Will Not Adversely Affect Either the Reliability or the Security of the U.S. Electric Transmission System

Reliability, the second exception criterion under FPA § 202(e), addresses operational reliability and security of the domestic electric transmission system. In evaluating the operational reliability impacts of export proposals, DOE has used a variety of methodologies and information, including established industry guidelines, operating procedures, and technical studies where available and appropriate. When determining these impacts, it is convenient to separate the export transaction into two parts: (i) moving the export from the source to a border system that owns the international transmission connection, and (ii) moving the export through that border system and across the border.

**Moving Electricity to a Border System.** Moving electricity for export to a border system necessarily involves the use of the bulk power system. As noted in the preceding section, bulk power system reliability concerns are addressed under the FPA by FERC and NERC and involve the enforcement of mandatory reliability standards. These standards ensure that all owners, operators, and users of the bulk power system have an obligation to maintain system security and reliability. The standards are structured so that there are always entities with broader responsibilities than the applicant, such as reliability coordinators and balancing authorities, to keep a constant watch over the domestic transmission system.
To deliver the export from the source to a border system, the applicant must make the necessary commercial arrangements and obtain sufficient transmission capacity to wheel the exported energy to the border system. The applicant would be expected to follow FERC orders regarding open transmission access and to schedule delivery of the export with the appropriate RTO, ISO, and/or balancing authority (formerly the control area operator).

It is the responsibility of the RTO, ISO, and/or balancing authority to schedule the delivery of the export consistent with established and mandatory operational reliability criteria. During each step of the process of obtaining transmission service, the owners and/or operators of the transmission facilities will evaluate the impact on the system and schedule the movement of the export only if it would not violate established operating reliability standards. As a failsafe, the reliability coordinator in each region has the authority and responsibility to curtail, cancel, or deny scheduled flows to avoid shortages or to restore necessary energy and capacity reserves. See Reliability Standard EOP-002-3.1 R1 (“Each Balancing Authority and Reliability Coordinator shall have the responsibility and clear decision-making authority to take whatever actions are needed to ensure the reliability of its respective area and shall exercise specific authority to alleviate capacity and energy emergencies.”).

Specifically, the reliability coordinator has the authority to suspend exports if the electric energy would be needed to support the regional power grid. See Reliability Standard IRO-001-1.1 R3 (“The Reliability Coordinator shall have clear decision-making authority to act and to direct actions...to preserve the integrity and reliability of the Bulk Electric System. These actions shall be taken without delay, but no longer than 30 minutes.”) & R8 (“Transmission Operators, Balancing Authorities, Generator Operators, Transmission Service Providers, Load-Serving Entities, and Purchasing-Selling Entities shall comply with Reliability Coordinator directives unless such actions would violate safety, equipment, or regulatory or statutory requirements.”).

DOE has determined that the existing industry procedures for obtaining transmission capacity on the domestic transmission system (described above) provide adequate assurance that any particular export will not cause an operational reliability problem. Therefore, the Applicant’s export authorization has been conditioned to ensure that the export will not cause operating parameters on regional transmission systems to fall outside of established industry reliability criteria, or cause or exacerbate a transmission operating problem on the U.S. electric power supply system (see Order below, Section VII, paragraphs C, D, and I).

DOE makes this finding with the understanding that mandatory reliability standards and market restructuring have obviated the need for standard transmission studies. Before the electric power industry was restructured, the only entities able to export were those electric utilities that were contiguous with the U.S. international border that owned international transmission facilities. The exported energy generally originated from within the exporter’s system, and standard transmission studies could
determine the impact of the export on regional electric systems. In recent years, however, deregulation of wholesale energy markets and the introduction of open-access transmission have expanded the scope of entities capable of exporting electric energy. Today, at the time it submits its application to DOE, the typical exporter cannot identify the source of the exported energy or the electric systems that might be called upon to provide transmission service to the border. Consequently, traditional transmission studies cannot be used to determine the impact of such exports on the operational reliability of the regional electric transmission system.

Moving Electricity Through a Border System. The second part of DOE's reliability inquiry, addressing the transmission of the export through a border system and across the border, is a question of whether the border system is reliable and secure. To a large extent, this question is addressed by the jurisdiction of NERC. NERC and Regional Entities—including the Midwest Reliability Organization (MRO), the Northeast Power Coordinating Council (NPCC), and the Western Electricity Coordinating Council (WECC)—oversee the United States-Canadian border system and a significant part of the United States-Mexican border system. Those border systems are generally subject to the same reliability standards as domestic systems. See, e.g., http://www.ieso.ca/Pages/Participate/Reliability-Requirements/Reliability-Standards-Compliance.aspx.

DOE also relies on the technical reliability studies submitted in conjunction with an application for a DOE-issued Presidential permit\(^7\) to construct a new international transmission line. As DOE has previously reviewed technical reliability studies submitted with Presidential permit applications,\(^8\) DOE does not need to perform additional impact assessments here, provided the maximum rate of transmission for all exports through a border system does not exceed the authorized limit of the system (paragraph (A) of this Order). In its Application, the Applicant committed to complying with all reliability limits on border facilities. App. at 5. The second part of the reliability inquiry is therefore satisfied by DOE regulatory oversight in addition to NERC’s reliability enforcement.

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\(^7\)DOE issues Presidential permits pursuant to Executive Order 10,485, as amended by Executive Order 12,038. See 10 C.F.R. §§ 205.320-205.329.

III. FINDINGS AND DECISION

A. The Applicant Meets the Statutory Requirements to Export Electric Energy to Canada

As explained above, DOE has assessed the impact that the proposed export would have on the reliability of the U.S. electric power supply system. DOE has determined that the export of electric energy to Canada by the Applicant, as ordered below, would not impair the sufficiency of electric power supply within the United States and would not impede or tend to impede the coordination in the public interest of facilities within the meaning FPA § 202(e).

B. The Applicant Qualifies for a NEPA Categorical Exclusion for Exports of Electric Energy

The Applicant’s Application qualifies for DOE’s categorical exclusion for exports of electric energy under the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. §§ 4332(2) et seq. DOE’s regulations set forth this categorical exclusion, codified as “B4.2,” as follows:

Export of electric energy as provided by Section 202(e) of the Federal Power Act over existing transmission lines or using transmission system changes that are themselves categorically excluded.


DOE has determined that actions in this category do not individually or cumulatively have a significant effect on the human environment and that, therefore, neither an environmental assessment nor an environmental impact statement normally is required. 10 C.F.R. § 1021.410(a). Further, in 2011, DOE formally reviewed its NEPA regulations and categorical exclusions, and determined that it was appropriate to retain the B4.2 categorical exclusion unchanged. See National Environmental Policy Act Implementing Procedures, 76 Fed. Reg. 214, 217 (Jan. 3, 2011); National Environmental Policy Act Implementing Procedures, 76 Fed. Reg. 9981, 9982 (Feb. 23, 2011).

To invoke this categorical exclusion, DOE must determine that, in relevant part, “[t]here are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal,” and that “[t]he proposal has not been segmented to meet the definition of a categorical exclusion.” 10 C.F.R. § 1021.410(b)(2), (3). “Extraordinary circumstances” include “unique situations” such as “scientific controversy about the environmental effects of the proposal.” Id. at § 1021.410(b)(2). DOE finds that the Applicant’s Application does not present such a circumstance, nor has it been segmented for purposes of this exclusion. The Applicant seeks to deliver electricity over existing transmission lines, which fits squarely within the B4.2 categorical exclusion. For these reasons, DOE will not require more detailed
NEPA review in connection with this Application. See, e.g., 10 C.F.R. §§ 1021.400(a)(1), 410; 40 C.F.R. § 1501.4(a).

C. Response to Comment

As noted in Section I, DOE received two comments on the Applicant’s Application. The comment, submitted on August 10, 2015, by Ms. Jean Public, opposes the approval of the Applicant’s request for export authorization. According to the commenter, the exporting of energy from the United States to any other country is simply an attempt by the rich to make money off of the poor. The comment submitted on September 2, 2015 by Ms. Kelsea Wagner expresses the concern that the Applicant’s exporting activities should be monitored during the environmental review process to ensure there is no premature exporting of power.

Upon review, DOE finds that the evidence in the record does not support the comment submitted by Ms. Jean Public, and further finds that the Applicant has satisfied the statutory criteria set forth in FPA § 202(e). In response to the question submitted by Ms. Kelsea Wagner, DOE receives information on the trading activities of the Applicant through reporting requirements to the Energy Information Administration (EIA). In addition, no environmental impact survey is being conducted because, as noted in Section III.B., the Applicant qualifies for a NEPA categorical exclusion for exports of energy under 42 U.S.C. §§ 4332(2) and 10 C.F.R. Part 1021, App. B to Subpart D, § B4.2.

D. Conclusion

DOE grants the Applicant’s Application for a five-year renewal of Order EA-367. The Applicant is authorized to export electricity to Canada over any authorized international transmission facility that is appropriate for open access transmission by third parties, subject to the limitations and conditions described in this Order.

IV. DATA COLLECTION AND REPORTING REQUIREMENTS

The responsibility for the data collection and reporting under orders authorizing electricity exports to a foreign country currently rests with the U.S. Energy Information Administration (EIA) within DOE. EIA suspended data collection effective June 1, 2011, in anticipation of a transition to a new reporting Form EIA-111, “Quarterly Electricity Imports and Exports Report”. In 2014, EIA resumed data collection. The Applicant is instructed to follow EIA instructions in completing this data exchange. Questions regarding the data collection and reporting requirements can be directed to EIA by email at EIA4USA@cia.gov or by phone at 1-855-342-4872.

Additionally, any change to the tariff of an entity with export authorization must be provided to DOE’s Office of Electricity Delivery and Energy Reliability. 10 C.F.R. § 205.308(b).
V. COMPLIANCE

Obtaining a valid order from DOE authorizing the export of electricity under FPA § 202(e) is a necessary condition before engaging in the export. Failure to obtain such an order, or continuing to export after the expiration of such an order, may result in a denial of authorization to export in the future and subject the exporter to sanctions and penalties under the FPA. DOE expects transmitting utilities owning border facilities and entities charged with the operational control of those border facilities, such as ISOs, RTOs, or balancing authorities, to verify that companies seeking to schedule an electricity export have the requisite authority from DOE to export such energy.

In its Application, the Applicant reports that it “has not engaged in any electricity export transaction since its previous authorization expired on June 17, 2015. Application at 2. The Applicant has suspended further exports and “is updating its internal compliance calendar and procedures to ensure that future reauthorizations are sought and obtained in a timely manner, to avoid future lapses of its electricity export authorization.”

DOE expects the Applicant to abide by the terms and conditions established for its authority to export electric energy to Canada, as set forth below. DOE intends to monitor the Applicant’s compliance with these terms and conditions, including the requirement in paragraph G of this Order that the Applicant create and preserve full and complete records and file reports with EIA as discussed above.

A violation of any of those terms and conditions, including the failure to submit timely and accurate reports, may result in the loss of authority to export electricity and subject the Applicant to any applicable sanctions and penalties under the FPA.

VI. OPEN ACCESS POLICY

An export authorization issued under FPA § 202(e) does not impose a requirement on transmitting utilities to provide service. However, DOE expects transmitting utilities that own border facilities to provide access across the border in accordance with the principles of comparable open access and non-discrimination contained in the FPA and articulated in FERC Order No. 888 (Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities, FERC Statutes and Regulations 31,036 (1996)), as amended. The actual rates, terms and conditions of transmission service should be consistent with the non-discrimination principles of the FPA and the transmitting utility’s Open-Access Transmission Tariff on file with FERC.

All recipients of export authorizations, including owners of border facilities for which Presidential permits have been issued, are required by their export authorization to conduct operations in accordance with the applicable principles of the FPA and any pertinent rules, regulations, directives, policy statements, and orders adopted or issued
thereunder, which include the comparable open access provisions of FERC Order No. 888, as amended. Cross-border electric trade ought to be subject to the same principles of comparable open access and non-discrimination that apply to transmission in interstate commerce. See Enron Power Marketing, Inc. v. El Paso Elec. Co., 77 FERC ¶ 61,013 (1996), reh'g denied, 83 FERC ¶ 61,213 (1998)). Thus, DOE expects owners of border facilities to comply with the same principles of comparable open access and non-discrimination that apply to the domestic, interstate transmission of electricity.

VII. ORDER

Accordingly, pursuant to FPA § 202(e) and the Rules and Regulations issued there under (10 C.F.R. §§ 205.300-309), it is hereby ordered that the Applicant is authorized to export electric energy to Canada under the following terms and conditions:

(A) The electric energy exported by the Applicant pursuant to this Order may be delivered to Canada over any authorized international transmission facility that is appropriate for open access transmission by third parties in accordance with the export limits authorized by DOE.

(1) The following international transmission facilities located at the United States border with Canada are currently authorized by Presidential permit and available for open access transmission:\(^9\):

<table>
<thead>
<tr>
<th>Present Owner</th>
<th>Location</th>
<th>Voltage</th>
<th>Presidential Permit No.</th>
</tr>
</thead>
<tbody>
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<td>Bangor Hydro-Electric Company</td>
<td>Baileyville, ME</td>
<td>345-kV</td>
<td>PP-89</td>
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<tr>
<td>Basin Electric Power Cooperative</td>
<td>Tioga, ND</td>
<td>230-kV</td>
<td>PP-64</td>
</tr>
<tr>
<td>Bonneville Power Administration</td>
<td>Blaine, WA</td>
<td>2-500-kV</td>
<td>PP-10</td>
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<td></td>
<td>Nelway, WA</td>
<td>230-kV</td>
<td>PP-36</td>
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<tr>
<td></td>
<td>Nelway, WA</td>
<td>230-kV</td>
<td>PP-46</td>
</tr>
<tr>
<td>Eastern Maine Electric Cooperative</td>
<td>Calais, ME</td>
<td>69-kV</td>
<td>PP-32</td>
</tr>
</tbody>
</table>

\(^9\) This Order authorizes the export of electricity over any "authorized international transmission facility," which is intended to include both large transmission lines and smaller distribution lines that have received a Presidential permit. However, the list in subparagraph (A)(1) of current facilities only includes transmission lines.

\(^{10}\) These Presidential permit numbers refer to the generic DOE permit number and are intended to include any subsequent amendments to the permit authorizing the facility.
<table>
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<th>Company</th>
<th>Location</th>
<th>Voltage</th>
<th>PP</th>
</tr>
</thead>
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<tr>
<td>International Transmission Company</td>
<td>Detroit, MI</td>
<td>230-kV</td>
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<td>Marysville, MI</td>
<td>230-kV</td>
<td>PP-230</td>
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<tr>
<td></td>
<td>St. Claire, MI</td>
<td>230-kV</td>
<td>PP-230</td>
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<tr>
<td></td>
<td>St. Claire, MI</td>
<td>345-kV</td>
<td>PP-230</td>
</tr>
<tr>
<td>Joint Owners of the Highgate Project</td>
<td>Highgate, VT</td>
<td>120-kV</td>
<td>PP-82</td>
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<td>Long Sault, Inc.</td>
<td>Massena, NY</td>
<td>2-115-kV</td>
<td>PP-24</td>
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<td>Maine Electric Power Company</td>
<td>Houlton, ME</td>
<td>345-kV</td>
<td>PP-43</td>
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<td>Maine Public Service Company</td>
<td>Limestone, ME</td>
<td>69-kV</td>
<td>PP-12</td>
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<td>Fort Fairfield, ME</td>
<td>69-kV</td>
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<td>138-kV</td>
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<td>2-69-kV</td>
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<td>International Falls, MN</td>
<td>115-kV</td>
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<td>Roseau County, MN</td>
<td>230-kV</td>
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<td>Montana Alberta Tie Ltd.</td>
<td>Cut Bank, MT</td>
<td>230-kV</td>
<td>PP-305(^1)</td>
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<td>765-kV</td>
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<td>230-kV</td>
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<td>500-kV</td>
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<td>Rugby, ND</td>
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<td>Sea Breeze Olympic Converter LP</td>
<td>Port Angeles, WA</td>
<td>±450-kV DC</td>
<td>PP-299(^12)</td>
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<td>Vermont Electric Power Co.</td>
<td>Derby Line, VT</td>
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<td>Vermont Electric Transmission Co.</td>
<td>Norton, VT</td>
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<tr>
<td></td>
<td>Imperial Valley, CA</td>
<td>230-kV</td>
<td>PP-79</td>
</tr>
</tbody>
</table>

\(^1\) These transmission facilities have been authorized but not yet constructed or placed in operation.

\(^12\) These transmission facilities have been authorized but not yet constructed or placed in operation.
The following are the authorized export limits for the international transmission lines listed above in subparagraph (A)(1):

(a) Exports by the Applicant made pursuant to this Order shall not cause the total exports on facilities authorized by Presidential Permit PP-64 (issued to Basin Electric Power Coop.) to exceed an instantaneous transmission rate of 150 megawatts (MW). The gross amount of energy which the Applicant may export over the PP-64 facilities shall not exceed 900,000 megawatt-hours (MWH) during any consecutive 12-month period.

(b) Exports by the Applicant made pursuant to this Order shall not cause the total exports on the facilities authorized by Presidential Permit PP-32 (issued to Eastern Maine Electric Coop.) to exceed an instantaneous transmission rate of 15 MW. The gross amount of energy which the Applicant may export over the PP-32 facilities shall not exceed 7,500 MWH annually.

(c) Exports by the Applicant made pursuant to this Order shall not cause the total exports on a combination of the facilities authorized by Presidential Permit PP-230 (issued to International Transmission Company) to exceed a coincident, instantaneous transmission rate of 2.2 billion volt-amperes (2,200 MVA).

(d) Exports by the Applicant made pursuant to this Order shall not cause the total exports on the facilities authorized by Presidential Permit PP-82 (issued to the Joint Owners of the Highgate Project) to exceed an instantaneous transmission rate of 200 MW nor cause a violation of the following security constrained export limits:

<table>
<thead>
<tr>
<th>Vermont Total Load (MW)</th>
<th>Security Constrained Maximum Export (MW)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000</td>
<td>0</td>
</tr>
<tr>
<td>900</td>
<td>40</td>
</tr>
<tr>
<td>800</td>
<td>90</td>
</tr>
<tr>
<td>700</td>
<td>125</td>
</tr>
<tr>
<td>600</td>
<td>150</td>
</tr>
<tr>
<td>500</td>
<td>170</td>
</tr>
</tbody>
</table>

(e) Exports by the Applicant made pursuant to this Order shall not cause the scheduled rate of transmission over a combination of facilities authorized by Presidential Permits PP-43 (issued to Maine Electric Power Company) and PP-89-1 (issued to Bangor Hydro-Electric) to exceed 550 MW.

(f) Exports by the Applicant made pursuant to this Order shall not cause the total exports on the combination of facilities authorized by Presidential
Permits PP-12 and PP-29 (issued to Maine Public Service Company) to exceed a coincident, instantaneous transmission rate of 97.8 MW.

(g) Exports by the Applicant made pursuant to this Order shall not cause total exports on the facilities authorized by Presidential Permit PP-78-1 (issued to Minnesota Power) to exceed an instantaneous transmission rate of 100 MW. Exports by the Applicant may cause total exports on the PP-78-1 facilities to exceed 100 MW only when total exports between the Mid-Continent Area Power Pool (MAPP) and Manitoba Hydro are below maximum transfer limits and/or whenever operating conditions within the MAPP system permit exports on the PP-78-1 facilities above the 100-MW level without violating established MAPP reliability criteria. However, under no circumstances shall exports by the Applicant cause the total exports on the PP-78-1 facilities to exceed 150 MW.

(h) Exports made by the Applicant pursuant to this Order shall not cause total exports on a combination of the international transmission lines authorized by Presidential Permits PP-45 and PP-63 issued to Northern States Power, PP-61 issued to Minnkota Power, and PP-231 issued to Northern States Power/Xcel, shall not exceed an instantaneous transmission rate of 700 MW on a firm basis and 1050 MW on a non-firm basis.

(i) Exports by the Applicant made pursuant to this Order shall not cause the total exports on the facilities authorized by Presidential Permit PP-66 (issued to Vermont Electric Power Co.) to exceed an instantaneous transmission rate of 50 MW. The gross amount of energy which the Applicant may export over the PP-66 facilities shall not exceed 50,000 MWH annually.

(j) Exports by the Applicant made pursuant to this Order shall not cause the total exports on the facilities authorized by Presidential Permit PP-56 (issued to NYPA) to exceed an instantaneous transmission rate of 1000 MW.

(k) Exports by the Applicant made pursuant to this Order shall not cause: (a) the total exports on the facilities authorized by Presidential Permits PP-25, PP-30, PP-74, and PP-190 (issued to NYPA and Niagara Mohawk) to exceed a combined instantaneous transmission rate of 1650 MW; and (b) the total exports on the 115-kV facilities authorized by Presidential Permit PP-24 (issued to Long Sault, Inc.) to exceed an instantaneous transmission rate of 100 MW. In addition, the gross amount of energy which the Applicant may export over the PP-24 facilities shall not exceed 300,000 MWH annually.

(l) Exports by the Applicant pursuant to this Order shall not cause total exports on the two 500-kV lines authorized by Presidential Permit PP-10, the 230-kV line authorized by Presidential Permit PP-36, and the 230 kV line authorized by Presidential Permit PP-46 (issued to BPA) to exceed the following limits:
<table>
<thead>
<tr>
<th>Condition</th>
<th>PP-36 &amp; PP-46 Limit</th>
<th>PP-10 Limit</th>
<th>Total Export Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>All lines in service</td>
<td>400 MW</td>
<td>1500 MW</td>
<td>1900 MW</td>
</tr>
<tr>
<td>1-500 kV line out</td>
<td>400 MW</td>
<td>300 MW</td>
<td>700 MW</td>
</tr>
<tr>
<td>2-500 kV lines out</td>
<td>400 MW</td>
<td>0 MW</td>
<td>400 MW</td>
</tr>
<tr>
<td>1-230 kV line out</td>
<td>400 MW</td>
<td>1500 MW</td>
<td>1900 MW</td>
</tr>
<tr>
<td>2-230 kV line out</td>
<td>0 MW</td>
<td>1500 MW</td>
<td>1500 MW</td>
</tr>
</tbody>
</table>

(m) Exports by the Applicant made pursuant to this Order shall not cause a violation of the following conditions as they apply to exports over the facilities authorized by Presidential Permit PP-76 as amended (issued to the Vermont Electric Transmission Company):

<table>
<thead>
<tr>
<th>Exports Through</th>
<th>NEPOOL Load Condition</th>
<th>Export Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comerford converter</td>
<td>Summer, Heavy</td>
<td>650 MW</td>
</tr>
<tr>
<td>Comerford converter</td>
<td>Winter, Heavy</td>
<td>660 MW</td>
</tr>
<tr>
<td>Comerford converter</td>
<td>Summer, Light</td>
<td>690 MW</td>
</tr>
<tr>
<td>Comerford converter</td>
<td>Winter, Light</td>
<td>690 MW</td>
</tr>
<tr>
<td>Comerford &amp; Sandy</td>
<td>All</td>
<td>2,000 MW</td>
</tr>
<tr>
<td>Pond converters</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(n) Exports by the Applicant made pursuant to this Order over the international transmission facilities authorized by Presidential Permit PP-305 issued to Montana Alberta Tie Ltd. shall not exceed an instantaneous transmission rate of 300 MW.

(o) Exports by the Applicant made pursuant to this Order over the international transmission facilities authorized by Presidential Permit PP-299 issued to Sea Breeze Olympic Converter LP shall not exceed an instantaneous transmission rate of 550 MW.

(B) Changes by DOE to the export limits in other orders shall result in a concomitant change to the export limits contained in subparagraph (A)(2) of this Order. Changes to the export limits contained in subparagraphs (A)(2)(j), (k), and (l) will be made by DOE after submission of appropriate information demonstrating a change in the transmission transfer capability between the electric systems in New York State and Ontario and New York State and Quebec, and between BPA and BC Hydro or BPA and West Kootenay Power. Notice of these changes will be provided to the Applicant.

(C) The Applicant shall obtain any and all other Federal and state regulatory approvals required to execute any power exports to Canada. The scheduling and delivery of electricity exports to Canada shall comply with all reliability criteria, standards, and guidelines of NERC, reliability coordinators, Regional Entities, RTOs, ISOs or balancing authorities, or their successors, as appropriate, on such terms as expressed
therein, and as such criteria, standards, and guidelines may be amended from time to
time.

(D) Exports made pursuant to this authorization shall be conducted in accordance with
the applicable provisions of the FPA and any pertinent rules, regulations, directives,
policy statements, and orders adopted or issued thereunder, including the comparable
open access provisions of FERC Order No. 888, as amended.

(E) The authorization herein granted may be modified from time to time or terminated
by further order of DOE. In no event shall such authorization to export over a particular
transmission facility identified in subparagraphs (A)(1) and (2) extend beyond the date
of termination of the Presidential permit or treaty authorizing such facility.

(F) This authorization shall be without prejudice to the authority of any state or state
regulatory commission for the exercise of any lawful authority vested in such state or
state regulatory commission.

(G) The Applicant shall make and preserve full and complete records with respect to the
electric energy transactions between the United States and Canada. The Applicant shall
collect and submit the data to EIA as required by and in accordance with the procedures
of Form EIA-111, "Quarterly Electricity Imports and Exports Report." The data
reporting requirements of this section shall not take effect until EIA begins operation of
the new survey.

(H) In accordance with 10 C.F.R. §205.305, this export authorization is not transferable
or assignable, except in the event of the involuntary transfer of this authority by
operation of law. Provided written notice of the involuntary transfer is given to DOE
within 30 days, this authorization shall remain in effect temporarily. The authorization
shall terminate unless an application for a new export authorization has been received by
DOE within 60 days of the involuntary transfer. Upon receipt by DOE of such an
application, this existing authorization shall continue in effect pending a decision on the
new application. In the event of a proposed voluntary transfer of this authority to export
electricity, the transferee and the transferor shall file a joint application for a new export
authorization, together with a statement of the reasons for the transfer.

(I) Nothing in this Order is intended to prevent the transmission system operator from
being able to reduce or suspend the exports authorized herein, as necessary and
appropriate, whenever a continuation of those exports would cause or exacerbate a
transmission operating problem or would negatively impact the security or reliability of
the transmission system.

(J) The Applicant has a continuing obligation to give DOE written notification as soon
as practicable of any prospective or actual changes of a substantive nature in the
circumstances upon which this Order was based, including but not limited to changes in
authorized entity contact information or NERC compliance registry status.
(K) This authorization shall be effective as of October 13, 2015, and remain in effect for a period of five (5) years from that date. Application for renewal of this authorization may be filed within six months prior to its expiration. Failure to provide DOE with at least sixty (60) days to process a renewal application and provide adequate opportunity for public comment may result in a gap in the Applicant's authority to export electricity.

Issued in Washington, D.C., on October 13, 2015.

[Signature]

Brian Mills
Office of Electricity Delivery and Energy Reliability