

ORDER 1000 COMPLIANCE CHART¹

REGIONAL PLANNING PROCESS²

¶	Description	Forum	Compliant
P 65	New Facilities. The Final Rule applies to evaluation or re-evaluation of any transmission facility that occurs after the effective date of the TP's compliance filing. a. Determine at which point a previously approved project is no longer subject to re-evaluation and, as a result, whether it is subject to the requirements of the Final Rule; b. Explain how TP will determine which transmission facilities evaluated in its RTEP process will be subject to the Final Rule.	RPPTF	No
P 146	Evaluate, in consultation with stakeholders, alternative transmission solutions that might meet the needs of the planning region more efficiently or cost effectively than solutions identified by TP in their local planning process.	RPPTF	OA, Schedule 6, sections 1.4(d)(iv), 1.5.3 and 1.5.6(b) and (h)
P146, 155 and n. 149	Comparability. Tariff language must clearly state how one type of investment would be considered against another, how one resource would be chosen over another or how a competing proposal would be selected over another proposal.	RPPTF	OA, Schedule 6, section 1.4(b). Could be expanded upon.
P 150 and 153	RTEP process must provide stakeholders an opportunity to participate in the RTEP process in a timely and meaningful manner. Ensure that stakeholders have: a. an opportunity to express their needs, b. access to information and an opportunity to provide information, c. an opportunity participate in the identification and evaluation of regional solutions, d. access to models and data used in the RTEP process, as well as greater access to information and transparency.	RPPTF	OA, Schedule 6, sections, 1.3(a), (b), (d), 1.5.4 (a) – (g) and 1.5.6(b). Review to determine if it could be expanded.
P 161	Produce a regional plan		Yes. Schedule 6, section 1.1.
P 400	As required under Order No. 890, TPs must make available information regarding the status of transmission upgrades identified in their plans in addition to the underlying transmission plans and related transmission studies.		Yes. Could be expanded upon.
P 224	TPs may include within their compliance filings any tariff revisions they believe necessary to implement flexible transmission planning criteria, including changes to existing bright-line criteria. ³	RPPTF	

¹ To the extent existing transmission planning processes satisfy the requirements of this Final Rule, TPs need not revise their Tariff and, instead, should describe in their compliance filings how the relevant requirements are satisfied by reference to tariff sheets already on file the Commission. See Order No. 1000 at n. 71.

² With the exception of interregional planning, the Order No. 1000 compliance date is October 11, 2012.

PLANING FOR PUBLIC POLICY

¶	Description	Forum	Compliant
P 82, 203 and 207	Amend OATT to describe procedures by which transmission needs driven by Public Policy Requirements will be identified in the RTEP process and how potential solutions to the identified transmission needs will be evaluated in the RTEP process. Such procedures must allow stakeholders an opportunity to provide input and offer proposals regarding the transmission needs they believe are driven by Public Policy.	RPPTF	No
n. 189	TP could rely on committees of state regulators or, with appropriate approval from Congress, compacts between interested states to identify transmission needs driven by Public Policy Requirements for TPs to evaluate in the transmission planning process	RPPTF	
P 209	TPs must post on their websites an explanation of which transmission needs driven by Public Policy Requirements will be evaluated for potential solutions in the regional transmission planning process, as well as an explanation of why other suggested transmission needs will not be evaluated.	RPPTF	No
P 211	Process must allow stakeholders to evaluate proposals for transmission facilities proposed to satisfy an identified transmission need driven by Public Policy Requirements.	RPPTF	No
P 212	TPs must provide an opportunity to all stakeholders, including state regulatory authorities, to provide input on those transmission needs they believe are driven by Public Policy Requirements.	RPPTF	All stakeholders have an opportunity to provide input on transmission needs, including Public Policy. Could be expanded upon.

³ Because tariff revisions will be included as part of the compliance filings in response to the Final Rule, they will be submitted pursuant to section 206 of the FPA rather than section 205.

RIGHT OF FIRST REFUSAL (ROFR)

¶	Description	Forum	Compliant
P 253	Remove provisions from tariffs and agreements that grant incumbent TPs a federal ROFR to construct transmission facilities selected in a regional transmission plan for purposes of cost allocation		Yes
n. 241	For one solution to be chosen over another in the planning process there must be an evaluation of the relative economics and effectiveness of performance or each alternative.		
P 259 and 321	TPs in a region may, but are not required, to use competitive solicitations to solicit projects or project developers to meet regional needs.		OA, Schedule 6, section 1.5.6(b). Could be expanded upon
P 263	Amend OATT to describe the circumstances and procedures under which TPs will reevaluate the regional plan to determine if delays in the development of a transmission facility selected in a RTEP for purposes of cost allocation require evaluation of alternative solutions, including those the incumbent TP proposes to ensure the incumbent can meet its reliability needs or service obligations.		No.

NON-INCUMBENT DEVELOPER

Cite	Description	Forum	Compliant
P 323	Revise OATT to demonstrate that the planning process has established appropriate qualification criteria for determining an entity's eligibility to propose a transmission project for selection in the regional plan for purposes of cost allocation. The qualification criteria must provide each potential developer the opportunity to demonstrate that it has the necessary financial resources and technical expertise to develop, construct, own, operate and maintain transmission facilities.	RPPTF	No
P 323	Revise OATT to include procedures for timely notification to developers whether they satisfy the region's qualification criteria and opportunities to mitigate any deficiencies.	RPPTF	No
P 325 and 327	Revise OATT to identify: (i) information that must be submitted by a prospective developer in support of a transmission project it proposes in the planning process; (ii) the date by which such information must be submitted to be considered in a given transmission planning cycle, including potentially the use of rolling or flexible dates to reflect the iterative nature of the process;	RPPTF	No
P 328	Amend OATT to describe a transparent and not unduly discriminatory process for evaluating whether to select a proposed transmission facility in plan for purposes of cost allocation. The evaluation process must be sufficiently detailed for stakeholders to understand why a particular transmission project was selected in the plan for purposes of cost allocation.	RPPTF	No
P 329	Amend OATT to describe the circumstances and procedures under which TPs will reevaluate the plan to determine if delays in the development of transmission facility selected in plan require evaluation of alternative solutions, including those proposed by incumbent developer to ensure the incumbent can meet its reliability needs or service obligations.	RPPTF	No
P 336	TPs must establish, in consultation with stakeholders, procedures to ensure that all projects are eligible to be considered for selection in the plan for purposes of cost allocation, <u>e.g.</u> , non-discriminatory competitive bidding process.	RPPTF	No.
P 336	Plan must also have a fair and not unduly discriminatory mechanism to grant to an incumbent or non-incumbent the right to use the regional cost allocation method for unsponsored transmission facilities selected in the plan for purposes of cost allocation.	RPPTF	No.

INTERREGIONAL PLANNING⁴

Cite	Description	Forum	Compliant
P 368	Include in OATT clear and transparent procedures that result in the sharing of information regarding common needs and potential solutions across the seams of neighboring transmission planning regions to facilitate the identification of interregional transmission facilities that more efficiently or cost-effectively could meet the needs identified in individual regional transmission plans.		
	MISO		Yes
	NY ISO		Yes
	ISO-NE		Yes
	Progress Energy		Yes
	Tennessee Valley Authority		Yes
P 396	Each TP, through its regional planning process must establish further procedures with each of its neighboring planning regions for the purpose of coordinating and sharing the results of respective regional transmission plans to identify possible interregional transmission facilities that could address transmission needs more efficiently or cost-effectively than separate regional transmission facilities.		Yes.
P 396 and 398	Each TP must enhance its existing regional planning processes to provide for: (i) sharing of information regarding the respective needs of each region and potential solutions to those needs; and (ii) the identification and joint evaluation of interregional transmission facilities that may be more efficient or cost-effective solutions to those regional needs. ⁵		Yes
P 398	TPs must include a description of the type of transmission studies that will be conducted to evaluate conditions on their neighboring systems.		Yes.
P 436	The joint evaluation must be conducted in the same general timeframe as, rather than subsequent to, each planning region's individual consideration of the proposed project.		Could be expanded upon.
P436	The proposed interregional project must be selected in both of the relevant regional planning processes for purposes of cost allocation.		Yes.

⁴ The Order No. 1000 compliance date for interregional planning processes is April 11, 2013.

⁵ For interregional planning processes, the same language must be included in each TP's OATT that describes the processes that a particular pair of transmission requirements of this Final Rule (at n. 338).

INTERREGIONAL PLANNING (*cont.*)

Cite	Description	Forum	Compliant
P 437	Each TP, through its regional planning process, must develop procedures by which differences in their processes can be identified and resolved for purposes of jointly evaluating the proposed interregional transmission facility. ⁶		OA, Schedule 6, section 1.5.5. Could be expanded upon
P 438	TPs in neighboring regions must cooperate and develop timelines that allow for coordination and joint evaluation of interregional transmission projects in the same general time frame as each region's consideration of the project. ⁷		Could be expanded upon.
P 454 and 455	Interregional transmission coordination procedures must provide for exchange of planning data and information at least annually. The procedures must reflect the type and frequency of meetings that are appropriate for each pair of regions and will accommodate each pair of region's planning cycles.		Yes. Could be expanded upon.
P 458	TPs must maintain a website or email list for the communication of information related to interregional transmission coordination procedures (can be an existing website)		
P 465	TPs must make transparent the analyses undertaken and determinations reached by neighboring transmission planning regions in the identification and evaluation of interregional transmission facilities.		Could be expanded upon.
P 466	Each TP must give stakeholders the opportunity to provide input into the development of its interregional transmission coordination procedures and the commonly agreed-to language to be included in its OATT.		Yes. Could be expanded upon.
P 475 and n. 372	If TP chooses to reflect interregional coordination procedures in an agreement, filed on compliance for approval by the Commission, the OATT must still provide enough description for stakeholders to follow how interregional transmission coordination will be conducted, with links included to the actual agreement where the details can be found.		OA, Schedule 6, section 1.4(d)(vi)

⁶ Order No. 1000 does not require any particular planning horizons or criteria be used (at P 437).

⁷ Same general timeframe means "provides a meaningful opportunity to review and evaluate through the interregional transmission coordination procedures information developed through the regional transmission planning process and, similarly, provides a meaningful opportunity to review and use in the regional planning process information developed in the interregional transmission coordination procedures (P 439)."

COST ALLOCATION - REGIONAL FACILITIES

Cite	Description	Forum	Compliant
P 558	TP must have in its OATT a common method, or set of methods, for allocating the costs of new transmission facilities selected in the regional transmission plan for purposes of cost allocation that is consistent with the six regional cost allocation principles adopted in the Final Rule		
P 578	TP must have in its OATT a common method, or set of methods, for allocating the costs of new interregional transmission facilities among the beneficiaries of the transmission facility in the two neighboring transmission planning regions in which the transmission facility is located.		
	<p>The regional and interregional cost allocation methods must comply with the following six principles: ⁸</p> <ul style="list-style-type: none"> (i) cost must be allocated commensurate with estimated <i>benefits</i>; (ii) no benefits, no involuntary cost allocation; (iii) no costs allocated outside a transmission planning region unless the other region agrees; (iv) a benefit to cost ratio threshold not required; however, if used, it must not exceed 1.25 to 1 unless justified and accepted by the Commission; (v) the cost allocation method(s) for determining benefits and identifying beneficiaries must be transparent; (vi) a planning region may use different cost allocation methods for different types of transmission facilities in the regional plan. 		
P 607	Each TP must make an individual compliance filing that includes its own proposed method or set of methods of allocating costs that explains how TP believes its method or methods satisfy the cost allocation principles and is appropriate for its region or pair of regions.		

⁸ The six principles serve as guidelines for public utility transmission providers to use to create cost allocation methods that are consistent with the cost causation principle (at P 749).

COST ALLOCATION - REGIONAL FACILITIES

(cont.)

Cite	Description	Forum	Compliant
P 607	In the event of a failure to reach consensus on a cost allocation method or methods, the TP must document in its compliance filing the steps taken to reach consensus on a cost allocation method or set of methods to comply with the Final Rule, as thoroughly as practicable, and provide whatever information TP views as necessary for the Commission to make a determination of the appropriate cost allocation method or methods. ⁹		

⁹ Groups of TPs that agree on a proposed method or methods may make a coordinated filing or filings with their common views (at P 607). The Final Rule further provides that transmission owners that are part of an RTO may demonstrate compliance through that RTO's compliance filing and are not required to make a separate compliance filing (at P 797).