

**ATTACHMENT K  
BUSINESS PRACTICE**

**BLACK HILLS POWER, INC.,  
BASIN ELECTRIC POWER COOPERATIVE AND  
POWDER RIVER ENERGY CORPORATION**

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## **Introduction**

Black Hills Power, Inc., Basin Electric Power Cooperative and Powder River Energy Corporation (referred to hereinafter as the Transmission Provider) each own and operate certain transmission facilities with transmission service pursuant to a FERC-approved Joint Open Access Transmission Tariff (“JOATT”). The Transmission Provider commonly refer to these facilities as the Common Use System (“CUS”). The Transmission Provider will be responsible for meeting all applicable requirements of the FERC Order 890.

In accordance with the Commission’s regulations, the Transmission Provider planning process is performed on a local, sub-regional and regional basis. The Transmission Provider will develop a Local Transmission Plan (“LTP”) which will identify transmission system improvements and/or additions necessary to reliably satisfy, over the planning horizon, Network Customers’ resource and load growth expectations for designated Network Load; Transmission Provider’s resource and load growth expectations for Native Load Customers; Transmission Provider’s obligations pursuant to grandfathered, non-OATT agreements; and the Transmission Provider’s Point-to-Point customers’ projected service needs including obligations for rollover rights.

## **FERC 890 Summary**

The Federal Energy Regulatory Commission (“FERC”) issued Order No. 890 on February 16, 2007. The intent of this Order is to remedy opportunities for undue discrimination and address deficiencies in the pro forma open access transmission tariff (“pro forma OATT”). The Commission therefore amended its regulations and the pro forma OATT, adopted in Order Nos. 888 and 889.

To remedy the potential for undue discrimination in planning activities, the Commission directed all transmission providers to develop a transmission planning process that satisfies nine planning principles with an emphasis on coordination, openness, transparency and stakeholder input. The nine principles are: Coordination, Openness, Transparency, Information Exchange, Comparability, Dispute Resolution, Regional Participation, Economic Planning Studies, and Cost Allocation for new projects. This Attachment K defines how the Transmission Provider will comply with these nine principles now mandated by the FERC in Order 890. Attachment K can be found on the Transmission Providers OASIS at <http://www.oatioasis.com/BHBE>.

## **Principle 1 – Coordination**

### **Order 890 Requirement**

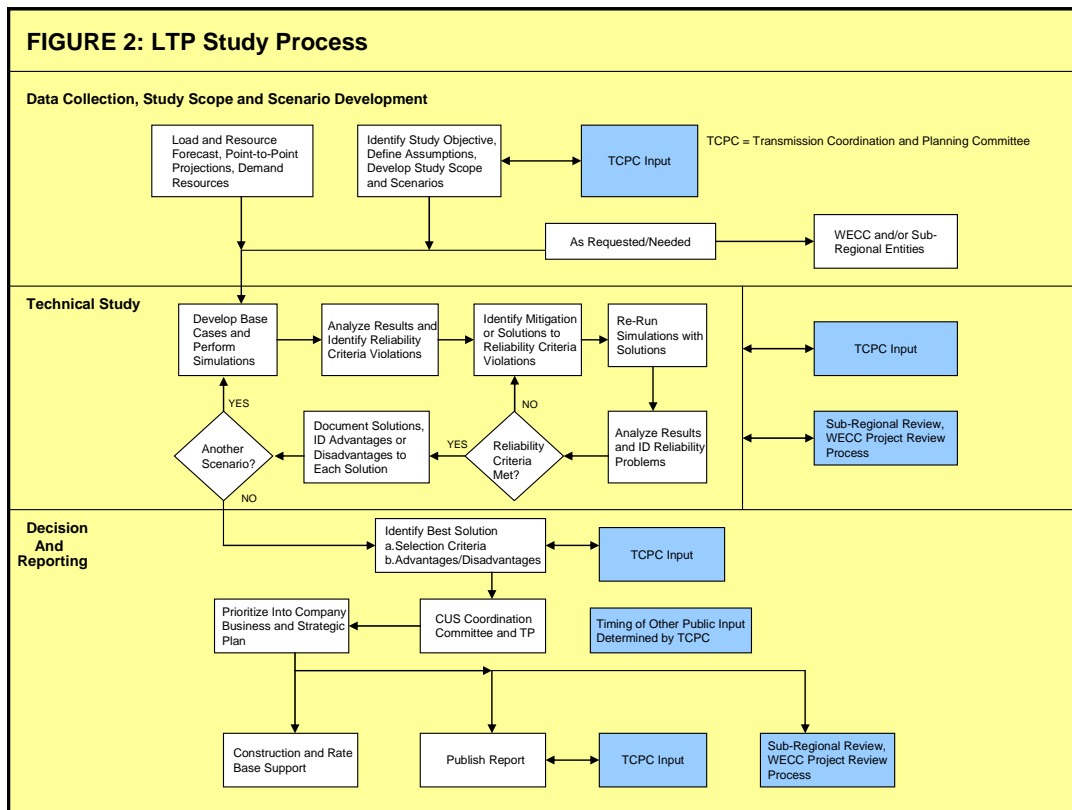
The Coordination principle requires appropriate communication among transmission providers, transmission-providing neighbors, state authorities, customers, and other stakeholders. Transmission providers are allowed to develop coordination requirements with input from their customers and other stakeholders. Coordination requirements will be tailored for respective transmission provider and stakeholder needs.

## Stakeholder Coordination in the Transmission Planning Process

The Transmission Provider will have an open process that allows and promotes customers, interconnected neighbors, regulatory and state bodies and other stakeholders to participate in a coordinated nondiscriminatory process for transmission plan development. To accomplish this coordination, the Transmission Provider will have a process as shown below that will afford stakeholders an opportunity to provide input on methodologies, processes and other elements used in the development of the LTP. The Transmission Provider will have an open process to allow two-way communications with stakeholders and sub-regional and regional planning organizations.

Furthermore, the Transmission Provider will create a stand alone advisory committee named the Transmission Coordination and Planning Committee (“TCPC”). The purpose of TCPC is to provide an open transparent forum whereby electric transmission stakeholders can comment and provide advice to the Transmission Provider during all stages of its transmission planning process. The TCPC charter is further defined in **Attachment 1**.

As can be seen in **Figure 2** below, stakeholder input occurs throughout the planning cycle via the TCPC. A brief description of how the TCPC provides input to the various phases of the LTP study process is provided below. The ultimate responsibility for the LTP will however remain with Transmission Provider and therefore the TCPC will not make decisions or implement the LTP.



**Data Collection, Study Scope and Scenario Development:** As can be seen in **Figure 2** above, this portion of the planning process includes coordination and input from the TCPC. The Transmission Provider will work with TCPC to identify the study objectives, assumptions, study

plan and pertinent scenarios that should be studied in order to meet various stakeholder needs. A scenario will depict a specific condition such as peak and light summer load, maximum and minimum area generation, maximum export, etc.

**Technical Study:** The Technical Study phase of the planning process also includes coordination and input from the TCPC. Once the scenarios are defined, the technical study will begin by developing basecases that specify the modeling information for the scenario. The process will end with identification of technical solutions. The TCPC will provide input into the advantages and disadvantages of each solution.

**Decision:** As noted above, the Transmission Provider will seek input from the TCPC in identifying the specific selection criteria used for the decision. This information along with documented advantages and disadvantages of each solution will be used to aid in selecting the best solution or mitigation. The primary purpose of the decision phase is to provide information about the system problem and identify solutions or mitigations that resolve the problem. The Transmission Provider management will use this information to make an informed decision for future transmission investments needed to service all classes of Transmission Provider customers.

**Reporting:** The Transmission Provider will develop an LTP report for the above information. This report will describe the scenarios, technical studies, decision criteria and how the plan was developed. With the aid of the TCPC, the Transmission Provider will make every attempt to clearly describe the methodology, criteria, and process that clarify how the LTP was developed.

The LTP study process is fully described in the document “Transmission System Planning Methodology, Criteria and Process Business Practice” located on the Transmission Provider OASIS at <http://www.oatioasis.com/BHBE> within the Transmission Planning folder

## Information

To simplify stakeholder involvement and understanding of the LTP study process, an area on the Transmission Provider OASIS website (<http://www.oatioasis.com/BHBE>) dedicated to Transmission Planning has been established. Within the Transmission Planning folder the stakeholders can learn about the Transmission Provider planning activities including:

- past meeting information and minutes,
- future meeting announcements,
- Transmission Provider calendar of events,
- reports and meeting material,
- Transmission Provider contact information.

Stakeholders will have access to all information and material presented or discussed at the TCPC meetings subject to confidentiality requirements. As will be described below, stakeholders can participate in the TCPC meetings by attending the meeting via conference call or other means.

Interested parties can also contact and provide comments directly to the Transmission Provider by accessing the Points of Contact folder on the Transmission Provider OASIS website (<http://www.oatioasis.com/BHBE>). The Transmission Provider will seek input during the development of the LTP by allowing interested parties to participate in meetings, becoming a member of the TCPC or by contacting the Transmission Provider through email or written comments.

## **Comparable Stakeholder Involvement**

The LTP planning process is designed to avoid discrimination in transmission system planning and will involve all stakeholders on a comparable basis. The process will open appropriate lines of communication between transmission providers, transmission-providing neighbors, affected state authorities, customers, and other stakeholders. The Transmission Provider will make its meetings open to all stakeholders, except when Standards of Conduct (SOC) or confidentiality concerns require portions of the meeting to be closed to some participants. The Transmission Provider LTP study process will allow participation by stakeholders, including, but not limited to, the Wyoming Public Service Commission, the South Dakota Public Utilities Commission, transmission customers (network and point-to-point), interconnected generators, electric cooperatives, interconnecting utilities, neighboring transmission providers and other stakeholders.

## **Planning Meetings**

As noted above, the Transmission Provider will form a permanent planning and coordination committee named the Transmission Coordination and Planning Committee. The TCPC will be actively engaged throughout all stages of the LTP planning process. The purpose of this committee will be to provide input to the Transmission Provider and will be actively engaged throughout all stages of the LTP study process. The TCPC will not make decisions or implement the plan. The ultimate responsibility for the transmission plan will remain with Transmission Provider and therefore the TCPC will not make decisions or implement the transmission plan. The TCPC charter is further defined in **Attachment 1**.

## **Meeting Information**

The number of meetings, scope, notice requirements, and the format of the TCPC meetings are described below.

**Number of Meetings:** The TCPC will meet quarterly in an open forum. The TCPC may hold additional meetings as needed to provide meaningful input into the LTP study process, including but not limited to review of gathered data and study scenario development; review of study results; review of draft transmission plans; and coordination of draft plans with those of neighboring transmission providers.

**Scope of Meetings:** The meetings will be open to discuss non-confidential aspects of transmission planning activities including, but not limited to process, methodology, assumptions,

study inputs, criteria, and study results. The intent is to provide a forum that allows stakeholders to have meaningful throughout the Transmission Provider LTP study process. Dissemination of market sensitive information or critical infrastructure information must follow FERC Standards Of Conduct (SOC) and Critical Energy Infrastructure Information (CEII) requirements.

**Notice:** There will two forms of meeting notice: (1) A list of participants (name, organization, phone and email) will be maintained and a notice for each meeting will be provided to prior participants by email; and (2) Notice of a TCPC meeting will be posted on the Transmission Provider OASIS website at least fifteen (15) business days prior to the meeting. The Transmission Planning folder of the Transmission Provider OASIS website will include a file containing the names, addresses and phone numbers for the Transmission Provider Points of Contact.

**Format:** The Transmission Provider or other designated party will facilitate and manage the TCPC meetings. The meetings will be designed to provide opportunities for information exchange about the Transmission Provider transmission plans, methodology and processes. Meetings may be conducted face-to-face, by conference call, by web conference or a combination thereof. Meeting notes and presented information will be posted on the Transmission Provider OASIS website.

## **Stakeholder Communications**

Any pertinent information or announcements will be posted on the Transmission Provider OASIS website.

## **Sub-Regional Coordination**

The Transmission Provider is an active participant in the Colorado Coordinated Planning Group (CCPG) and will participate in the Northern Tier Transmission Group (NTTG) and WestConnect. The Transmission Provider will coordinate its transmission plan with the appropriate sub-regional planning group and with other planning entities as required. CCPG, through WestConnect, and NTTG will coordinate its planning proposals with WECC and other sub-regional planning groups. CCPG, WestConnect and NTTG are open stakeholder processes that have formal stakeholder meetings. Information regarding CCPG, WestConnect and NTTG can be found at <http://ccpg.basinelectric.com>, <http://www.westconnect.com> and <http://www.nttg.biz> respectively.

## **Principle 2 – Openness**

### **FERC Order Requirement Summary**

The Openness principle requires that Transmission Planning meetings be open to all affected parties, including but not limited to all transmission and interconnection customers, state commissions and other stakeholders. If subcommittees or working groups are used, the overall transmission plan and planning process must remain open.

## **Transmission Provider Open Planning Process**

The Transmission Provider LTP planning process will be open to all stakeholders via the TCPC as shown in Figure 2 above. Stakeholders will have the opportunity to review and comment on the LTP throughout the entire process, from data collection to review of the final report. This process is described in Principle 3 - Transparency and in the document “Transmission System Planning Methodology, Criteria and Process Business Practice” located on the Transmission Provider OASIS website. Once the LTP is developed, the Transmission Provider will work with TCPC to produce a report that is clear and understandable.

## **Meetings**

The TCPC meetings will be open to all stakeholders for participation and input.

## **Standards of Conduct and Critical Energy Information**

Protection of Critical Energy Infrastructure Information (CEII) and market sensitive information covered by FERC Standards Of Conduct (SOC) will be observed.

## **Confidentiality**

Access to confidential data by a stakeholder will require a confidentiality agreement. There are two confidentiality agreements that apply – The Transmission Provider confidentiality agreement for Transmission Provider or stakeholder confidential data and a WECC confidentiality agreement for confidential WECC base case data. Access to additional sub-regional or regional data may require additional confidentiality agreements.

- Access to the Transmission Provider confidential data will require signing the Transmission Provider confidentiality agreement. A copy of Transmission Provider confidentiality agreement will be posted on the Transmission Provider OASIS website.
- Access to WECC load and resource data and WECC base case data will require signing a WECC confidentiality agreement. It should be noted that a confidentiality agreement is not required for WECC members to obtain access to base case data.
- The Transmission Provider will apply equal protection to both Transmission Provider and customer confidential information. It is recognized that certain data may not be available to certain participants, even though a confidentiality agreement is signed, due to their relationship to the market or their need to know.

Disclosure of confidential data to state commissions, FERC and other regulatory bodies may be governed by an appropriate protective order. Before confidential data is released to regulating bodies, the Transmission Provider may seek protection of that data through a protective order.

Access to confidential information through the Transmission Provider OASIS website will be protected by controlling access to the information. If necessary, a password-protected site on the Transmission Provider computer or OASIS may be created to provide appropriate access or restriction. Access to confidential information must be approved by the Transmission Provider

and anyone who is granted access will receive a login ID and a password from the Transmission Provider.

### **Sub-Regional and Regional Planning**

With respect to sub-regional and regional planning entity openness, the Transmission Provider will coordinate and provide CCPG, NTTG, WestConnect, WECC or other planning entities the LTP, associated assumptions and other information as requested. Confidential data will be protected through the Transmission Provider confidentiality requirements or the confidentiality requirements of the sub-regional and regional entities.

## **Principle 3 – Transparency**

### **FERC Order Requirement Summary**

The Transparency principle requires disclosure of basic methodology, criteria, assumptions, process and data that underlie transmission system plans. Methodologies, criteria and processes must be published and consistently applied. The Standards of Conduct (SOC) compliance to the release of certain information is critical.

### **Technical Analyses Transparency**

The Transmission Provider will disclose its basic methodology, criteria, process and data used to develop its transmission plan. This information is fully defined in the document “Transmission System Planning Methodology, Criteria and Process Business Practice” located on the Transmission Provider OASIS website.

The Technical Study phase within the LTP study process will use different engineering studies to evaluate system performance against established criteria. Transparency of the Technical Study phase will be foremost in the LTP study process and will be achieved through regular communications with TCPC members. The technical studies are designed to use different engineering perspectives to ensure system reliability is maintained. In addition, applicable NERC standards will be followed when performing technical studies. Analysis methods will include, but are not limited to the following:

- Steady-State Powerflow Analyses
- Post Transient Steady-State Powerflow Analyses
- Transient Stability Analyses
- Short Circuit Fault Duty Analyses
- Reactive Margin Analyses
- Additional studies deemed necessary by the Transmission Provider.

## **Consistent Application**

The Transparency Principle requires a discussion as to how retail native loads are treated, in order to ensure that standards are consistently applied. The openness and transparency of the Transmission Provider LTP study process will ensure consistent application of methodologies, criteria, and processes to all customers' studies. Therefore, all customers will be treated on an equal and comparable basis using the LTP study process described in this business practice and Attachment K. Moreover, the TCPC will provide additional oversight to ensure consistent application of the planning process and associated principles

## **Data Access**

Stakeholders can obtain access to data used in the LTP study process by directly contacting the Transmission Provider if this data is not available on the public portion of the Transmission Provider OASIS website. The Transmission Provider contact information is provided in the Points of Contact document on the Transmission Provider OASIS website.

## **Opportunity for Review and Comment**

Stakeholders, through the TCPC meeting, published documentation or written correspondence, will have full opportunity to review, discuss and comment on the Transmission Provider's assumptions, study plan, scenarios, methodologies, criteria or other planning related items. This process is further described above in Principle 1- Coordination and in the "Transmission System Planning Methodology, Criteria and Process Business Practice" located on the Transmission Provider OASIS website. The Transmission Provider will seek input during the Data Collection phase of the LTP study process by encouraging interested stakeholders to participate in the TCPC meetings, becoming a member of the TCPC or by contacting the Transmission Provider through email or other written correspondence. As noted previously, Transmission Provider contact information can be found on the Transmission Provider OASIS website.

The Transmission Provider will use the Transmission Provider OASIS website postings and TCPC meetings to disseminate information to help achieve the objectives of the Transparency and other planning principles. Stakeholders will have access to non-confidential data, study results and other information within the Transmission Planning folder on Transmission Provider OASIS website. If necessary, a password-protected site on the Transmission Provider computer or OASIS may be created to provide appropriate access or restriction. Access to confidential information must be approved by the Transmission Provider and anyone who is granted access will receive a login ID and a password from the Transmission Provider.

Planning information and study results will be presented at TCPC meetings and posted on the Transmission Provider OASIS website. Study results will be presented in a manner that is clear to stakeholders. The LTP report will be designed to provide a clear understanding to stakeholders and will include technical sections to present engineering results. The Transmission Provider will obtain input from the TCPC in writing the report and developing the LTP.

## **Replication of Planning Studies**

This information with appropriate base case data and the Siemens PTI PSS/E software will enable customers, stakeholders or independent third parties to replicate the results of the Transmission Provider powerflow studies. Replication of the Transmission Provider transient stability studies is possible, but will require significant effort in using non-proprietary software, scripts and programs that must be carefully used with the Siemens PTI PSS/E program. A confidentiality agreement will be required for use of WECC base cases. WECC members can obtain base cases directly from the WECC.

## **Regional Transparency**

In the region, the Transmission Provider will participate in and rely on CCPG, NTTG, WestConnect and WECC transparency documentation for major projects that involve the Transmission Provider transmission system.

## **Principle 4 - Information Exchange**

### **FERC Order Requirement Summary**

The Information Exchange principle requires transmission customers to submit information on projected loads and resources. Network, native load and point-to-point customer information is to be supplied on a comparable basis. The Transmission Provider must develop guidelines and a schedule for load data submittals from network and point-to-point customers. The information collected by the Transmission Providers to provide transmission service to their native load customers must be transparent, and equivalent information must be provided by transmission customers to ensure effective planning and comparability.

### **Information Request**

- The Transmission Provider will request load and generation information from customers that will be used to meet its transmission planning requirements and to meet the requirements of Attachment K. The Transmission Provider will tailor its request for information from Load Serving Entities (LSE) and other customers after the annual WECC Loads and Resources data request and the WECC Power Supply Assessment data request. The Transmission Provider will augment the WECC data requests with requests for other transmission planning data as necessary to study the transmission system. The Transmission Provider will gather historical data, forecast data and other load and generation data as defined in Attachment K and the “Transmission System Planning Methodology, Criteria and Process Business Practice”.
- Use and Confidentiality: The data received will be used to develop the Transmission Provider LTP and confidential data will be administered according to SOC and CEII requirements.

- The Transmission Provider will request forecast data annually during the first quarter. This annual schedule will be merged with the annual Transmission Provider LTP study cycle. A description of the data to be collected can be found in the “Transmission System Planning Methodology, Criteria and Process Business Practice”. This data collection timeline is linked to WECC Load and Resource Data Request submission in December of the calendar year. This schedule may be adjusted if WECC changes its data request response time frames. The Transmission Provider will provide as much advance notice as possible for changes.

## **Procedure for Data Submission**

The customer will provide detailed load forecasts in Excel workbook format. This workbook is available on the Transmission Provider OASIS website.

## **Data Use in Planning Process**

All appropriate customer forecast data will be used in the Transmission Provider LTP study.

## **Confidentiality**

The Transmission Provider will keep all customer specific data confidential. CEII and WECC base case data are confidential, but can be obtained by signing the appropriate confidentiality agreement. However, some confidential data may not be available to marketing entities/individuals because of the market sensitive nature of the information (e.g., generator or line maintenance outages).

## **Customer Responsibility**

Pursuant to Attachment K, Transmission Customers should provide the Transmission Provider with generation, load forecast, and demand response resource information to the maximum extent practical and consistent with protection of proprietary information. Customers should also provide timely written or email notice of material changes to information previously provided relating to its load, resources, or other aspects of its facility or operations affecting the Transmission Provider’s ability to provide service.

## **Principle 5 – Comparability**

### **FERC Order Requirement Summary**

The Comparability principle requires the Transmission Provider to develop a transmission plan, after considering the data and comments supplied by customers and other stakeholders, that: 1) meets the specific service requests of its transmission customers; and 2) provides comparable treatment to similarly situated customers (network and retail native load). Customer demand resources should be considered on a comparable basis to the service provided by comparable generation resources.

## **Ensuring Comparability**

Once the Transmission Provider has received the data, the LTP will be developed after considering and including appropriate stakeholder comments on assumptions, study plan, data, processes and methodology. To ensure comparability, all valid customer data will be included and equally considered in the reliability assessment.

Combining the forecast load and generation information received from the customers with Transmission Provider transmission line and equipment data for the desired year to be studied develops the base cases used in a technical reliability assessment. The load forecast and/or generation dispatch patterns can be varied independently to produce worst case system stresses, or depict a specific operating condition such as the summer peak season. The Transmission Provider does not conduct studies for every possible load and resource dispatch combination, but only the load and resource dispatch patterns that stress the transmission system are evaluated. These base cases that stress the transmission system are then used in a computer simulation to evaluate system performance against established criteria. The transmission system is evaluated with all transmission lines in service (system intact) and with a variety of transmission and generation facilities out of service. For each computer simulation run, the transmission system voltage, transmission facility loading, reactive support and other parameters are measured against established reliability criteria. If the reliability criteria are not met, then appropriate mitigation (transmission and non-transmission solutions) is modeled in the base case and the computer model simulation is run again. This process continues until all reliability criteria are met. The mitigation measures could include enhancements to the transmission system, generation development, demand resource development or other alternatives. Because this assessment is based on established criteria and predetermined load and generation dispatch scenarios, there is no discrimination to any customer type. The Transmission Provider believes this process and resulting LTP will treat similarly situated customers in a comparable manner and therefore, the Comparability principle will be met.

## **Principle 6 - Dispute Resolution**

### **FERC Order Requirement Summary**

The Dispute Resolution principle requires an Alternate Dispute Resolution (ADR) process be available to manage disputes that arise from the planning process. An ADR must address both substantive and procedural planning disputes. Three steps should be included in the ADR process: 1) Negotiation, 2) Mediation, and 3) Arbitration. Existing ADR procedures can be used if appropriate.

### **Transmission Provider Dispute Resolution**

Dispute resolution is fully described in Attachment K.

Any dispute between a Transmission Customer and the Transmission Provider involving transmission service under the Tariff may also be handled by the Dispute Resolution Procedure described in Section 12 of the Transmission Provider JOATT.

## **Principle 7 - Regional Participation**

### **FERC Order Requirement Summary**

The Regional Participation principle requires Transmission Providers to coordinate with interconnected systems to: 1) share system plans to ensure they are simultaneously feasible and otherwise use consistent assumptions and data, and 2) identify system enhancements that could relieve congestion or integrate new resources. The existing regional processes may be used if they are open and inclusive, address both reliability and economic considerations, and coordinate these issues across the region. Sub-regions must have adequate scope and coordination.

### **Transmission Provider Actions**

The Transmission Provider participation in regional and sub-regional planning activities will be broad, ranging from providing data to providing the Transmission Provider transmission plan to participating in sub-regional and regional studies and committees. The Transmission Provider transmission plan associated data and assumptions will be shared with interconnected transmission systems, sub-regions and region entities as required or requested. The Transmission Provider base case data and its transmission plan will be provided when appropriate and with the confidential data protected.

## Transmission Planning Coordination Flow

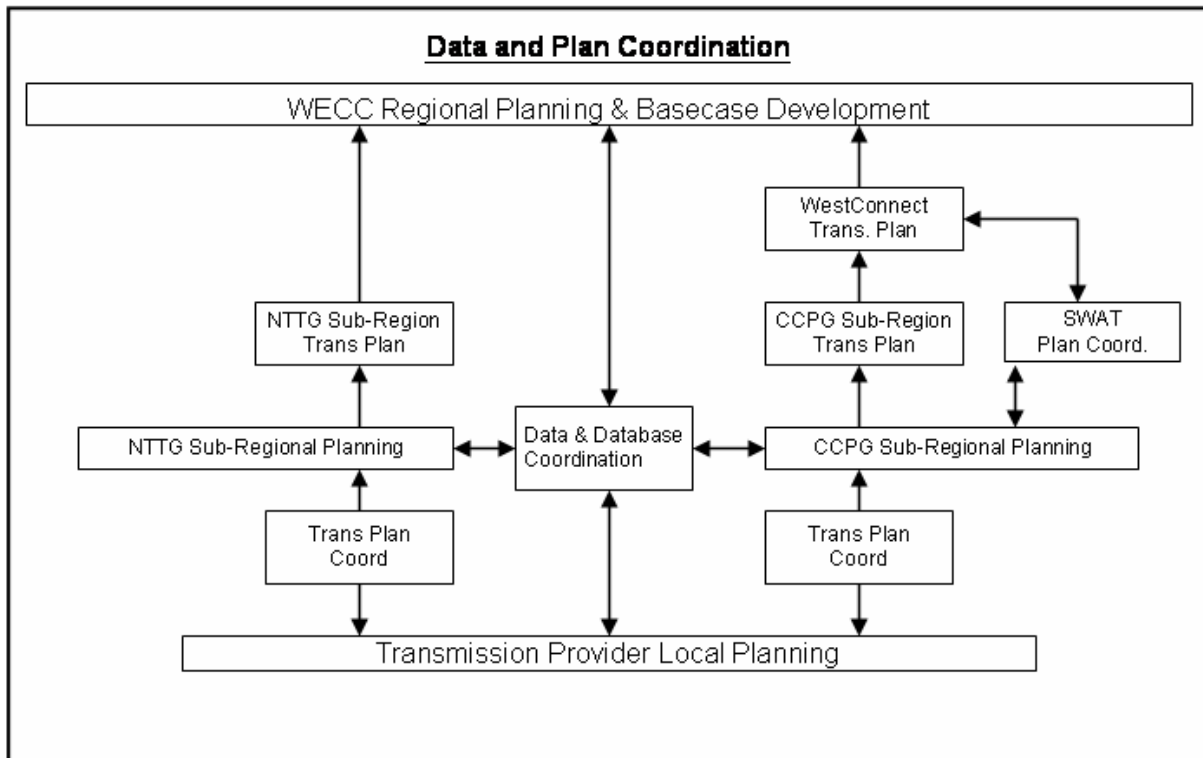


Figure 3: Local, Sub-Regional and Regional Planning

### Sub-Regional Participation

In the sub-regional context, the Transmission Provider is an active participant of the Colorado Coordinated Planning Group (“CCPG”) and will be participating in the Northern Tier Transmission Group (“NTTG”) and WestConnect.

### CCPG-WestConnect

CCPG’s footprint includes the geographic areas of Colorado, Eastern Wyoming, Western South Dakota and Western Nebraska. The CCPG holds open forum meetings which are well attended by utilities, regulatory staff, merchants and other stakeholders. The CCPG exists to aid in coordinated planning under the single-system planning concept within the CCPG footprint, along with conducting sub-regional reliability assessments and facilitating development of joint business opportunities. Many CCPG members are also members of WestConnect. WestConnect is composed of utility companies providing transmission of electricity in the southwestern United States. WestConnect’s intent is to collaboratively assess stakeholder and market needs and to develop cost-effective enhancements to the western wholesale electricity market. On February 26, 2006 CCPG adopted the “Principals for Sub-Regional Transmission Planning” (“Principals”) document. The Principals document was developed with WestConnect and Southwest Area

Transmission (“SWAT”) to identify the contributions CCPG and SWAT will each make to support the WestConnect transmission planning goals. These principals include:

- Conduct a biennial near and long-term transmission system plan in accordance with NERC/WECC planning criteria.
- Provide input to a single near and long-term transmission plan produced by WestConnect to address the WestConnect footprint.
- Ensure that the CCPG and SWAT transmission plans are developed within the same cycle.
- Coordinate base case development.
- Coordinate and share planning efforts between the three entities.
- Develop coordinated transmission plans as appropriate.

WestConnect has outlined their transmission planning process in “WestConnect Objectives and Procedures for Regional Transmission Planning”. This document was developed by the WestConnect membership and outlines the planning process they will implement to coordinate transmission planning between SWAT and CCPG, and ultimately with WECC. The document can be found on the WestConnect website at <http://www.westconnect.com>.

## **NTTG**

NTTG’s footprint includes geographic areas in Idaho, Montana, Oregon, Utah, Washington and Wyoming. NTTG coordinates individual transmission systems operations, products, business practices, and planning of their high-voltage transmission network to meet and improve transmission services that deliver power to consumers. Sub-regional transmission planning is accomplished through the NTTG Planning Committee. The NTTG Planning Committee agreement and charter can be found on the NTTG website at <http://www.nttg.biz>.

## **Plan and Data Coordination**

The Transmission Provider will coordinate and submit its data, assumptions and transmission system plan to CCPG and NTTG for inclusion in the CCPG sub-regional transmission plan. [See Figure 3: Local, Sub-Regional and Regional Planning](#). The Transmission Provider customers or other stakeholders can be directly involved in Transmission Provider planning through participation and membership of the TCPC. Transmission Provider customers or other stakeholders can also be directly involved in CCPG and NTTG sub-regional planning, see information on the CCPG website at <http://ccpg.basinelectric.com> and the NTTG website at <http://www.nttg.biz>. The Regional planning process can be found on the WECC website at <http://www.wecc.biz>.

## **Regional Participation**

The Transmission Provider will participate in the CCPG, NTTG and WestConnect sub-regional planning processes. Participation in these sub-regional planning processes will ensure data and assumptions are consistent and properly represented in the respective sub-regional transmission plans.

The CCPG sub-regional plan will be coordinated with neighboring sub-regional entities (e.g., SWAT) through WestConnect. Once the CCPG's sub-regional plan is developed, it will be shared with WestConnect. WestConnect will coordinate sub-regional transmission plans between CCPG and SWAT for submission to WECC. The NTTG sub-regional plan will be developed by the NTTG Planning Committee. NTTG will then coordinate the NTTG transmission plan with neighboring sub-regional entities (e.g., ColumbiaGrid, WestConnect, etc.) and submit the plan to WECC. The WECC process will coordinate the various sub-regional plans within the WECC region. The Transmission Provider will continue to provide its transmission system plan, data and assumptions to WECC regional committees<sup>1</sup> that are responsible for building databases. Regional committees use these data for database development, load and resource assessments, operating studies and planning studies.

The WECC Annual Study Program is conducted by the WECC System Review Work Group ("SRWG"). The SRWG is a working group under the WECC Transmission Studies Subcommittee ("TSS"), which provides input to and approves the study plan. The Transmission Provider actively participates and are members of the WECC TSS. The Annual Study Program analyzes multiple year, season and flow pattern scenarios to assess the reliability of the Western Interconnection. The results of these studies are presented to the WECC TSS for review and acceptance. The WECC SRWG also oversees the WECC base case development effort. These base cases are used in the Annual Study Program described above. The Transmission Provider actively participate in the review and updating of these base cases, ensuring that planned transmission facilities are included in the WECC regional analysis.

The Transmission Provider will participate in regional transmission economic planning studies through the WECC Transmission Expansion Planning Policy Committee ("TEPPC"), NTTG, CCPG and WestConnect as outlined in the TEPPC Planning Protocol. The Transmission Provider will participate in TEPPC open meetings, as appropriate, to ensure that Transmission Provider high-priority study requests are included in the TEPPC study plan. The Transmission Provider will also review and comment on any TEPPC study reports which show impacts on the Transmission Provider transmission system or include high-priority requests included in the study.

## **Transmission Provider and Sub-Regional Planning Process Differences**

The Transmission Provider process will focus on developing a transmission plan to service its area loads whereas the CCPG, NTTG and WestConnect sub-regional plan will focus on

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<sup>1</sup> For example: WECC System Review Work Group (SRWG) and WECC LRS Subcommittee.

coordinating the integration of new generating facilities and evaluating transmission projects that move power around the bulk transmission system to serve load. The CCPG and NTTG sub-regional planning process will rely on input from the transmission provider's plan and/or customer requests forwarded by the Transmission Provider for sub-regional plan evaluation. Both sub-regional planning processes intend on using participating transmission owner staff to perform the needed study work.

The base case data used for local Transmission Provider planning, NTTG and CCPG sub-regional planning will be coordinated. [See Figure 3: Local, Sub-Regional and Regional Planning](#). In addition to using coordinated base cases for plan development, the resulting Transmission Provider transmission plan will be coordinated upward to NTTG or CCPG.

Once the CCPG and NTTG sub-regional plan studies are complete, the Transmission Provider will have an opportunity to review the plans. Since the Transmission Provider will participate in both CCPG and NTTG, the Transmission Provider will have opportunity to comment on both plans. Customers will have an opportunity for input into the sub-regional plan development by participating in the open CCPG and NTTG meetings or can be kept informed of the sub-regional plan through participation in TCPC. The TCPC agenda may include a report on the sub-regional plan development.

The CCPG membership will approve the CCPG sub-regional transmission plan that is developed by the CCPG participants. The CCPG sub-regional plan will be forwarded to WestConnect for coordination with the SWAT sub-regional plan. WestConnect will then submit the combined sub-regional plans to WECC. The NTTG Planning Committee will submit the final plan report to the NTTG Steering Committee for final approval, completing the NTTG sub-regional planning process.

### **Simultaneous Plan Feasibility**

The simultaneous feasibility of local, sub-regional and regional plans will be achieved in two ways. First, the Transmission Provider transmission plan will be coordinated with the NTTG and CCPG sub-regional plans. The CCPG sub-regional plan will be coordinated with neighboring sub-regional plans through WestConnect. NTTG will coordinate its sub-regional plans directly with neighboring sub-regional entities. Finally, TEPPC will coordinate the NTTG and WestConnect sub-regional plan with all other submitted sub-regional plans and provide a central repository containing all sub-regional plans. Because these plans are vertically and horizontally coordinated, simultaneous feasibility will be known. Second, WECC also requires new project(s) with potential sub-regional or regional impacts to follow the WECC Regional Planning Process and the WECC Path Rating Process requirements. The WECC processes may proceed after the NTTG, CCPG and WestConnect planning processes or be coincident to the NTTG, CCPG and WestConnect planning processes. The WECC Overview of Policies / Procedures for Regional Planning Project Review Project Rating Review Progress Reports can be found on the WECC website at <http://www.wecc.biz>.

## **Principle 8 - Economic Planning Studies**

### **FERC Order Requirement Summary**

The Economic Planning Studies are studies provided to all parties with information on future transmission needs. These studies are separate from those performed for requests for transmission service and generation interconnection. This Economic Planning Studies principle requires planning to address both reliability and economic considerations. Stakeholders are given the right to request a defined number of high priority studies annually to address congestion or integration of new resources or load. The rule does not obligate the Transmission Provider to fund economic projects and it does not “assign cost responsibility for those investments or otherwise determine whether they should be implemented”. The rule also requires customers, stakeholders and merchants to provide economic data.

### **Transmission Provider Actions**

Economic studies will consists of studies of significant and recurring congestion and studies to consider whether transmission upgrades or other investment can reduce the overall costs of serving native load. Customers can choose the studies that are of greatest value to them.

### **Study Description**

Economic planning studies are performed to identify significant and recurring congestion on the transmission system. Such studies may analyze any, or all, of the following: (1) the location and magnitude of the congestion, (2) possible remedies for the elimination of the congestion, in whole or in part, (3) the associated costs of congestion, and (4) the cost associated with relieving congestion through system enhancements (or other means). The Transmission Provider will perform, or cause to be performed, economic planning studies at the request of any transmission customer or stakeholder. Accepted requested economic planning studies will be performed by either the Transmission Provider or integrated into the appropriate sub-regional or regional study plan.

This principle embraces two types of studies – a study of significant and recurring congestion and a study to consider whether transmission upgrades or other investment can reduce the overall costs of serving native load. Collectively, these studies are called Economic Planning Studies. The Order allows customers to choose the studies that are of greatest value to them.

An Economic Planning Study differs from an Interconnect Study in several ways.

- *Economic Planning Study*: An Economic Planning Study is a transmission production cost study, which is not a system impact study or facilities study that is requested by a stakeholder. The study will result in (i) an overall non-binding high-level estimate of the estimated cost to increase transmission capacity for a request, and (ii) a value associated with this capacity based upon anticipated resource production cost savings to the extent that the requestor supplies adequate information to do so. The output of each completed study will be posted on the Transmission Provider OASIS website, and will not assign cost

responsibility for identified investments or determine whether they should be implemented in any transmission plan.

- *Interconnection Study:* An Interconnection Study is a reliability study, which shall mean any of the following studies: the Interconnection Feasibility Study, the Interconnection System Impact Study, and the Interconnection Facilities Study. The purpose of an Interconnection Study is to analyze the transmission system with the proposed facility to identify the transmission fixes, if any, that are required to maintain acceptable transmission system reliability performance with all lines in service and with one or more transmission or generation facilities out of service.

The Transmission Provider currently does not separately conduct economic planning studies and does not have the individual capability to conduct economic analyses, and thus, in the event of a request for an economic study, may contract with a qualified third party of its choosing to perform such work. The Transmission Provider will coordinate with the TCPC to identify and prioritize all Economic Study Requests and perform an assessment to determine if the Economic Study Request would reduce the overall cost of service to Native Load Customers and the load of other customers taking service under the Transmission Provider JOATT.

## **High-Priority Study Requests**

Stakeholders will have the right to submit a request in writing to the Transmission Provider asking to conduct a high-priority Economic Planning Study.

## **Requesting A High-Priority Economic Planning Study**

A request for a high-priority economic planning study can be made by completing, signing and returning to the “Transmission Provider Economic Planning Study Request Form”. This economic planning study request form can be found under the Transmission planning tab on Transmission Provider’s OASIS site. Processing requests will follow the procedure described in the “Transmission Provider Economic Planning Study Timeline and Process” section below.

The Transmission Provider reserves the right to request additional information, beyond that required in the original request form, if that information is needed to complete the study.

## **Valid Request**

A valid request will be a request that supplies all the data in the Transmission Provider’s Economic Planning Study Request Form (i.e., Required Data). Requests that are not valid will follow the procedure described in the “Transmission Provider Economic Planning Study Timeline and Process” section below. The Transmission Provider will perform up to one High Priority Economic Study per year.

## **Economic Planning Study Classification**

Valid requests will be classified as either a Local Transmission Provider Economic Planning Study request or a Sub-Regional or Regional Economic Planning Study request. Sub-Regional or Regional Economic Planning Studies that are received by Transmission Provider will be forwarded to the appropriate sub-regional entity or third party for consideration.

A study request that is confined to the Transmission Provider's transmission system and does not affect the interconnected transmission system outside the Transmission Provider's transmission system will be classified as a Local Transmission Provider Economic Planning Study

## **Prioritizing Economic Study Requests**

If more than one Economic Planning Study is requested, and if after clustering all requests (described below) more than one distinct study remains, then the Transmission Provider will prioritize the studies identifying the highest priority study. It's important to note that the Transmission Provider in coordination with the TCPC may determine, after reviewing all valid requests, that no requests fit the requirements of an Economic Study and therefore no Economic Studies would be performed. These and other studies would be considered excess and would be classified as Additional Studies. The Transmission Provider will coordinate the prioritization in an open public process by consulting with the TCPC. Sponsors of the Economic Study Request are encouraged to attend the open TCPC meeting. The prioritization methodology will focus on the spirit of an economic study as stated by FERC. That is, "any such studies conducted pursuant to this principle ... would be for the purposes of planning for the alleviation of congestion through integration of new supply and demand resource into the regional transmission grid or expand the regional transmission grid in a manner that can benefit large numbers of customers, such as by evaluating transmission upgrades necessary to connect major new areas of generation resource (such as areas that support substantial wind generation). Specific requests for service would continue to be studied pursuant to existing pro forma OATT processes." Request that do not meet the spirit of this statement may not be studied.

The Transmission Provider may cluster Economic Study Requests in a manner that makes the study process efficient. Clustering will be determined by the location of the requests and whether or not there is a common or a potentially common transmission system problem addressed by the requests. Since the Transmission Provider transmission system is a relatively small system, groups of request with similar POR's and POD's would be good candidates for clustering. The Transmission Provider will consult with the TCPC in making clustering decisions and all information and data resulting from the study will be provided to NTTG, CCPG, WestConnect or other regional entities.

If a request is submitted to move power into or out of the Transmission Provider's transmission system, or if the sub-regional transmission system is affected by the study request, then the request will be classified as a Sub-Regional or Regional Economic Planning Study and will be forwarded to CCPG, NTTG or WestConnect for inclusion into their study process.

## **Local Transmission Provider Economic Planning Study**

Once a valid request is received and clustered, if appropriate, the Transmission Provider will proceed with the Local Transmission Provider Economic Planning Study or will forward the request or clustered economic planning study request to the appropriate sub-regional or regional entity. The Local Transmission Provider Economic Planning Study will be conducted, including appropriate sensitivity analysis, in a manner that is open and coordinated with the affected stakeholders and TCPC.

With respect to the Local Transmission Provider Economic Planning Study, the Transmission Provider will analyze and report on the location and magnitude of congestion, remedies or mitigation, cost of congestion and cost of relieving congestion. Due to the size and location of the Transmission Provider's transmission system and previous customer activity, the location and magnitude of congestion and remedies to relieve congestion are somewhat limited.

The location and magnitude of congestion will be made known through examination of historical data, past studies or through limited powerflow and transient stability study. To the extent hourly data is available and applicable to the request, the Transmission Provider will evaluate historical records to assess the historical duration and magnitude of congestion across the congested path. Once the Transmission Provider studies identify the location of a future congestion, the Transmission Provider will obtain that path's historical hourly flows and extrapolate the flow data to the year when congestion occurs. Additional factors such as load growth need, potential future generation, and transmission service request needs are examples of adjustments that may be added to historical flows to make this assessment.

The Transmission Provider will define possible remedies or mitigation options that could relieve the congestion in whole or in part. The Transmission Provider transmission planning will likely need input from the customers making the request to define any non-transmission mitigation measures that could relieve the congestion in whole or in part. The robustness of the possible remedies may be affected by failure of customers to provide information. A plan will be considered acceptable only if it meets all reliability criteria.

The cost of congestion will be the most difficult for the Transmission Provider to evaluate since it does not have knowledge of generation dispatch costs or a step change to the customer's forecast loads unless the customer making the request provides the information. If the customer does not provide this data, the Transmission Provider will not be able to complete this portion of the economic study. The Transmission Provider will also require an economic dispatch model to perform the study and therefore will likely be required to consult this portion of the study request to sub-regional planning groups or the WECC.

Once the mitigation measures are identified, the Transmission Provider will be able to define the costs for transmission mitigation measures, but may need help from the customers making the request to define the costs of the non-transmission solutions.

The cost to conduct the one high priority Transmission Provider Economic Planning Study will be tracked and included in the Transmission Provider's next FERC filing for recovery as part of the overall pro forma OATT cost of service.

The LTP study (for retail load service) and the Economic Planning Study are separate studies as noted above. They examine the transmission system from different perspectives (reliability evaluation vs. economic dispatch evaluation). Even though these studies are separate, applicable study results from one study may be shared, recognized and evaluated in the other study.

### **Customer's Obligation To Share Data**

The customer's obligation to share information is critical to completing an economic planning study. The Transmission Provider cannot be obligated to study the cost of congestion if it does not have the information to do so. Any customer requesting an economic study must supply all relevant information that it has in its possession for the study. If critical study information is missing, the Transmission Provider will work with the customer to determine how the data can be obtained or estimated. If critical data cannot be obtained or estimated, the study cannot be completed. All confidential data will be protected by SOC and CEII concerns.

### **The Transmission Provider Obligation**

This Principle does not require an economic planning study to be completed by the Transmission Provider or its agent unless requested by customers, nor does it obligate the Transmission Provider to fund economic projects, or to assign cost responsibility for investments nor to determine whether the investment should be implemented.

### **Transmission Provider Economic Planning Study Timeline and Process**

The Transmission Provider Economic Planning Study will consist of a yearly study cycle with the following process steps:

- 1 Requests Received: Economic study requests will be received from customers during the first quarter of the planning cycle per the timeline posted on the OASIS.
  - 1.1 Requests that are not valid will be returned to customer for revision. Revised requests that are not returned to the Transmission Provider within 15 calendar days will be deemed withdrawn.
- 2 Cluster and Prioritize: The studies will be clustered, if appropriate, and prioritized during the first quarter.
  - 2.1 Studies will be classified as either a Transmission Provider Economic Planning Study or Sub-Regional (Regional) Economic Planning Study.
  - 2.2 Sub-Regional (Regional) Economic Planning Studies will be forwarded to the appropriate sub-regional group.
  - 2.3 Customers will be notified of their study request classification within 15 calendar days of that determination.
- 3 Study: the Transmission Provider will use reasonable efforts to complete the study within the annual study cycle.

- 3.1 The Transmission Provider will establish a pre-study meeting or conference call with the customer and TCPC to discuss the details of the study.
- 3.2 The progress of all Transmission Provider Economic Planning Studies will be discussed at the TCPC. The customer will be informed of the TCPC meeting and is encouraged to participate.
- 3.3 If the study will not be completed within the annual study cycle, the Transmission Provider will inform the customer for the reason for the delay and an estimated time for completion.
- 4 The Transmission Provider will furnish the customer with a study report within 30 days of completion of the study.
- 5 The Transmission Provider will schedule a study results meeting within 30 days of the customer's receipt of the study report.
- 6 The report will be posted on Transmission Provider OASIS website under the Transmission Planning folder.
- 7 The Economic Planning Study result will be available for reference and appropriate consideration into the Transmission Provider Transmission System Planning Study.

### **Additional Economic Studies**

Economic study requests that are not prioritized as the highest priority study will be considered Additional Studies. Sponsors of Additional Study requests will be given the option to pay for consulting services to complete the study or to withdraw the study. The sponsor may re-submit the economic study request for study consideration the next year's economic planning cycle. The process that will be followed for Additional Studies is discussed below.

If Transmission Provider Economic Planning Study will not be completed by yearend, the Transmission Provider will inform the requestor(s) in writing 30 days before the end of the year of the study delay, the reasons for the delay and an estimated completion date. The Transmission Provider will make reasonable efforts to complete the high priority study by yearend.

### **Process for Additional Economic Planning Studies**

The following process will be followed for conducting an Additional Economic Planning Study.

1. Once the customer's economic study request has been determined to not be one of the high-priority study the Transmission Provider will notify the customer within 15 calendar days of that determination. The notification will also include an Additional Economic Planning Study Agreement.
2. Upon receipt of the Additional Economic Planning Study Agreement, the customer must sign and return the Agreement with a study deposit within 30 calendar days of receipt of the Additional Economic Planning Study Agreement.

- The study deposit is \$75,000.
  - If the Transmission Provider does not receive the signed study agreement and deposit within 30 calendar days, the Economic Planning Study request will be deemed withdrawn.
3. The customer will be responsible for all actual costs to complete the economic planning study.
- Actual costs less than the \$75,000 deposit will be refunded to the customer.
  - The customer will be invoiced for actual study costs greater than the \$75,000 study deposit.
  - The customer must pay the invoiced amount within 30-calendar days of receipt.
4. Once the Transmission Provider receives the signed study agreement and deposit, the Transmission Provider will follow the Transmission Provider Economic Planning Study Process starting with step 3.

## **Principle 9 - Cost Allocation for New Projects**

### **FERC Order Requirement Summary**

The Cost Allocation for New Projects principle requires the planning process to address cost allocation for joint projects, economic projects, and projects that do not fit into existing OATT cost allocation principles. Examples of new projects requiring a cost allocation principle are projects involving several transmission owners or economic projects that are identified through the study process described in Principle 8 – Economic Planning Studies. The rule does not specify a particular allocation method, but the method should provide for fair allocation to beneficiaries, adequate incentives to construct transmission, and should have the support of state authorities and region-wide participants.

### **Projects Not Covered Under Existing Cost Allocation Rules**

The following are examples of projects not covered under existing JOATT cost allocation rules and would be affected by the cost allocation principle.

- A new project confined to the transmission system not for load service. For example, this project could move power across a future internal transmission constraint and be the result of a Local Transmission Provider Economic Planning Study. This project may have little or no regional impact, but would be a proactive approach to relieve future transmission congestion. WECC Regional Planning Process and Path Rating Process may be required, but sub-regional coordination would be required.
- A new project extending beyond the TP transmission system. A project identified in a regional economic planning study could be a major transmission line that has sub-regional or regional consequences. An example would be a new transmission line starting in the NE Wyoming area and ending in the Colorado area. This study would traverse a large geographic area and would impact the transmission systems of at least one other utility. This project

would have sub-regional impacts and would require sub-regional coordination through CCPG , NTTG or WestConnect. The WECC Regional Planning Process and the Path Rating Process may also be required.

- A new project resulting from an Open Season Solicitation. This type of project could be a major transmission line that has sub-regional or regional consequences. An example would be a new transmission line starting in Wyoming and terminating in Phoenix. This study would traverse a large geographic area and would impact the transmission systems of at least one other utility. A joint study would be required and would be facilitated by NTTG or WestConnect. This project could have sub-regional and regional impacts and would require sub-regional coordination through CCPG, WestConnect or NTTG. The WECC Regional Planning Process and the Path Rating Process would also need to be implemented.

### **Transmission Provider Allocation Methodology**

For new projects that do not fit into the Transmission Provider JOATT cost allocation principles, the TP will follow the “Local Transmission Provider Cost Allocation Methodology” located on the Transmission Providers OASIS unless a mutually agreeable cost allocation method can be reached between the TP and the project participants or sponsors. In developing alternative cost allocation methods, the TP will seek input from its stakeholders, through the TCPC. Cost allocation will be discussed and agreed to on a case-by-case basis with project participants or sponsors. It is possible that the cost allocation principles for economic projects will be different from the cost allocation methods for projects involving multiple owners.

The cost allocation developed from this methodology for a project falling outside the Transmission Provider JOATT are not binding and are intended to represent an example of the cost allocation that could be agreed to by the sponsors of the study request. The actual cost allocation for a project will be determined once the project is committed to and the cost allocation is negotiated and agreed to by the committed project sponsors, which may be different than the study requestor. The actual cost allocation will be specified in the contract between the committed project sponsors.

There are various methods to assign costs for new projects within the Transmission Provider’s transmission system that do not have a regional impact and do not fall under the Transmission Provider JOATT. One methodology is the principle based on cost-causation as shown in the “Local Transmission Provider Cost Allocation Methodology”. The costs that are allocated to customers are the costs for the system mitigation (i.e., upgrades, enhancements, etc.) that eliminate the unacceptable system performance. Through this principle, the customer whose request caused the problems is the customer that benefits most through the elimination of the problem and the quantification is based on the relative contribution to the problem being eliminated. Other methods for cost allocation include, but are not limited to, the following.

- An open season to determine ownership share;
- Open season for allocation of capacity without ownership; and
- Share prorated on MW use.

- Any of these methods may be the appropriate method for a particular situation

### **Sub-Regional and Regional Cost Allocation**

The cost allocation for sub-regional or regional projects will be allocated based on the applicable sub-regional cost allocation policy or methodology (e.g., NTTG).

### **Recovery of Planning Costs**

The TP will capture the planning costs using the traditional test period requirements in the next FERC tariff filing. No specific allocation to specific customers is contemplated.

The TCPC will provide input associated with other entities cost recovery needs for planning related activities.

# Appendix 1

## Transmission Coordination and Planning Committee Charter

### I. Purpose

The Transmission Coordination and Planning Committee (“TCPC”) is a stand-alone advisory committee created to provide an open, coordinated, transparent forum whereby electric transmission stakeholders can comment and provide advice to the Transmission Provider (Transmission Provider) during the all stages of its transmission planning process. The TCPC will provide input in the development of the Transmission Providers’ Local Transmission Plan (LTP) and will:

- A. Be open to all interested stakeholders and allow open and transparent dialogue on all aspects of the transmission plan to the maximum extent allowed without violating Standards of Conduct (“SOC”) information or Critical Energy Infrastructure Information (“CEII”).
- B. Provide a forum for open and transparent communications among the Transmission Provider, transmission-providing neighbors, State authorities, transmission customers, and other stakeholders;
- C. Discuss all aspects of the Transmission Provider transmission planning activities including, but not limited to, methodology, study inputs and study results;
- D. Provide a forum for the Transmission Provider to understand better the specific electric transmission interests of stakeholders.

### II. TCPC Membership

- A. TCPC membership will be open to any interested stakeholder.
- B. Members shall be subject to the following conditions:
  - 1. Agree to the Committee’s purpose and ground rules as described in this Charter; and
  - 2. Provide advice to the Transmission Provider as individual professionals; the advice they provide does not bind the Transmission Provider, agencies or organizations that the members serve.
  - 3. Execute a confidentiality agreement when necessary.
- C. Membership will be established through self-nomination. If the TCPC membership is either too small or too large, the Transmission Provider will work with the committee to determine whether adjusting the size is appropriate and, if so, what mechanism should be used to accomplish the adjustment.

### **III. Decisions**

- A. TCPC is not a decision making body, and it will not make decisions as a group.
- B. Discussion will be limited to Transmission Provider transmission planning issues and no other issues.

### **IV. Process**

- A. TCPC meetings are open to all stakeholders to the maximum extent allowed without violating Standards of Conduct information and Critical Energy Infrastructure Information.
- B. TCPC will establish its meeting schedule as needed and will announce its meetings on no less than 15 business days prior to the meeting using the following methods;
  - 1. via email
  - 2. via postings on Transmission Provider OASIS prior to the meeting.
- C. The Transmission Provider or other designated party will facilitate and manage TCPC meetings and perform the following duties:
  - 1. Draft an agenda for each meeting, which shall be included in all meeting notices.
  - 2. Prepare a summary of all TCPC meetings for posting on the Transmission Provider OASIS.
  - 3. Conduct TCPC meetings that allow all members to have an opportunity to speak to all agenda topics in an open and transparent forum.

### **V. Member Responsibilities**

- A. Each member agrees to attend (by phone or in person) and participate in TCPC meetings regularly.
- B. Each member agrees to listen carefully and respectfully to other members and to avoid interrupting other members.
- C. Each member agrees to respect the decision of any member to withdraw at any time for any reason.

### **VI. Confidentiality**

- A. TCPC members acknowledge that certain information may be protected as confidential information because of Standards Of Conduct (SOC) concerns (e.g., market sensitive data) or because it is classified as Critical Energy Infrastructure Information (CEII).

- B. Information not subject to SOC or CEII concerns will be posted on the Transmission Provider OASIS.
- C. Some (to be determined on a case by case basis) confidential information may be available to members through the Transmission Provider OASIS only if access rights have been provided by the Transmission Provider and a Confidentiality Agreement has been signed.
- D. TCPC members agree not to discuss their committee activities or information obtained through the committee with the press.
- E. In discussing TCPC activities in public forums, members agree to discuss only their ideas, concerns, or positions regarding committee activities and information and not to characterize those of other members.

## **VII. Antitrust Policy**

- A. The Antitrust Policy of the TCPC is as set forth below and shall be acknowledged at the beginning of every TCPC meeting.
- B. It is the policy of TCPC to fully comply with federal and state antitrust laws. Participants shall be mindful that an essential objective of TCPC is promoting or enhancing competition. Discussions in the following areas in particular can be very problematic and in some cases prohibited, and require careful attention for antitrust compliance:
  - your company's prices for products or services;
  - prices charged by your competitors;
  - allocating markets, Transmission Provider customers, or products;
  - limiting production; and
  - excluding dealings with other companies.

## **VII. Standards of Conduct Policy and Safeguards**

### **Policy**

The membership of the TCPC includes individuals who are considered "Transmission Function Employees" or "Shared Employees" under the Standards of Conduct for the Transmission Providers promulgated by the Federal Energy Regulatory Commission ("Standards of Conduct"). As "Transmission Function Employees" with access to non-public Transmission Information have an obligation under the Standards of Conduct not to disclose it, unless they disclose such information to all interested parties via the OASIS. Additionally, Transmission Function employees are expressly prohibited under the Standards of Conduct from disclosing non-public Transmission Information to its Energy or Marketing Affiliates. "Shared Employees" under the Standards of Conduct may have access or knowledge of non-public Transmission Information but may also work with the Energy or Marketing Affiliate of a the Transmission Provider.

However, “Shared” Employees are prohibited from disclosing non-public Transmission Information or acting as a conduit for information to flow from the Transmission Provider to its Energy or Marketing Affiliates. To encourage transparency and compliance, the Transmission Provider must post on the OASIS whenever joint meetings are scheduled between the Transmission Provider and its Energy and Marketing Affiliates under the terms of the Standards of Conduct. FERC has the authority to impose significant financial sanctions for violations of the Standards of Conduct. As such, it is the policy of the TCPC to conduct its business in a manner consistent with the Standards of Conduct.

Therefore, it is the policy of the TCPC to conduct its business in accordance with the following principles:

- At the outset of TCPC meetings the Standards of Conduct shall be acknowledged and participants shall be reminded of the obligations of Transmission Function Employees, Shared employees, and Marketing or Energy Affiliate Employees under the terms of the Standards of Conduct.
- If during the course of the TCPC’s work it becomes necessary for both a Transmission Provider and its Energy or Marketing Affiliate to participate in a joint meeting in the context of a TCPC meeting, it is the expectation of that the Transmission Provider will comport itself with the Standards of Conduct and any internal policy that may have been adopted by their respective organization implementing the Standards of Conduct.