

178 FERC ¶ 61,137  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

February 25, 2022

In Reply Refer To:  
ISO New England, Inc.  
New England Power Pool  
Docket No. ER22-727-000

ISO New England Inc.  
One Sullivan Road  
Holyoke, MA 01040-2841

Day Pitney LLP  
One Federal Street  
Boston, MA 02110

Attention: Monica Gonzalez and Eric K. Runge

Dear Ms. Gonzalez and Mr. Runge:

1. On December 27, 2021, ISO New England Inc. (ISO-NE) and the New England Power Pool (NEPOOL) Participants Committee (together, the Filing Parties) jointly filed proposed Tariff revisions under section 205 of the Federal Power Act<sup>1</sup> to Attachment K of ISO-NE's Open Access Transmission Tariff (Tariff) to incorporate a supplementary transmission planning mechanism for ISO-NE to conduct state-requested, scenario-based transmission analysis in its Regional System Planning Processes under the Tariff (Longer-Term Planning Revisions).<sup>2</sup> The Filing Parties state that the proposed Longer-Term Planning Revisions provide an additional option for transmission analysis for the New England states to further their energy policy goals.

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<sup>1</sup> 16 U.S.C. § 824d.

<sup>2</sup> ISO New England Inc., ISO New England Inc. Transmission, Markets and Services Tariff, [I.2, I.2 Rules of Construction; Definitions \(141.0.0\)](#); ISO New England Inc., ISO New England Inc. Transmission, Markets and Services Tariff, [Attachment K, Attachment K Regional System Planning Process \(26.0.0\)](#).

2. The Filing Parties explain that currently the Tariff does not provide a means for ISO-NE to conduct state-requested transmission analysis on a recurring basis based on scenarios, assumptions, and inputs developed by the states. The Filing Parties also state that currently the Tariff does not support transmission analysis based on public policies not in statutes or regulations or that are beyond a ten-year horizon.<sup>3</sup>

3. The Filing Parties state that the New England States Committee on Electricity (NESCOE) identified needed changes to system planning that would support their state policies promoting greenhouse gas emission reduction goals, which will require significant transmission investment. The Filing Parties explain that the states' recommendations include revisions to the Tariff to incorporate a long-term transmission planning process where ISO-NE undertakes state-requested studies on a routine basis. The Filing Parties state that, under this long-term transmission planning process, ISO-NE's studies would determine the amount and type of infrastructure needed to meet states' clean energy goals based on scenarios, assumptions, and inputs determined by the states.<sup>4</sup>

4. The Filing Parties further state that the Longer-Term Planning Revisions are the first phase of longer-term transmission planning changes<sup>5</sup> and will supplement existing regional transmission planning processes under Attachment K of the Tariff required in Order Nos. 890<sup>6</sup> and 1000.<sup>7</sup> The Filing Parties state that the Longer-Term Planning Revisions are consistent with the Commission's finding in ISO-NE's Order No. 1000 compliance proceeding that processes that were optional and complementary to regional

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<sup>3</sup> Transmittal at 2-3.

<sup>4</sup> *Id.* at 2.

<sup>5</sup> The Filing Parties state that the transmission planning changes were set up as two phases to accommodate states' request that cost allocation be set aside, to be addressed in 2022 through the second phase. *Id.* at 3.

<sup>6</sup> *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, 118 FERC ¶ 61,119, *order on reh'g*, Order No. 890-A, 121 FERC ¶ 61,297 (2007), *order on reh'g*, Order No. 890-B, 123 FERC ¶ 61,299 (2008), *order on reh'g*, Order No. 890-C, 126 FERC ¶ 61,228, *order on clarification*, Order No. 890-D, 129 FERC ¶ 61,126 (2009) (Order No. 890).

<sup>7</sup> *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000, 136 FERC ¶ 61,051 (2011), *order on reh'g*, Order No. 1000-A, 139 FERC ¶ 61,132, *order on reh'g and clarification*, Order No. 1000-B, 141 FERC ¶ 61,044 (2012), *aff'd sub nom. S.C. Pub. Serv. Auth. v. FERC*, 762 F.3d 41 (D.C. Cir. 2014) (Order No. 1000).

transmission planning processes required by Order No. 1000 were acceptable.<sup>8</sup> The Filing Parties add that the Commission accepted PJM Interconnection, L.L.C.’s proposed State Agreement Approach as an option to meet state policy goals that were not directly tied to Order No. 1000 requirements.<sup>9</sup>

5. The Filing Parties state that the Longer Term Planning Revisions include other conforming changes, specifically: (1) two new defined terms, Longer-Term Transmission Studies and State-identified Requirements,<sup>10</sup> (2) revisions to include longer-term transmission studies on the list of transmission planning studies under the Planning Advisory Committee’s<sup>11</sup> purview, and (3) revisions to expand the list of Attachment K transmission planning studies for which the entities listed in that provision need to provide information to support and facilitate the conduct of such studies. The Filing Parties request an effective date of February 25, 2022.<sup>12</sup>

6. The Filing Parties explain the Longer-Term Planning Revisions that will be established in new section 16 of Attachment K. First, the Filing Parties state that section 16.1 designates NESCOE as the entity responsible for submitting a request for a longer-term transmission study to ISO-NE. The Filing Parties explain that NESCOE

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<sup>8</sup> Transmittal at 5 (citing *ISO New England Inc.*, 143 FERC ¶ 61,150, at PP 108, 121 (2013)).

<sup>9</sup> *Id.* at 5 (citing *PJM Interconnection, L.L.C.*, 174 FERC ¶ 61,090, at PP 2-3 (2021)).

<sup>10</sup> *See id.*, attach. 3, Testimony of Brent K. Oberlin at 5 (“[T]he ISO[-NE] is proposing to revise Attachment K to establish the rules that enable the states to request the ISO[-NE]’s performance of transmission planning studies to identify the transmission infrastructure that would be needed to meet state energy policies, mandates, or legal requirements based on state-developed scenarios and timeframes, on a routine basis. The Longer-Term Planning Changes refer to these transmission studies as ‘Longer-Term Transmission Studies’ and the state energy policies, mandates or legal requirements as ‘State-identified Requirements.’”) (Oberlin Test.).

<sup>11</sup> “The Planning Advisory Committee may provide input and feedback to the ISO[-NE] concerning the regional system planning process, including the development of and review of Needs Assessments, the conduct of Solutions Studies, the development of the [Regional System Plan], and updates to the [Regional System Plan] Project List” and “Any entity, including State regulators or agencies and, if in existence, a Regional State Committee or similarly situated entity, as specified in Attachment N of the OATT, may designate a member to the Planning Advisory Committee.” Tariff, attach. K § 2.

<sup>12</sup> Transmittal at 9.

must specify in its request the state-identified requirements underlying the request, the study objective, and the scenarios, assumptions, and timeframes that states have developed to be used in the study. The Filing Parties explain that the Longer-Term Planning Revisions do not limit the process to studies beyond ten years. The Filing Parties also state that there is no timeframe required for requests from NESCOE, but only one request can be submitted at a time and there must be six months between when one request is completed and another request is submitted.<sup>13</sup>

7. Second, the Filing Parties state that proposed section 16.2 provides how information is exchanged, and other interactions, among ISO-NE, NESCOE, and the Planning Advisory Committee in ISO-NE. For example, the Filing Parties state that ISO-NE must provide notice of a request for a longer-term transmission study through a posting to its website and must hold a meeting with the Planning Advisory Committee promptly after this posting so that NESCOE can receive stakeholder feedback on its request. The Filing Parties explain that, after the Planning Advisory Committee meeting, NESCOE will provide ISO-NE with a written communication explaining: (1) the specific scenarios that the states propose be included in the study and (2) the information to facilitate the study, such as the assumptions on the types and locations of new resource development and the amount of load to be served under the requested study conditions. The Filing Parties explain that ISO-NE will be responsible for developing the scope of work and will post on ISO-NE's website the proposed scope of work, parameters, and assumptions for the study. The Filing Parties explain that the Planning Advisory Committee will then hold a meeting to solicit stakeholder input on the proposed scope of work, parameters, and assumptions. The Filing Parties also explain that ISO-NE must post the final scope of work on its website prior to beginning the study.<sup>14</sup>

8. Third, the Filing Parties explain that proposed section 16.3 provides that the longer-term transmission study will include the necessary transmission analyses, such as steady-state, thermal and voltage, stability, and others, to assess how ISO-NE's regional transmission system will meet planning criteria under the scope of work. The Filing Parties explain that to perform the study ISO-NE will consult with NESCOE, and potentially other third-party consultants, or request help from participating transmission owners and Planning Advisory Committee members. The Filing Parties state that ISO-NE will post the result of the study on its website and solicit input in a Planning Advisory Committee meeting before the results are finalized. The Filing Parties state that section 16.3 provides that in the final report ISO-NE will identify transmission limitations and high-level infrastructure required to resolve issues identified in the study based on the scenarios and timeframes defined in the scope of work. The Filing Parties

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<sup>13</sup> *Id.* at 7.

<sup>14</sup> *Id.*

explain that the costs of performing the longer-term transmission studies will be recovered under section IV.A of Schedule 1, consistent with the costs of other transmission planning studies conducted by ISO-NE.<sup>15</sup>

9. Notice of the filing was published in the *Federal Register*, 87 Fed. Reg. 83 (Jan. 3, 2022), with interventions and protests due on or before January 17, 2022. Champlain, Vermont, LLC; NESCOE; RENEW Northeast, Inc.; the Sustainable FERC Project and Natural Resources Defense Council; Eversource Energy Service Company; Advanced Energy Economy; Public Systems;<sup>16</sup> and New England Power Company filed timely motions to intervene. NESCOE, Public Systems, and Advanced Energy Economy filed comments supporting the filing. On February 2, 2022, ISO-NE filed an answer.

10. NESCOE states that it supports the Longer-Term Planning Revisions, asserting that the New England region cannot plan for the integration of clean energy resources and decarbonization of the electricity system, as required by certain state laws, without a clear understanding of the investments needed in regional transmission infrastructure. NESCOE states that the Longer-Term Planning Revisions provide the transmission planning process needed to identify potential cost-effective transmission investments to integrate resources across the region to meet these state needs.<sup>17</sup> Advanced Energy Economy similarly states that the Longer-Term Planning Revisions would enable better-informed, more holistic, and longer-term transmission infrastructure planning and investment in New England. Advanced Energy Economy further notes that the Longer-Term Planning Revisions reflect progress toward stronger collaboration between ISO-NE and the New England states.<sup>18</sup>

11. Public Systems support the Longer-Term Planning Revisions as an incremental improvement over the status quo but argue that broader measures are needed to achieve New England's ambitious policy mandates. To expand the role of competition in transmission planning and development, Public Systems urge the Commission to take additional steps, including expanding the use of competitive solicitations to develop new and needed transmission facilities in New England and directing ISO-NE to prioritize joint ownership of projects when selecting the winners of competitive transmission

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<sup>15</sup> *Id.* at 8.

<sup>16</sup> Public Systems consist of the Connecticut Municipal Electric Energy Cooperative, Massachusetts Municipal Wholesale Electric Company, New Hampshire Electric Cooperative, Inc., and Vermont Public Power Supply Authority.

<sup>17</sup> NESCOE Comments at 1-2.

<sup>18</sup> Advanced Energy Economy Comments at 2-5.

solicitations.<sup>19</sup> Also, to facilitate the resolution of cost allocation issues, Public Systems ask the Commission to resolve a long-standing complaint proceeding concerning the return on the equity to be used in setting New England regional transmission rates. Finally, Public Systems note that concerns have been raised regarding the need to consider interregional approaches to transmission planning for the extensive offshore wind capacity currently being planned by the states and ask the Commission to express support for the evaluation of options for interregional cooperation in this docket.<sup>20</sup>

12. ISO-NE states in its answer that Public Systems, in their comments, are advocating for additional measures beyond those presented in this proceeding pursuant to section 205, and those measures are already being addressed elsewhere. It therefore asks the Commission to reject Public Systems' arguments.<sup>21</sup>

13. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2021), the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding.

14. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(a)(2)(2021), prohibits an answer to a protest or an answer unless otherwise ordered by the decisional authority. We accept ISO-NE's answer because it has provided information that has assisted us in our decision-making process.

15. Based on the record,<sup>22</sup> we find that the Longer-Term Planning Revisions are just and reasonable and not unduly discriminatory or preferential, and we accept them to be

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<sup>19</sup> Public Systems Comments at 8.

<sup>20</sup> *Id.* at 9.

<sup>21</sup> ISO-NE Answer at 3.

<sup>22</sup> We understand that the purpose of a study performed under these Longer-Term Planning Revisions is informational and may provide a state or states a more accurate gauge from ISO-NE, as the transmission planner, of the estimated scope and, if requested, cost of the facilities needed to facilitate certain state public policies. We also understand that completion of a study through these Longer-Term Planning Revisions will not at this time result in such project being selected for regional cost allocation in the regional planning process. *See Oberlin Test.* at 2-3 ("The next phase will address the potential options for a New England State or states to address the identified issues in the transmission analysis and cost allocation for the associated transmission infrastructure."). Accordingly, we reserve judgment on any potential cost allocation that may ultimately be proposed for any project that may result from any study under these the Phase 1

effective February 25, 2022, as requested. The proposed section 16 to Attachment K of the Tariff incorporates a supplementary transmission planning mechanism for ISO-NE to conduct state-requested, scenario-based transmission analysis to identify high-level transmission infrastructure that could meet state-identified energy policies, mandates, or legal requirements.

16. Public Systems acknowledge that the Longer-Term Planning Revisions are an incremental improvement to transmission planning processes in ISO-NE, but they also argue that the Commission should pursue or resolve other, broader issues in addition to addressing the revisions proposed in this filing. We find such issues are beyond the scope of this proceeding and decline to address them here.

By direction of the Commission. Commissioner Christie is concurring with a separate statement attached.

Debbie-Anne A. Reese,  
Deputy Secretary.

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Longer-Term Planning Revisions until any Phase 2 process has been proposed and accepted by this Commission.

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

ISO New England Inc.  
New England Power Pool Participants Committee

Docket No. ER22-727-000-

(Issued February 25, 2022)

CHRISTIE, Commissioner, *concurring*:

1. I concur in today's order because under the Tariff revisions before us, the study process will not result in a mandatory-build directive for any individual project, nor initiate regional cost allocation for such project. Those issues would be decided later.

For these reasons, I respectfully concur.

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Mark C. Christie  
Commissioner