

JUL 31 2019

Electricity Delivery and
Energy Reliability

UNITED STATES OF AMERICA
BEFORE THE
DEPARTMENT OF ENERGY
OFFICE OF ELECTRICITY DELIVERY AND ENERGY RELIABILITY

ENEL TRADING NORTH AMERICA, LLC

Docket No. 448

APPLICATION OF ENEL TRADING NORTH AMERICA, LLC
FOR AUTHORIZATION TO TRANSMIT ELECTRICITY TO CANADA

Pursuant to Section 202(e) of the Federal Power Act ("FPA"), 16 U.S.C. § 824a(e) and 10 C.F.R. §205.300, et. seq., Enel Trading North America, LLC ("Applicant") hereby submits this application to the Department Of Energy, Office Of Electricity Delivery And Energy Reliability (the "Department"), for blanket authorization to transmit electric energy from the United States to Canada ("Application"). ETNA respectfully requests authorization to transmit electric energy from the United States to Canada for a period of five (5) years. ETNA further respectfully requests that this application be made effective no later than November 1, 2019.

I. DESCRIPTION OF APPLICANT

Applicant is a Delaware Limited Liability Company located in Andover, Massachusetts. Applicant is a wholly-owned subsidiary of Enel Green Power North America, Inc. ("EGPNA"), a Delaware corporation that is an independent power producer. Applicant and EGPNA are not franchised public utilities with transmission or distribution system, and neither Applicant, nor EGPNA have captive customers.

Applicant is authorized by the Federal Energy Regulatory Commission ("FERC") as a power marketer engaging in the purchase and sale of physical and/or virtual energy in the Day-ahead and Real-time Market of the various Independent System Operators and Regional Transmission Organizations. FERC authorized Applicant to engage in the sale

of energy, capacity, and ancillary services at market-based rates.¹ A copy of this order is attached as Exhibit G.

II. INFORMATION REQUIRED PURSUANT TO 10 C.F.R. § 205.302

a. Exact legal name of applicant:

Enel Trading North America, LLC

b. Exact legal name of all partners:

Not applicable.

c. Name, title, post office address, and telephone number of the person to whom correspondence in regard to the application shall be addressed:

Nicolette Blades, Esq.
Associate General Counsel
Enel Green Power North America, Inc.
100 Brickstone Square, Suite 300
Andover, MA 01810
Email: nicolette.blades@enel.com
Tel: 978.560.7810

d. State or territory under the laws of which the applicant is organized or incorporated, or authorized to operate. If the applicant is authorized to operate in more than one state, all pertinent facts shall be included:

Applicant is a Delaware Limited Liability Company that was incorporated on October 28, 2016 and is currently authorized to operate and transact business as a foreign entity in Massachusetts and Texas.

e. Name and address of any known Federal, State or local government agency which may have any jurisdiction over the action to be taken in this application and a brief description of that authority.

Pursuant to Section 202(e) of the Federal Power Act, the Department is the sole agency with jurisdiction over the proposed transmission of electric energy to Canada as described in this Application.

¹ See *Enel Trading North America, Inc.* (sic), Application for Market-Based Rate Authority, Docket No. ER17-681-000 (accepted by order dated February 7, 2017).

No other known Federal, State or local government entity or agency has jurisdiction over the proposed transmission of electric energy to Canada as described in this Application.

- f. Description of the transmission facilities through which the electric energy will be delivered to the foreign country, including the name of the owners and the location of any remote facilities.**

Applicant seeks authorization to transmit electric energy to Canada over the existing authorized international electric transmission facilities listed in Exhibit C to this Application. Applicant's request for authorization under this Application qualifies for a categorical exclusion under the Department's regulations implementing the National Environment Policy Act of 1969, inasmuch as Applicant's request for export authority is limited to the use of transmission facilities for which a Presidential Permit has been issued.

- g. Technical discussion of the proposed electricity export's reliability, fuel use and system stability impact on the applicant's present and prospective electric power supply system. Applicant must explain why the proposed electricity export will not impair the sufficiency of electric supply on its system and why the export will not impede or tend to impede the regional coordination of electric utility planning or operation.**

Applicant seeks authority to transmit electric power to Canada as a power marketer for a period of five (5) years, or for such other period as the Department deems appropriate, effective from the date of the order granting this Application.

As noted above, Applicant does not have its own transmission or distribution system on which its exports of energy could have an impact with respect to electric supply. As such, Applicant's proposed exports would not impair the sufficiency of the electric supply on "its system," as Applicant does not own or operate an integrated transmission or distribution system. The electric energy that Applicant would export on a firm or interruptible basis would be surplus energy purchased in wholesale

markets using bilateral, voluntary transactions. Moreover, any such energy would be surplus to the needs of the relevant system, and the export of said energy would not impair the adequacy of electric power supply within the United States by adversely impacting native load customers or other market participants.

The requested authorization will not impede or tend to impede regional coordination of electric utility planning or operations. Applicant's export transactions will be completed using the relevant procedures and /or market structures, and coordinated with all parties as required pursuant to the applicable market rules, as well as the reliability standards implemented by the North American Electric Reliability Corporation ("NERC"). Applicant further agrees to abide by the export limits contained in the relevant authorization of any transmission facility over which it exports energy to Canada. Therefore, Applicant's export transactions will not compromise transmission system security or reliability.

III. EXHIBITS REQUIRED BY 10 C.F.R. § 205.303

In compliance with 10 C.F.R. § 205.303, the following exhibits are attached to this Application:

Exhibit A	Transmission Agreements	Not Applicable; Applicant will purchase transmission services from regulated transmission providers under applicable tariff terms and conditions.
Exhibit B	Opinion of Counsel	Attached.
Exhibit C	Transmission Facilities	The name, location, voltage, and the Presidential Permits under

		which the relevant border transmission facilities are constructed and maintained is set forth in Exhibit C along with a map showing the locations of each of these facilities.
Exhibit D	Designation of Agent	Not Applicable.
Exhibit E	Statement of Corporate Relationship	Not Applicable.
Exhibit F	Operating Procedures	Not Applicable; Applicant is not a franchised public utility with captive customers. Any export of electric energy from the United States to Canada by Applicant will be completed using all applicable procedures and/or market structures, and coordinated with relevant parties as required pursuant to the reliability standards and market rules as defined and implemented by NERC, FERC and all relevant balancing authorities and transmission operators.

IV. VERIFICATION, REQUIRED COPIES, AND FEE

Verification executed by Applicant's authorize representative in accordance with 10

C.F.R. § 205.302(h) is enclosed with this Application. In accordance with the requirements of 10 C.F.R. § 205.307, an original and two (2) conformed copies of this Application are being provided to the Department. In accordance with the requirements of 10 C.F.R. § 205.309, a copy of this Application will be provided to the Secretary of FERC.

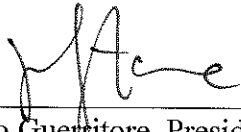
A check in the amount of \$500.00 made payable to the Treasurer of the United States is enclosed in payment of the fee specified in 10 C.F.R. § 205.309.

V. CONCLUSION

Applicant respectfully request that the Department grant this Application for blanket authorization to transmit electric energy from the United States to Canada, for a period of five (5) years with such authorization to be effective as of November 1, 2019.

Dated: 29 July 2019

Submitted By: _____


Piero Gueritore, President and CEO
Enel Trading North America, LLC

VERIFICATION

I, Piero Guerritore, being first duly sworn, state that I am the President and CEO of Enel Trading North America, LLC; that I have reviewed this APPLICATION OF ENEL TRADING NORTH AMERICA, LLC FOR AUTHORIZATION TO TRANSMIT ELECTRICITY TO CANADA and its exhibits and am familiar with the contents thereof; and that all of the statements contained therein are true and correct to the best of my knowledge, information and belief.

Sincerely,



Piero Guerritore
President and CEO
Enel Trading North America, LLC

NOTARIZATION:

Subscribed and sworn to before me on this 29th day of July, 2019.



Commonwealth of Massachusetts Notary Public, NICOLETTE BLADES
[printed name]

My commission expires MARCH 1, 2024

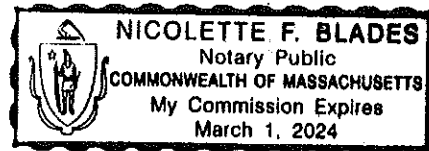


EXHIBIT A

Not Applicable; Applicant will purchase transmission services from regulated transmission providers under applicable tariff terms and conditions.

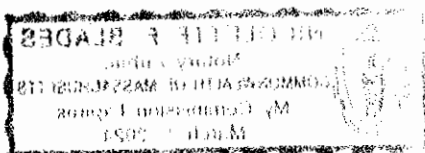


EXHIBIT B

Opinion of Counsel is attached.

Signed Opinion of Counsel that proposed export is within Applicant's limited liability power, and that Applicant has and will comply with pertinent Federal and State Laws.



760 SW Ninth Ave., Suite 3000
Portland, OR 97205-2584
T. 503.224.3380
F. 503.220.2480
www.stoel.com

July 29, 2019

U.S. Department of Energy
Office of Electricity Delivery and Energy Reliability
OE-20, Room 6H-034
1000 Independence Avenue, SW
Washington, D.C. 20585

Re: Application of Enel Trading North America, LLC for Authorization to Transmit Electricity to Canada

Ladies and Gentlemen:

We are counsel to Enel Trading North America, LLC, a Delaware limited liability company ("*ETNA*") and render this opinion letter to you pursuant to 10 C.F.R. § 205.303(b) at ETNA's request in connection with ETNA's Application for Authorization to Transmit Electricity to Canada dated July 29, 2019 (the "*Application*").

For purposes of rendering our opinions below, we have reviewed copies of the Application, the Certificate of Formation of ETNA filed with the Delaware Secretary of State on October 28, 2016, and the Limited Liability Company Agreement of ETNA dated October 28, 2016 (in each case in the forms provided to us by ETNA). We also have relied on information in certificates concerning ETNA dated as of recent dates from the Secretary of State of the State of Delaware and from the President and Chief Executive Officer of ETNA (the "*Officer's Certificate*"). We have assumed without independently verifying the accuracy of all factual information in the documents and certificates referred to in this paragraph.

Based on the foregoing, we are of the opinion that:

1. The export of electricity contemplated by the Application is within the limited liability company powers of ETNA; and
2. ETNA has directed its officers and agents to take all necessary steps to comply with all pertinent state and federal laws in connection with the actions to be taken under the Application.

We advise you that the foregoing opinion 1 is based on the laws of the State of Delaware and that opinion 2 is based on the representations in the Officer's Certificate. We express no opinions herein as to the laws of any jurisdiction *other than* the State of Delaware, and we provide no assurance that ETNA's officers and agents will in fact comply with all applicable state and federal laws in connection with the actions to be taken by them under the Application.

U.S. Department of Energy
July 29, 2019
Page 2

This letter is furnished solely for your benefit and only with respect to the transactions contemplated by the Application. Accordingly, it may not be used or relied upon by any other person or entity, or for any other purpose, without our prior written consent. This opinion letter is to be interpreted in accordance with the *Statement on the Role of Customary Practice in the Preparation and Understanding of Third-Party Legal Opinions*, 63 BUSINESS LAWYER 1277 (Aug. 2008) and the professional community practices and standards in the United States of America.

Very truly yours,



STOEL RIVES LLP

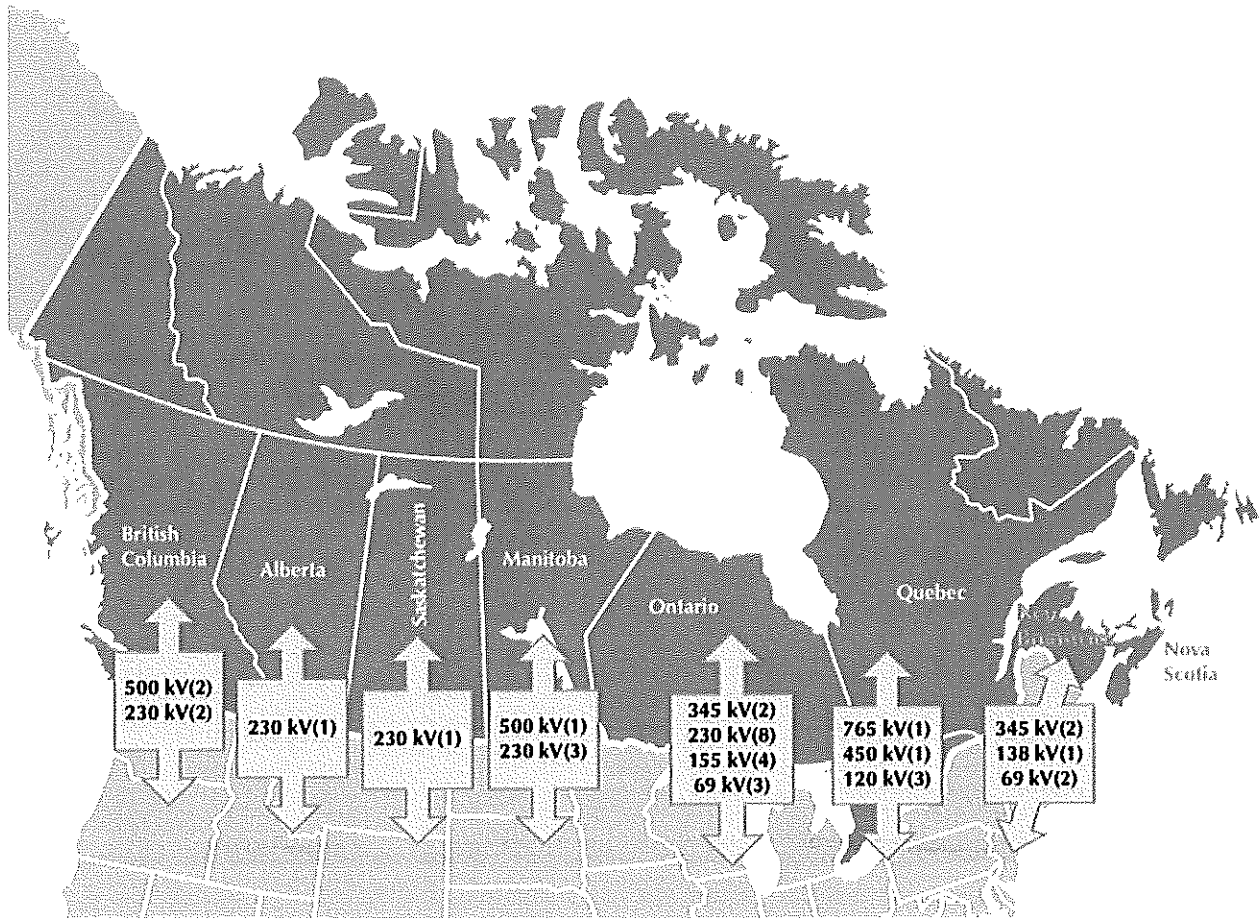
EXHIBIT C

Location of Proposed Border Crossing or Power Transfer Point(s)
Including Presidential Permit Number.

<u>Name</u>	<u>Location</u>	<u>Voltage</u>	<u>Presidential Permit No.</u>
Bangor Hydro-Electric Company	Baileyville, ME	345-kV	PP-89
Basin Electric Power Cooperative	Tioga, ND	230-kV	PP-64
Bonneville Power Administration	Blaine, WA	2500-kV	PP-10
Bonneville Power Administration	Nelway, WA	230-kV	PP-36
Bonneville Power Administration	Nelway, WA	230-kV	PP-46
Eastern Maine Electric Cooperative	Calais, ME	69-kV	PP-32
International Transmission Company	Detroit, MI	230 kV	PP-230
International Transmission Company	Marysville, MI	230-kV	PP-230
International Transmission Company	St. Claire, MI	230-kV	PP-230
International Transmission Company	St. Claire, MI	345-kV	PP-230
ITC Lake Erie Connector	Erie County, PA	320-kV	PP-412
Joint Owners of the Highgate Project	Highgate, VT	120-kV	PP-82
Long Sault, Inc.	Massena, NY	2-115-kV	PP-24
Maine Electric Power Company	Houlton, ME	345-kV	PP-43
Maine Public Service Company	Limestone, ME	69-kV	PP-12
Maine Public Service Company	Fort Fairfield, ME	69-kV	PP-12
Maine Public Service Company	Madawaska, ME	138-kV	PP-29
Maine Public Service Company	Aroostook, ME	2-69-kV	PP-29
Minnesota Power, Inc.	International Falls, MN	115-kV	PP-78
Minnesota Power, Inc.	Roseau County, MN	500-kV	PP-398
Minnkota Power Cooperative	Roseau County, MN	230-kV	PP-61
Montana Alberta Tie Ltd.	Cut Bank, MT	230-kV	PP-305
New York Power Authority	Massena, NY	765-kV	PP-56
New York Power Authority	Massena, NY	2-230-kV	PP-25
New York Power Authority	Niagara Falls, NY	2-345-kV	PP-74
New York Power Authority	Devils Hole, NY	230-kV	PP-30
Niagara Mohawk Power Corp.	Devils Hole, NY	230-kV	PP-190
Northern States Power Company	Red River, ND	230-kV	PP-45
Northern States Power Company	Roseau County, MN	500-kV	PP-63
Northern States Power Company	Rugby, ND	230-kV	PP-231

Sea Breeze Olympic Converter LP	Port Angeles, WA	+/- 450-kV DC	PP-299
Vermont Electric Power Co.	Derby Line, VT	120-kV	PP-66
Vermont Electric Transmission Co.	Norton, VT	+/- 450-kV DC	PP-76

FIGURE 1: Major Transmission Interconnections between Canada and the United States



Note that kV stands for kilovolts, therefore 500 kV means 500,000 volts.
Source: National Energy Board (Canada) 2016.

EXHIBIT D

Not Applicable.

EXHIBIT E

Not Applicable.

EXHIBIT F

Not Applicable; Applicant is not a franchised public utility with captive customers. Any export of electric energy from the United States to Canada by Applicant will be completed using all applicable procedures and/or market structures, and coordinated with relevant parties as required pursuant to the reliability standards and market rules as defined and implemented by NERC, FERC and all relevant balancing authorities and transmission operators.

EXHIBIT G

FERC Order Granting Market-Based Rate Authorization

Docket No. ER17-681-000, issued February 7, 2017

See Attached

FEDERAL ENERGY REGULATORY COMMISSION
Washington, D.C. 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:
Enel Trading North America, Inc.
Docket No. ER17-681-000

February 7, 2017

Mr. William D. DeGrandis
Attorney for Enel Trading North America, Inc.
Paul Hastings LLP
875 15th Street, N.W.
Washington, D.C. 20005

Reference: Market-Based Rate Authorization

Dear Mr. DeGrandis:

On December 27, 2016, you filed on behalf of Enel Trading North America, Inc. (Enel Trading) an application for market-based rate authority with an accompanying tariff. The proposed market-based rate tariff provides for the sale of energy, capacity, and ancillary services at market-based rates.¹ Enel Trading requests waivers commonly granted to similar market-based rate applicants.

Your filing was noticed on December 28, 2016, with comments, protests or interventions due on or before January 17, 2017. None was filed.

Pursuant to the authority delegated to the Director, Division of Electric Power Regulation - West, under 18 C.F.R. § 375.307, your submittal filed in the referenced docket is accepted for filing, effective January 27, 2017, as requested.² Based on your

¹ Enel Trading requests authorization to sell ancillary services in the markets administered by PJM Interconnection, L.L.C., New York Independent System Operator, Inc., ISO New England Inc., California Independent System Operator Corp., Midcontinent Independent System Operator, Inc. (MISO), and Southwest Power Pool, Inc. (SPP). Enel Trading also requests authorization to engage in the sale of certain ancillary services as a third-party provider in other markets.

² We note that Enel Trading is not being granted authority to make third-party sales of operating reserves to a public utility that is purchasing ancillary services to satisfy its own open access transmission tariff requirements to offer ancillary services to

representations, Enel Trading meets the criteria for a Category 1 seller in all regions except for the SPP region in which it is a Category 2 seller and is so designated.³

You state that Enel Trading will act as a power marketer and is affiliated with approximately 2,200 megawatts (MW) of generation capacity in the SPP region, 30 MW in the Northeast region, 300 MW in the Southeast region, 200 MW in the Central region, and 163 MW in the Northwest region. You represent that you are a wholly owned subsidiary of Enel S.p.A., an Italian joint-stock company. You state that Enel Trading and its affiliates' interconnection facilities qualify for the blanket OATT waiver under Order No. 807.⁴ Therefore, Enel Trading has mitigated any transmission market

its own customers. If Enel Trading seeks such authority, it must make the required showing and receive Commission authorization prior to making such sales. *See Third-Party Provision of Ancillary Services; Accounting and Financial Reporting for New Electric Storage Technologies*, Order No. 784, FERC Stats. & Regs. ¶ 31,349, at PP 200-202 (2013), *order on clarification*, Order No. 784-A, 146 FERC ¶ 61,114 (2014). *See also Third-Party Provision of Primary Frequency Response Service*, Order No. 819, FERC Stats. & Regs. ¶ 31,375 at P 70 (2015).

³ *See Refinements to Policies and Procedures for Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 816, FERC Stats. & Regs. ¶ 31,374, at P 320 (2015), *order on reh'g*, Order No. 816-A, FERC Stats. & Regs. ¶ 31,382 (2016); *Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 697, FERC Stats. & Regs. ¶ 31,252, at PP 848-850, *clarified*, 121 FERC ¶ 61,260 (2007), *order on reh'g*, Order No. 697-A, FERC Stats. & Regs. ¶ 31,268, *clarified*, 124 FERC ¶ 61,055, *order on reh'g*, Order No. 697-B, FERC Stats. & Regs. ¶ 31,285 (2008), *order on reh'g*, Order No. 697-C, FERC Stats. & Regs. ¶ 31,291 (2009), *order on reh'g*, Order No. 697-D, FERC Stats. & Regs. ¶ 31,305 (2010), *aff'd sub nom. Mont. Consumer Counsel v. FERC*, 659 F.3d 910 (9th Cir. 2011), *cert. denied*, 133 S. Ct. 26 (2012). Enel Trading must file an updated market power analysis for each region in which it is designated as a Category 2 seller in compliance with the regional reporting schedule. *See* Order No. 816, FERC Stats. & Regs. ¶ 31,374 at P 353.

⁴ In Order No. 807, the Commission amended its regulations to waive the Open Access Transmission Tariff requirements of 18 C.F.R. § 35.28, the Open Access Same-Time Information System requirements of Part 37, and the Standards of Conduct requirements of Part 358, under certain conditions, for entities that own interconnection facilities. *See* Open Access and Priority Rights on Interconnection Customer's Interconnection Facilities, Order No. 807, FERC Stats. & Regs. ¶ 31,367 at PP 57, 176 (2015). *See also Kingfisher Wind, LLC*, 151 FERC ¶ 61,276 (2015); *Balko Wind Transmission, LLC*, 152 FERC ¶ 61,011 (2015).

power. Further, you affirmatively state that Enel Trading and its affiliates have not erected barriers to entry and will not erect barriers to entry into the relevant market.

Market-Based Rate Authorization

The Commission allows power sales at market-based rates if the seller and its affiliates do not have, or have adequately mitigated, horizontal and vertical market power.⁵

You state that Enel Trading relies on Buffalo Dunes Wind Project, LLC's market power analysis, which has been accepted by the Commission,⁶ to demonstrate that Enel Trading passes both the pivotal supplier and the wholesale market share screens for the SPP market. Enel Trading has also prepared the pivotal supplier and wholesale market share screens for the MISO market consistent with the requirements of Order Nos. 816 and 697.

Enel Trading's horizontal market power screens have been reviewed, and Enel Trading passes both the pivotal supplier and wholesale market share screens in the MISO market. Based on your representations, Enel Trading's submittal⁷ satisfies the Commission's requirements for market-based rate authority regarding horizontal market power.

Based on your representations, Enel Trading's submittal also satisfies the Commission's requirements for market-based rates regarding vertical market power.

Enel Trading's request for waiver of Subparts B and C of Part 35 of the Commission's regulations requiring the filing of cost-of-service information, except for sections 35.12(a), 35.13(b), 35.15 and 35.16 is granted. Enel Trading's request for waiver of Part 41 and Part 141 of the Commission's regulations concerning accounting and reporting requirements is granted with the exception of 18 C.F.R. §§ 141.14 and 141.15.⁸ Enel Trading's request for waiver of Part 101 of the Commission's regulations

⁵ Order No. 697, FERC Stats. & Regs. ¶ 31,252 at PP 62, 399, 408, 440.

⁶ *Buffalo Dunes Wind Project, LLC*, Docket No. ER13-2409-006 (June 17, 2016) (delegated letter order).

⁷ The next time Enel Trading makes a market-based rate filing with the Commission, it must include a revised tariff in compliance with Appendix C – Limitations and Exemptions Regarding Market-Based Rate Authority to include appropriate citations. *Niagara Mohawk Power Corporation*, 121 FERC ¶ 61,275 (2007) at P 8. See also, Order No. 697-A, FERC Stats. & Regs. ¶ 31,268 at P 384.

⁸ See Order No. 697, FERC Stats. & Regs. ¶ 31,252 at PP 984-985.

is hereby granted, with the exception that waiver of the provisions of Part 101 that apply to hydropower licensees is not granted with respect to licensed hydropower projects.⁹ Notwithstanding the waiver of the accounting and reporting requirements here, Enel Trading is expected to keep its accounting records in accordance with generally accepted accounting principles.

Enel Trading requests blanket authorization under Part 34 of the Commission's regulations for all future issuances of securities and assumptions of liability. A separate notice was published in the Federal Register establishing a period during which protests could be filed. None was filed. Enel Trading is authorized to issue securities and assume obligations or liabilities as guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issue or assumption is for some lawful object within the corporate purposes of Enel Trading, compatible with the public interest, and reasonably necessary or appropriate for such purposes.¹⁰

Enel Trading must file an Electric Quarterly Report (EQR) with the Commission, consistent with Order Nos. 2001¹¹ and 768.¹² Enel Trading must file EQRs electronically

⁹ Hydropower licensees are required to comply with the requirements of the Uniform System of Accounts pursuant to 18 CFR Part 101 to the extent necessary to carry out their responsibilities under Part I of the Federal Power Act (FPA). We further note that a licensee's status as a market-based rate seller under Part II of the FPA does not exempt it from its accounting responsibilities as a licensee under Part I of the FPA. See Order No. 816, FERC Stats. & Regs. ¶ 31,374 at PP 345-350; *Seneca Gen., LLC*, 145 FERC ¶ 61,096, at P 23, n.20 (2013) (citing *Trafalgar Power, Inc.*, 87 FERC ¶ 61,207, at 61,798 (1999) (noting that "all licensees are required to comply with the requirements of the Uniform System of Accounts to the extent necessary to carry out their responsibilities under [s]ections 4(b), 10(d) and 14 of the FPA")).

¹⁰ See Order No. 697, FERC Stats. & Regs. ¶ 31,252 at PP 999-1000.

¹¹ *Revised Public Utility Filing Requirements*, Order No. 2001, FERC Stats. & Regs. ¶ 31,127, *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074, *reh'g denied*, Order No. 2001-B, 100 FERC ¶ 61,342, *order directing filing*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002), *order directing filing*, Order No. 2001-D, 102 FERC ¶ 61,334, *order refining filing requirements*, Order No. 2001-E, 105 FERC ¶ 61,352 (2003), *order on clarification*, Order No. 2001-F, 106 FERC ¶ 61,060 (2004), *order revising filing requirements*, Order No. 2001-G, 120 FERC ¶ 61,270, *order on reh'g and clarification*, Order No. 2001-H, 121 FERC ¶ 61,289 (2007), *order revising filing requirements*, Order No. 2001-I, FERC Stats. & Regs. ¶ 31,282 (2008).

¹² *Elec. Mkt. Transparency Provisions of Section 220 of the Fed. Power Act*, Order No. 768, FERC Stats. & Regs. ¶ 31,336 (2012), *order on reh'g*, Order No. 768-A, 143 FERC ¶ 61,054 (2013).

with the Commission consistent with the procedures set forth in Order No. 770.¹³ Enel Trading further must timely report to the Commission any change in status that would reflect a departure from the characteristics the Commission relied upon in granting market-based rate authority.¹⁴

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, or practice affecting such rate or service provided for in the filed documents; nor shall such action be deemed as recognition of any claimed contractual right or obligation affecting or relating to such service or rate; and such acceptance is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against any of the applicant(s).

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.

Questions regarding the above order should be directed to:

Federal Energy Regulatory Commission
Attn: Gregory Basheda
Phone: (202) 502-6479
Office of Energy Market Regulation
888 First Street, N.E.
Washington, D.C. 20426

Sincerely,

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

¹³ See *Revisions to Electric Quarterly Report Filing Process*, Order No. 770, FERC Stats. & Regs. ¶ 31,338, at P 3 (2012) (citing Order No. 2001, FERC Stats. & Regs. ¶ 31,127 at P 31).

¹⁴ 18 C.F.R. § 35.42 (2016); see also *Reporting Requirement for Changes in Status for Public Utilities with Market-Based Rate Authority*, Order No. 652, FERC Stats. & Regs. ¶ 31,175, order on reh'g, 111 FERC ¶ 61,413 (2005).