

May 23, 2016

VIA E-TARIFF

The Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

RE: *Nevada Power Co.*, Docket No. ER16-604-____
Sierra Pacific Power Co., Docket No. ER16-605-____

Compliance Filing

Dear Secretary Bose:

In compliance with the Commission's April 22, 2016 order in the above-referenced proceedings,¹ Nevada Power Company ("Nevada Power") and Sierra Pacific Power Company ("Sierra Pacific") (collectively, the "NV Energy Companies") (together, the "EIM Participants") hereby submit this compliance filing containing revisions to their respective market-based rate tariffs, as required by the Commission.²

The EIM Participants request that the Commission accept this compliance filing and the enclosed tariff records effective December 1, 2015, which is the effective date proposed by the EIM Participants and conditionally accepted by the Commission in its EIM MBR Order.³

I. Description of Compliance Filing

In its EIM MBR Order, the Commission directed the EIM Participants to make changes to their respective market-based rate ("MBR") tariffs. In particular, the EIM MBR Order states:

¹ *Nevada Power Co., et al.*, 155 FERC ¶ 61,093 (2016) ("EIM MBR Order").

² *Id.* at P 8 ("[The] Commission directs the [EIM Participants] to submit a compliance filing within 30 days from issuance of this order proposing revised language for their market-based rate tariffs. . .").

³ *See id.*

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In the event that any of the [EIM Participants] need to use the preceding day's Default Energy Bids to participate in the EIM, that [EIM Participant] must make a posting on its respective Open Access Same-Time Information System (OASIS) website. This is necessary to maintain transparency. Further, the Commission directs the [EIM Participants] to submit a compliance filing within 30 days from issuance of this order proposing revised language for their market-based rate tariffs that reflects this condition.⁴

As reflected in the attached clean and marked tariff records, the EIM Participants propose to add the following sentence to their respective MBR tariffs to comply with the Commission's directive:

“When the Default Energy Bid for the same period from the preceding day is used under this provision, Seller shall timely post notice of such an occurrence on its Open Access Same-Time Information System.”

II. Effective Date

The EIM Participants request that the Commission accept this compliance filing and the enclosed tariff records effective December 1, 2015.

III. Attachments

- Sierra Pacific Power MBR Tariff revisions – Clean (submitted via e-Tariff)
- Sierra Pacific Power MBR Tariff revisions – Marked against filed (submitted via e-Tariff)

IV. Conclusion

The EIM Participants respectfully request that the Commission accept this compliance filing and the enclosed tariff records for filing effective December 1, 2015.

⁴ *Id.*

TROUTMAN
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For the NV Energy Companies:

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Commission's Rules of Practice and Procedure, I hereby certify that I have this day, by electronic mail, served a copy of the foregoing document upon the Public Utilities Commission of Nevada and each person designated on the official service list maintained by the Secretary of the Commission in this proceeding.

Dated at Reno, Nevada, this 23rd day of May, 2016.

/s/ Connie Silveira
Connie Silveira
NV Energy
6100 Neil Rd
Reno, NV 89511

CLEAN

Sierra Pacific Power Company

FERC Electric Tariff Volume No. 7

Market-Based Rate Tariff

Sierra Pacific Power Company
FERC Electric Tariff Volume No. 7
Market-Based Rate Tariff

1. Availability: Sierra Pacific Power Company (“SPPC” or “Seller”) makes electric energy and capacity, available under this Tariff to any eligible purchaser for resale outside of the NEVP Balancing Authority Area and makes sales of certain ancillary services in the California Independent System Operator market, and makes sales into the California ISO Energy Imbalance Market.
2. Applicability: This Rate Schedule is applicable to all sales of energy and capacity by SPPC to eligible purchasers that are not otherwise subject to a particular rate schedule of SPPC.
3. Rates: All sales pursuant to this Rate Schedule shall be made at rates negotiated between the purchaser and SPPC.
4. Other Terms and Conditions: All other terms and conditions for purchases of electric energy and capacity shall be established by agreement between the purchaser and SPPC.
5. Seller Category: Seller is a Category 2 seller in the Northwest region, and a Category 1 seller in the Central, Northeast, Southeast, Southwest, and Southwest Power Pool regions, as defined in 18 C.F.R. 35.36(a).
6. Ancillary Services:
California: Seller offers regulation service, spinning reserve service, and non-spinning reserve service to the California Independent System Operator Corporation (“CAISO”) and to others that are self-supplying ancillary services to the CAISO.
7. Third Party Provider: Third-party ancillary services: Seller offers Regulation and Frequency Response Service, Reactive Supply and Voltage Control Service, Energy and Generator Imbalance Service, Operating Reserve-Spinning, and Operating Reserve-Supplemental. Sales will not include the following: (1) sales to an RTO or an ISO, i.e., where that entity has no ability to self-supply ancillary services but instead depends on third parties; and (2) sales to a traditional, franchised public utility affiliated with the third-party supplier, or sales where the underlying transmission service is on the system of the public utility affiliated with the third-party supplier. Sales of Operating Reserve-Spinning and Operating Reserve-Supplemental will not include sales to a public utility that is purchasing ancillary services to satisfy its own open access transmission tariff requirements to offer ancillary services to its own customers, except where the Commission has granted authorization. Sales of Regulation and Frequency Response Service and Reactive Supply and Voltage Control Service will not include sales to a public utility that is purchasing ancillary services to satisfy its own open access transmission tariff requirements to offer ancillary services to its own customers, except at rates not to exceed the buying public utility transmission provider’s OATT rate for the same service or where the Commission has granted authorization.

8. Compliance with Commission Regulations: Seller shall comply with the provisions of 18 C.F.R. Part 35, Subpart H, as applicable, and with any conditions the Commission imposes in its orders concerning seller's market-based rate authority, including orders in which the Commission authorizes seller to engage in affiliate sales under this tariff or otherwise restricts or limits the seller's market-based rate authority. Failure to comply with the applicable provisions of 18 C.F.R. Part 35, Subpart H, and with any orders of the Commission concerning seller's market-based rate authority, will constitute a violation of this tariff.
9. Limitations and Exemptions Regarding Market-Based Rate Authority: SPPC's tariff excludes market-based sales to customers located within the NEVP Balancing Authority Area. *See Sierra Pacific Power Co., et al.*, 147 FERC ¶ 61, 137 (2014); *see also Sierra Pacific Power Co.*, 95 FERC ¶ 61,193, at 61,675, *reh'g dismissed*, 96 FERC ¶ 61,050 (2001); *see also Sierra Pacific Power Co.*, 111 FERC ¶ 61,259, at P 21 (2005). This limitation does not apply to sales made in the CAISO Energy Imbalance Market. SPPC has been granted 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. *Sierra Pacific Power Co.*, 95 FERC ¶ 61,193, at 61,679 (2001).
10. Mitigated Sales: Sales of energy and capacity are permissible under this tariff in all balancing authority areas where the Seller has been granted market-based rate authority. Sales of energy and capacity under this tariff are also permissible at the metered boundary between the Seller's mitigated balancing authority area and a balancing authority area where the Seller has been granted market-based rate authority provided: (i) legal title of the power sold transfers at the metered boundary of the balancing authority area where the seller has market-based rate authority; and (ii) if the Seller sells at the metered boundary of a mitigated balancing authority area at market-based rates, then neither it nor its affiliates can sell into that mitigated balancing authority area from the outside. Seller must retain, for a period of five years from the date of the sale, all data and information related to the sale that demonstrates compliance with items (i) and (ii) above. Restrictions in this Section do not apply to sales made in the CAISO Energy Imbalance Market.
11. Sales into CAISO Energy Imbalance Market (EIM): Seller may make sales at market-based rates in the CAISO Energy Imbalance Market under this tariff. All EIM bids by Seller shall not exceed the appropriate Default Energy Bid calculated in accordance with the Variable Cost Option or Negotiated Rate Option provided in the CAISO Tariff, and Seller shall be paid in accordance with the CAISO Tariff. In the event that data on the CAISO calculation of the Default Energy Bid is not available in a timely manner to the Seller for the applicable period, the Default Energy Bid for the same period from the preceding day shall govern for purposes of this provision. When the Default Energy Bid for the same period from the preceding day is used under this provision, Seller shall timely post notice of such an occurrence on its Open Access Same-Time Information System.

MARKED

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Sierra Pacific Power Company

FERC Electric Tariff Volume No. 7

Market-Based Rate Tariff

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FERC Electric Tariff Volume No. 7
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2. Applicability: This Rate Schedule is applicable to all sales of energy and capacity by SPPC to eligible purchasers that are not otherwise subject to a particular rate schedule of SPPC.
3. Rates: All sales pursuant to this Rate Schedule shall be made at rates negotiated between the purchaser and SPPC.
4. Other Terms and Conditions: All other terms and conditions for purchases of electric energy and capacity shall be established by agreement between the purchaser and SPPC.
5. Seller Category: Seller is a Category 2 seller in the Northwest region, and a Category 1 seller in the Central, Northeast, Southeast, Southwest, and Southwest Power Pool regions, as defined in 18 C.F.R. 35.36(a).
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