

June 3, 2022

VIA ETARIFF

The Honorable Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**Re: *PacifiCorp*, Docket No. ER22-834-_____
Compliance Filing**

Dear Secretary Bose:

Pursuant to the order issued by the Federal Energy Regulatory Commission (“Commission”) on May 4, 2022 in this proceeding (“May 4th Order”),¹ PacifiCorp submits revisions to the Company’s Open Access Transmission Tariff (“Tariff”) to reflect the Commission’s directives in the May 4th Order. PacifiCorp requests the Commission accept this compliance filing with an effective date of April 1, 2022, consistent with the effective date established in the May 4th Order.

I. BACKGROUND

On January 18, 2022, as amended on March 14, 2022, PacifiCorp filed revisions to the Large Generator Interconnection Procedures (“LGIP”), LGIP appendices, and Small Generator Interconnection Procedures (“SGIP”) appendices in its Tariff to make various changes to PacifiCorp’s cluster study process. The May 4th Order accepted all of the proposed revisions with the exception of proposed revisions to Section 38.4.1 of the LGIP.² The Commission directed PacifiCorp to make a compliance filing within 30 days of the May 4th Order to remove the proposed revisions to Tariff Section 38.4.3.³

PacifiCorp submits the instant filing in compliance with the Commission’s directives in the May 4th Order.

II. DESCRIPTION OF TARIFF REVISIONS

As relevant to this Compliance Filing, in the January 18, 2022, PacifiCorp proposed revisions to Section 38.4.3, which would remove the requirement that PacifiCorp notify interconnection customers within five business days of deficiencies in their interconnection

¹ *PacifiCorp*, 179 FERC ¶ 61,089 (2022).

² May 4th Order at P 51.

³ PacifiCorp notes that on May 19, 2022, it submitted a Request for Clarification or Rehearing of the May 4th Order. That request does not impact the compliance filing or removal of the proposed revisions to Section 38.4.3 of the Tariff.

requests and instead provide that PacifiCorp would use Reasonable Efforts to notify customers of the deficiencies “as soon as practicable” after receiving the requests. The proposed revisions also removed Tariff language providing interconnection customers 10 business days to cure the deficiencies and instead provides that interconnection requests with uncured deficiencies at the close of the cluster request window will be deemed invalid. As noted above, the May 4th Order rejected these proposed revisions. Accordingly, PacifiCorp proposes to revise Tariff Section 38.4.3 to revert back to the pre-existing language, as follows:

38.4.3 Deficiencies in Interconnection Request.

An Interconnection Request will not be considered to be a valid request until all items in Section 38.4.1 have been received by Transmission Provider. If an Interconnection Request fails to meet the requirements set forth in Section 38.4.1, Transmission Provider shall notify Interconnection Customer within five (5) Business Days of receipt of the initial Interconnection Request of the reasons for such failure and that the Interconnection Request does not constitute a valid request. Interconnection Customer shall provide Transmission Provider the additional requested information needed to constitute a valid request no later than the close of the Cluster Request Window. At any time, if Transmission Provider identifies issues with technical data provided by Interconnection Customer, Interconnection Customer and Transmission Provider shall work expeditiously and in good faith to remedy any data issues. Failure by Interconnection Customer to comply with this Section 38.4.3 shall be treated in accordance with Section 38.7.

Transmission Provider shall determine if the information contained in the Interconnection Request is sufficient to start the Cluster Study by the close of the Customer Engagement Window.

III. ADDITIONAL INFORMATION

1. Documents submitted with this filing

In addition to this Transmittal Letter, the following documents are included with this filing:

- The revised LGIP in redline format, marked against a clean version of the conditionally-accepted tariff language in the May 4th Order; and
- A clean copy of the revised LGIP.

2. Effective date

PacifiCorp requests that the Commission accept the above-described revisions effective April 1, 2022, consistent with the effective date approved in the May 4th Order.

3. Service

An electronic notice of this filing will be served on the state commissions in the jurisdictions where PacifiCorp operates: California Public Utilities Commission, Idaho Public Utilities Commission, Oregon Public Utility Commission, Utah Public Service Commission, Washington Utilities and Transportation Commission, and Wyoming Public Service Commission. Service of this filing will be to all PacifiCorp transmission service customers taking service under PacifiCorp's OATT, including all customers with a Large or Small Generator Interconnection Request pending via electronic notice and/or posting to the PacifiCorp's OASIS website. Pursuant to Section 35.2(d) of the Commission's regulations, 18 C.F.R § 35.2(d), a copy of this filing will be posted for public inspection at PacifiCorp's offices: 825 N.E. Multnomah St., Portland, OR 97232 and 1407 W North Temple, Salt Lake City, UT 84116. A copy of the filing will also be posted on PacifiCorp's OASIS website.⁴

IV. CONCLUSION

Wherefore, for the reasons discussed herein, PacifiCorp respectfully requests that the Commission accept the changes discussed herein as compliant with the May 4th Order, effective April 1, 2022.

Respectfully submitted,



Matthew Loftus
Assistant General Counsel
PacifiCorp
825 N.E. Multnomah, Suite 1600
Portland, OR 97232
(503) 813-5620
Matthew.Loftus@PacifiCorp.com

Enclosures

⁴ PacifiCorp's OASIS website is available at <http://www.oasis.oati.com/ppw/index.html>.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the parties identified on the Commission's official service list for this proceeding.

Dated at Portland, OR, this 3rd day of June, 2022.

/s/ Christian R. Marble
Christian Marble
Sr. Communications Rep.
PacifiCorp
825 NE Multnomah St.,
Suite 2000
Portland, OR 97232

IV. LARGE GENERATION INTERCONNECTION SERVICE

38 Interconnection Requests and Informational Interconnection Study Requests

38.1 Interconnection Requests: An Interconnection Customer shall submit to Transmission Provider, during a Cluster Request Window, an Interconnection Request in the form of Appendix 1 to this LGIP and a refundable deposit of:

- a. \$75,000 for requests of less than 50 MW;
- b. \$150,000 for requests of 50 MW and greater, but less than 200 MW; or
- c. \$250,000 for requests of 200 MW and greater.

Pursuant to Section 39.2.2, Transmission Provider shall apply the deposit toward the cost of a Cluster Study into which Interconnection Customer is admitted including such Interconnection Customer's individual Facilities Study, and shall be used to process Interconnection Customer's request. For Small Generating Facilities, the appropriate application fee or deposit shall be determined pursuant to Section 49.3 of Transmission Provider's OATT. Interconnection Customer shall submit a separate Interconnection Request for each site and may submit multiple Interconnection Requests for a single site. Interconnection Customer must submit a deposit with each Interconnection Request even when more than one request is submitted for a single site. An Interconnection Request to evaluate one site at two different voltage levels shall be treated as two Interconnection Requests.

At Interconnection Customer's option, Transmission Provider and Interconnection Customer will identify alternative Point(s) of Interconnection and configurations at the Scoping Meeting to evaluate in this process and attempt to eliminate alternatives in a reasonable fashion given resources and information available. Interconnection Customer will select the definitive Point of Interconnection to be studied no

later than the execution of the Cluster Study Agreement. For purposes of clustering Interconnection Service requests, Transmission Provider may make reasonable changes to the requested Point of Interconnection to facilitate efficient interconnection of Interconnection Customers at common points of interconnection. Transmission Provider shall notify Interconnection Customers in writing of any intended changes to the requested Point of Interconnection and the Point of Interconnection shall only change upon mutual agreement.

Transmission Provider shall have a process in place to consider requests for Interconnection Service below the Generating Facility Capacity. These requests for Interconnection Service shall be studied at the level of Interconnection Service requested for purposes of Interconnection Facilities, Network Upgrades, and associated costs, but may be subject to other studies at the full Generating Facility Capacity to ensure safety and reliability of the system, with the study costs borne by the Interconnection Customer. If after the additional studies are complete, Transmission Provider determines that additional Network Upgrades are necessary, then Transmission Provider must: (1) specify which additional Network Upgrade costs are based on which studies; and (2) provide a detailed explanation of why the additional Network Upgrades are necessary. Any Interconnection Facility and/or Network Upgrade costs required for safety and reliability also will be borne by the Interconnection Customer. Interconnection Customers may be subject to additional control technologies as well as testing and validation of those technologies consistent with Article 6 of the LGIA. The necessary control technologies and protection systems shall be established in Appendix C of the executed, or requested to be filed unexecuted, LGIA.

38.2 Identification of Types of Interconnection Services:

At the time the Interconnection Request is submitted, Interconnection Customer must request either Energy Resource Interconnection Service or Network Resource Interconnection Service, as described; provided, however, any Interconnection Customer requesting Network Resource Interconnection Service may also request that it be concurrently studied for Energy

Resource Interconnection Service, up to the point of five (5) Business Days after the initial Cluster Study Report Meeting held under Section 42.4(c). Interconnection Customer may then elect to proceed with Network Resource Interconnection Service or to proceed under a lower level of interconnection service to the extent that only certain upgrades will be completed.

38.2.1 Energy Resource Interconnection Service.

38.2.1.1 The Product. Energy Resource Interconnection Service allows Interconnection Customer to connect the Large Generating Facility to the Transmission System and be eligible to deliver the Large Generating Facility's output using the existing firm or non-firm capacity of the Transmission System on an "as available" basis. Energy Resource Interconnection Service does not in and of itself convey any right to deliver electricity to any specific customer or Point of Delivery.

38.2.1.2 The Study. The study consists of short circuit/fault duty, steady state (thermal and voltage) and stability analyses. The short circuit/fault duty analysis would identify direct Interconnection Facilities required and the Network Upgrades necessary to address short circuit issues associated with the Interconnection Facilities. The stability and steady state studies would identify necessary upgrades to allow full output of the proposed Large Generating Facility and would also identify the maximum allowed output, at the time the study is performed, of the interconnecting Large Generating Facility without requiring additional Network Upgrades.

38.2.2 Network Resource Interconnection Service.

38.2.2.1 The Product. Transmission Provider must conduct the necessary studies and construct the Network Upgrades needed to integrate the Large Generating Facility (1) in a manner comparable to that in which Transmission Provider integrates its generating facilities to serve native load customers; or (2) in an ISO or RTO with market based congestion management, in the same manner as Network Resources. Network Resource Interconnection Service Allows Interconnection Customer's Large Generating Facility to be designated as a Network Resource, up to the Large Generating Facility's full output, on the same basis as existing Network Resources interconnected to Transmission Provider's Transmission System, and to be studied as a Network Resource on the assumption that such a designation will occur.

38.2.2.2 The Study. The Interconnection Study for Network Resource Interconnection Service shall assure that Interconnection Customer's Large Generating Facility meets the requirements for Network Resource Interconnection Service and as a general matter, that such Large Generating Facility's interconnection is also studied with Transmission Provider's Transmission System at peak load, under a variety of severely stressed conditions, to determine whether, with the Large Generating Facility at full output, the aggregate of generation in the local area can be delivered to the aggregate of load on Transmission Provider's Transmission System, consistent with Transmission Provider's reliability criteria and

procedures. This approach assumes that some portion of existing Network Resources are displaced by the output of Interconnection Customer's Large Generating Facility. Network Resource Interconnection Service in and of itself does not convey any right to deliver electricity to any specific customer or Point of Delivery. The Transmission Provider may also study the Transmission System under non-peak load conditions. However, upon request by the Interconnection Customer, the Transmission Provider must explain in writing to the Interconnection Customer why the study of non-peak load conditions is required for reliability purposes.

38.3 Utilization of Surplus Interconnection Service.

Transmission Provider must provide a process that allows an Interconnection Customer to utilize or transfer Surplus Interconnection Service at an existing Point of Interconnection. The original Interconnection Customer or one of its affiliates shall have priority to utilize Surplus Interconnection Service. If the existing Interconnection Customer or one of its affiliates does not exercise its priority, then that service may be made available to other potential Interconnection Customers.

38.3.1 Surplus Interconnection Service Requests.

Surplus Interconnection Service requests may be made by the existing Interconnection Customer whose Generating Facility is already interconnected or one of its affiliates. Surplus Interconnection Service requests also may be made by another Interconnection Customer. Transmission Provider shall provide a process for evaluating Interconnection Requests for Surplus Interconnection Service. Studies for Surplus Interconnection Service shall consist of reactive power, short circuit/fault duty, stability analyses, and any other appropriate studies. Steady-state (thermal/voltage) analyses may be performed as

necessary to ensure that all required reliability conditions are studied. If the Surplus Interconnection Service was not studied under off-peak conditions, off-peak steady state analyses shall be performed to the required level necessary to demonstrate reliable operation of the Surplus Interconnection Service. If the original system impact study or Cluster Study is not available for the Surplus Interconnection Service, both off-peak and peak analysis may need to be performed for the existing Generating Facility associated with the request for Surplus Interconnection Service. The reactive power, short circuit/fault duty, stability, and steady-state analyses for Surplus Interconnection Service will identify any additional Interconnection Facilities and/or Network Upgrades necessary.

Interconnection Customers shall request Surplus Interconnection Service by submitting to the Transmission Provider a completed request in the form of, and in accordance with, Appendix 1 of this LGIP. Surplus Interconnection Service requests shall be processed outside of the interconnection queue. In order to deem a request for Surplus Interconnection Service valid and complete, a deposit of \$10,000 must also be received by the Transmission Provider. After a request for Surplus Interconnection Service has been deemed valid and complete by the Transmission Provider, the Transmission Provider will notify the Interconnection Customer(s) and schedule a scoping meeting within five (5) Business Days.

38.3.2 Surplus Interconnection Service System Impact Study.

38.3.2.1 Within five (5) Business Days following the scoping meeting, Interconnection Customer shall notify the Transmission Provider in writing that the Interconnection Customer wants to proceed with the process for requesting Surplus Interconnection Service. Within five (5) days of the notification that

Interconnection Customer wants to proceed with the process for requesting Surplus Interconnection Service, Transmission Provider shall tender to Interconnection Customer the Surplus Interconnection Service System Impact Study Agreement in the form of Appendix 5 of this LGIP, which includes a good faith estimate of the estimated timeframe for completing the Surplus Interconnection Service System Impact Study. The Surplus Interconnection Service System Impact Study Agreement shall specify that Interconnection Customer is responsible for the actual cost of the Surplus Interconnection Service System Impact Study.

38.3.2.2 Interconnection Customer shall execute the Surplus Interconnection Service System Impact Study Agreement and deliver the executed Surplus Interconnection Service System Impact Study Agreement to Transmission Provider no later than thirty (30) Calendar Days after its receipt.

38.3.2.3 As part of its Surplus Interconnection Service System Impact Study process, the Transmission Provider will evaluate the original interconnection system impact study, if any, or applicable Cluster Studies, to determine their suitability for use in the evaluation of the request for Surplus Interconnection Service. Inclusive of any Surplus Interconnection Service System Impact Study(ies) performed to evaluate the existing Interconnection Service and deemed suitable for use in the evaluation of the request for Surplus Interconnection Service, studies for Surplus Interconnection Service shall consist of reactive power, short circuit/fault duty, stability analyses, and any other appropriate studies. Steady-state (thermal/voltage) analyses may be performed as necessary to ensure that all required reliability conditions are studied. If the existing Interconnection Service was not studied under off-peak conditions or such study was not deemed suitable, off-peak steady state analyses shall be performed to the required level necessary to

demonstrate reliable operation of the Surplus Interconnection Service. If an existing interconnection system impact study or Cluster Study is not available or deemed suitable for the Surplus Interconnection Service, both off-peak and peak analysis may need to be performed for the existing Generating Facility associated with the request for Surplus Interconnection Service. The studies performed to evaluate a request for Surplus Interconnection Service will identify if any additional Interconnection Facilities and/or Network Upgrades are necessary. If any additional Network Upgrades are necessary, the Surplus Interconnection Request will be denied. Necessary control technologies will also be identified in the studies performed.

38.3.2.4 Transmission Provider shall use Reasonable Efforts to complete the Surplus Interconnection Service System Impact Study within ninety (90) Calendar Days after the receipt of the executed Surplus Interconnection Service System Impact Study Agreement and any technical data required to complete the study. At the request of Interconnection Customer or at any time Transmission Provider determines that it will not meet the required time frame for completing the Surplus Interconnection Service System Impact Study, Transmission Provider shall notify Interconnection Customer as to the schedule status of the Surplus Interconnection Service System Impact Study. If Transmission Provider is unable to complete the Surplus Interconnection Service System Impact Study within the time period, it shall notify Interconnection Customer and provide an estimated completion date with an explanation of the reasons why additional time is required.

38.3.2.5 Within ten (10) Business Days of providing a Surplus Interconnection Service System Impact Study report to Interconnection Customer, Transmission Provider shall establish a date agreeable to Interconnection Customer to meet to discuss the results of the Surplus Interconnection Service System Impact Study.

Such meeting shall be no later than thirty (30) Calendar Days from issuance of the Surplus Interconnection Service System Impact Study report, unless otherwise mutually agreed upon by the Parties.

38.3.3 Surplus Interconnection Service Agreement.

38.3.3.1 Within thirty (30) Calendar Days after delivery of the Surplus Interconnection Service System Impact Study report, Transmission Provider shall tender (1) a draft Surplus Interconnection Service Agreement to the original Interconnection Customer and the Surplus Interconnection Service Customer for their execution, and (2) a draft Amended and Restated Large Generator Interconnection Agreement to the original Interconnection Customer that is revised as necessary to reflect the new Surplus Interconnection Service. Transmission Provider is not required to execute an interconnection agreement for Surplus Interconnection Service if the agreement does not meet the definition set forth in the Tariff or if either the original or surplus Interconnection Customer does not agree to the terms of such service, including any requirements that may be identified by the Transmission Provider in the studies for Surplus Interconnection Service.

38.3.3.2 Transmission Provider and Interconnection Customers shall negotiate concerning any disputed provisions of the appendices to the draft Surplus Interconnection Service Agreement for not more than sixty (60) Calendar Days after tender of the draft Surplus Interconnection Service Agreement. If any Interconnection Customer determines that negotiations are at an impasse, it may request termination of the negotiations at any time after tender of the draft Surplus Interconnection Service Agreement and request submission of the unexecuted Surplus Interconnection Service Agreement to FERC or initiate Dispute Resolution procedures pursuant to Section 13.5 of the LGIP. The Surplus

Interconnection Service request shall be deemed withdrawn if, within sixty (60) Calendar Days of tender of the draft Surplus Interconnection Service Agreement and unless otherwise agreed by the Parties: (1) the original Interconnection Customer fails to also execute the draft amended and restated LGIA following its execution of the Surplus Interconnection Service Agreement, or (2) either the original Interconnection Customer or the surplus Interconnection Customer has not (a) executed the Surplus Interconnection Service Agreement, (b) requested filing of an unexecuted Surplus Interconnection Service Agreement, or (c) initiated Dispute Resolution procedures pursuant to Section 13.5 of the LGIP.

38.3.3.3 As soon as practicable, but not later than fifteen (15) Business Days after receiving the two executed originals of the tendered Surplus Interconnection Service Agreement or the request to file an unexecuted Surplus Interconnection Service Agreement, Transmission Provider shall file the executed or unexecuted Surplus Interconnection Service Agreement with FERC. To the extent the Surplus Interconnection Service Agreement is unexecuted, the filing will contain an explanation of any matters as to which Interconnection Customer(s) and Transmission Provider disagree and support for the costs that Transmission Provider proposes to charge to Interconnection Customer(s) under the Surplus Interconnection Service Agreement. An unexecuted Surplus Interconnection Service Agreement should contain terms and conditions deemed appropriate by Transmission Provider for the Interconnection Request. If the Parties agree to proceed with design, procurement, and construction of facilities under the agreed-upon terms of the unexecuted Surplus Interconnection Service Agreement, they may proceed pending FERC action.

38.4 Valid Interconnection Request:

38.4.1 Initiating an Interconnection Request.

An Interconnection Customer wishing to join a Cluster shall submit its Interconnection Request to Transmission Provider within, and no later than the close of the Cluster Request Window. To initiate an Interconnection Request, Interconnection Customer must submit all of the following:

- (i) applicable deposit amount, pursuant to Section 38.1,
- (ii) a completed application in the form of Appendix 1 (including applicable technical information),
- (iii) Site Control demonstration pursuant to Section 38.4.1(iii) (a) or (b) below:
 - a. Demonstration of actual Site Control. For demonstration of Site Control of Large Generating Facilities: Specifications for acceptable site size for the purposes of demonstrating Site Control are posted on Transmission Provider's OASIS website. Interconnection Customer may propose alternative specifications for site size to those posted on OASIS for Transmission Provider approval. In the event Transmission Provider and Interconnection Customer cannot reach agreement related to adequacy of site size, Transmission Provider will accept a Professional Engineer (licensed in the state of the Point of Interconnection) stamped site plan drawing that depicts the proposed generation arrangement and specifies the maximum facility output for that arrangement. Demonstration of Site Control for Small Generating Facilities shall be pursuant to Section 49.5.
 - b. Posting of an additional deposit of \$10,000 in lieu-of Site Control. Deposits paid pursuant to this Section 38.4.1(iii) shall be refunded to the Interconnection Customer upon Commercial Operation or upon

withdrawal pursuant to Section 38.7, subject to applicable Withdrawal Penalties.

- (iv) Generating Facility size (MW) (and requested Interconnection Service amount if the requested Interconnection Service is less than the Generating Facility Capacity);
- (v) One of the following Readiness Milestone Options totaling the entire capacity of the Generating Facility (or requested Interconnection Service amount if the requested Interconnection Service is less than the Generating Facility Capacity).
 - (a) Executed term sheet (or comparable evidence) related to a contract for sale of (i) the constructed Generating Facility to a load-serving entity or to a commercial, industrial, or other large end-use customer, (ii) the Generating Facility's energy where the term of sale is not less than five (5) years, or (iii) the Generating Facility's ancillary services if the Generating Facility is an electric storage resource where the term of sale is not less than five (5) years;
 - (b) Executed contract binding upon the parties for sale of (i) the constructed Generating Facility to a load-serving entity or to a commercial, industrial, or other large end-use customer, (ii) the Generating Facility's energy where the term of sale is not less than five (5) years, or (iii) the Generating Facility's ancillary services if the Generating Facility is an electric storage resource where the term of sale is not less than five (5) years;
 - (c) Reasonable evidence that the Generating Facility has been selected in a Resource Plan or Resource

Solicitation Process by or for a load-serving entity, is being developed by a load-serving entity, or is being developed for purposes of a sale to a commercial, industrial, or other large end-use customer;

(d) A refundable deposit of \$3,000 per MW of generating capacity proposed in the Interconnection Request; or

(e) Site specific Purchase Order for generating equipment specific to the Interconnection Request, or statement signed by an officer or authorized agent of the Interconnection Customer attesting that the Generating Facility included is to be supplied with turbines (or equivalent major electric generating components) with a manufacturer's blanket purchase agreement to which Interconnection Customer is a party. This blanket purchase agreement shall be provided to Transmission Provider.

(vi) A Point of Interconnection.

(vii) Whether the Interconnection Request shall be studied as a Network Resource Interconnection Service or an Energy Resource Interconnection Service, consistent with Section 38.2.

Interconnection Customer shall promptly inform Transmission Provider of any material change to Interconnection Customer's demonstration of Site Control under Section 38.4.1(iii) or its satisfaction of a Readiness Milestone Option as selected under Section 38.4.1(v) or Section 43.1, as applicable. Upon Transmission Provider determining separately that Interconnection Customer no longer satisfies Site Control or a Readiness Milestone Option, Transmission Provider shall give Interconnection Customer fifteen (15) Business Days to demonstrate satisfaction with the applicable requirement to Transmission

Provider's satisfaction. Absent such demonstration, Transmission Provider will deem the subject Interconnection Request withdrawn.

The expected In-Service Date of the new Large Generating Facility or increase in capacity of the existing Generating Facility shall be no more than the process window for the regional expansion planning period (or in the absence of a regional planning process, the process window for Transmission Provider's expansion planning period) not to exceed seven (7) years from the date the Interconnection Request is received by Transmission Provider, unless Interconnection Customer demonstrates that engineering, permitting and construction of the new Large Generating Facility or increase in capacity of the existing Generating Facility will take longer than the regional expansion planning period. The In-Service Date may succeed the date the Interconnection Request is received by Transmission Provider by a period up to ten (10) years, or longer where Interconnection Customer and Transmission Provider agree, such agreement not to be unreasonably withheld.

38.4.2 Acknowledgment of Interconnection Request.

Transmission Provider shall acknowledge receipt of the Interconnection Request within five (5) Business Days of receipt of the request and attach a copy of the received Interconnection Request to the acknowledgement.

38.4.3 Deficiencies in Interconnection Request.

An Interconnection Request will not be considered to be a valid request until all items in Section 38.4.1 have been received by Transmission Provider. If an Interconnection Request fails to meet the requirements set forth in Section 38.4.1, Transmission Provider shall notify Interconnection Customer within five (5) Business Days of receipt of the initial Interconnection Request of the reasons for such failure and that the Interconnection Request does not constitute a valid request.

Interconnection Customer shall provide Transmission Provider the additional requested information needed to constitute a valid request no later than the close of the Cluster Request Window. At any time, if Transmission Provider identifies issues with technical data provided by Interconnection Customer, Interconnection Customer and Transmission Provider shall work expeditiously and in good faith to remedy any data issues. Failure by Interconnection Customer to comply with this Section 38.4.3 shall be treated in accordance with Section 38.7.

Transmission Provider shall determine if the information contained in the Interconnection Request is sufficient to start the Cluster Study by the close of the Customer Engagement Window.

38.4.4 Scoping Meeting.

During the Customer Engagement Window, Transmission Provider shall hold a Scoping Meeting with all Interconnection Customers whose valid Interconnection Requests were received in that Cluster Request Window. If requested by an Interconnection Customer, Transmission Provider shall also hold individual customer-specific Scoping Meetings, which must be requested no later than fifteen (15) Business Days after the close of the Cluster Request Window.

The purpose of the Scoping Meeting shall be to discuss alternative interconnection options, to exchange information including any transmission data that would reasonably be expected to impact such interconnection options, to discuss the Cluster Area materials posted to OASIS pursuant to Section 42.4, and to analyze such information. Transmission Provider and Interconnection Customer will bring to the meeting such technical data, including, but not limited to: (i) general facility loadings, (ii) general instability issues, (iii) general short

circuit issues, (iv) general voltage issues, and (v) general reliability issues as may be reasonably required to accomplish the purpose of the meeting. Transmission Provider and Interconnection Customer will also bring to the meeting personnel and other resources as may be reasonably required to accomplish the purpose of the meeting in the time allocated for the meeting. The duration of the meeting shall be sufficient to accomplish its purpose.

38.5 OASIS Posting:

38.5.1 Transmission Provider will maintain on its OASIS a list of all Interconnection Requests. The list will identify, for each Interconnection Request: (i) the maximum summer and winter megawatt electrical output; (ii) the location by county and state; (iii) the station or transmission line or lines where the interconnection will be made; (iv) the projected In-Service Date; (v) the status of the Interconnection Request, including Queue Position; (vi) the type of Interconnection Service being requested; (vii) the availability of any studies related to the Interconnection Request; (viii) the date of the Interconnection Request; (ix) the type of Generating Facility to be constructed (combined cycle, base load or combustion turbine and fuel type); and (x) for Interconnection Requests that have not resulted in a completed interconnection, an explanation as to why it was not completed. Except in the case of an Affiliate, the list will not disclose the identity of Interconnection Customer until Interconnection Customer executes an LGIA or requests that Transmission Provider file an unexecuted LGIA with FERC. Before holding a Scoping Meeting with its Affiliate, Transmission Provider shall post on OASIS an advance notice of its intent to do so. Transmission Provider shall post to its OASIS site any deviations from the study timelines set forth herein. Interconnection Study reports shall be posted to Transmission Provider's OASIS site subsequent to the meeting between Interconnection Customer and Transmission

Provider to discuss the applicable study results. Transmission Provider shall also post any known deviations in the Large Generating Facility's In-Service Date.

38.5.2 Requirement to Post Interconnection Study Metrics.

Transmission Provider will maintain on its OASIS or its website summary statistics related to processing Interconnection Studies pursuant to Interconnection Requests, updated quarterly. If Transmission Provider posts this information on its website, a link to the information must be provided on Transmission Provider's OASIS site. For each calendar quarter, Transmission Provider must calculate and post the information detailed in Sections 38.5.2.1 through 38.5.2.4.

38.5.2.1 Interconnection Cluster Study Processing Time.

(A) Number of Interconnection Requests that had Cluster Studies completed within Transmission Provider's coordinated region during the reporting quarter,

(B) Number of Interconnection Requests that had Cluster Studies completed within Transmission Provider's coordinated region during the reporting quarter that were completed more than one hundred fifty (150) Calendar Days after commencement of the Cluster Study,

(C) At the end of the reporting quarter, the number of active valid Interconnection Requests with ongoing incomplete Cluster Studies one hundred fifty (150) Calendar Days after commencement of the Cluster Study,

(D) Mean time (in days), Cluster Studies completed within Transmission

Provider's coordinated region during the reporting quarter, from the commencement of the Cluster Study to the date when Transmission Provider provided the completed Cluster Study to the Interconnection Customer,

(E) Percentage of Cluster Studies exceeding one hundred fifty (150) Calendar Days to complete this reporting quarter, calculated as the sum of 38.5.2.1(B) plus 38.5.2.1(C) divided by the sum of 38.5.2.1(A) plus 38.5.2.1(C)).

38.5.2.2 Interconnection Facilities Studies Processing Time.

(A) Number of Interconnection Requests that had Interconnection Facilities Studies that are completed within Transmission Provider's coordinated region during the reporting quarter,

(B) Number of Interconnection Requests that had Interconnection Facilities Studies that are completed within Transmission Provider's coordinated region during the reporting quarter that were completed more 90 or 180 Calendar Days (study duration depends on Interconnection Customer's selection on Facilities Study Agreement) after receipt by Transmission Provider of the Interconnection Customer's executed Interconnection Facilities Study Agreement,

(C) At the end of the reporting quarter, the number of active valid Interconnection Service requests with ongoing incomplete Interconnection Facilities Studies where such Interconnection Requests had executed Interconnection Facilities Studies

Agreement received by Transmission Provider more than 90 or 180 Calendar Days (study duration depends on Interconnection Customer's selection on Facilities Study Agreement) before the reporting quarter end,

(D) Mean time (in days), for Interconnection Facilities Studies completed within Transmission Provider's coordinated region during the reporting quarter, calculated from the date when Transmission Provider received the executed Interconnection Facilities Study Agreement to the date when Transmission Provider provided the completed Interconnection Facilities Study to the Interconnection Customer,

(E) Percentage of delayed Interconnection Facilities Studies this reporting quarter, calculated as the sum of 38.5.2.2(B) plus 38.5.2.2(C) divided by the sum of 38.5.2.2(A) plus 38.5.2.2(C).

**38.5.2.3 Interconnection Service Requests
Withdrawn from Interconnection Queue.**

(A) Number of Interconnection Requests withdrawn from Transmission Provider's interconnection queue during the reporting quarter,

(B) Number of Interconnection Requests withdrawn from Transmission Provider's interconnection queue during the reporting quarter before completion of any interconnection studies or execution of any interconnection study agreements,

(C) Number of Interconnection Requests withdrawn from Transmission Provider's interconnection queue

during the reporting quarter before completion of a Cluster Study,

(D) Number of Interconnection Requests withdrawn from Transmission Provider's interconnection queue during the reporting quarter before completion of an Interconnection Facilities Study,

(E) Number of Interconnection Requests withdrawn from Transmission Provider's interconnection queue after execution of a generator interconnection agreement or Interconnection Customer requests the filing of an unexecuted, new interconnection agreement,

(F) Mean time (in days), for all withdrawn Interconnection Requests, from the date when the request was determined to be valid to when Transmission Provider received the request to withdraw from the queue.

38.5.3 Transmission Provider is required to post on OASIS or its website the measures in paragraph 38.5.2.1(A) through paragraph 38.5.2.3(F) for each calendar quarter within 30 Calendar Days of the end of the calendar quarter. Transmission Provider will keep the quarterly measures posted on OASIS or its website for three calendar years with the first required report to be in the first quarter of 2020. If Transmission Provider retains this information on its website, a link to the information must be provided on Transmission Provider's OASIS site.

38.5.4 In the event that any of the values calculated in paragraphs 38.5.2.1(E), or 38.5.2.2(E) exceeds 25 percent for two consecutive calendar quarters, Transmission Provider will have to comply with the measures below for the next four consecutive calendar quarters and must continue reporting this information until

Transmission Provider reports four consecutive calendar quarters without the values calculated in 38.5.2.1(E) or 38.5.2.2(E) exceeding 25 percent for two consecutive calendar quarters:

(i) Transmission Provider must submit a report to the Commission describing the reason for each study or group of clustered studies pursuant to an Interconnection Request that exceeded its deadline (i.e., 150, 90 or 180 days) for completion (excluding any allowance for Reasonable Efforts). Transmission Provider must describe the reasons for each study delay and any steps taken to remedy these specific issues and, if applicable, prevent such delays in the future. The report must be filed at the Commission within 45 Calendar Days of the end of the calendar quarter.

(ii) Transmission Provider shall aggregate the total number of employee-hours and third party consultant hours expended towards interconnection studies within its coordinated region that quarter and post on OASIS or its website. If Transmission Provider posts this information on its website, a link to the information must be provided on Transmission Provider's OASIS site. This information is to be posted within 30 Calendar Days of the end of the calendar quarter.

38.6 Coordination with Affected Systems: Transmission Provider will coordinate the conduct of any studies required to determine the impact of the Interconnection Request on Affected Systems with Affected System Operators and, if possible, include those results (if available) in its applicable Interconnection Study within the time frame specified in this LGIP. Transmission Provider will include such Affected System Operators in all meetings held with Interconnection Customer as required by this LGIP. Interconnection Customer will cooperate with Transmission Provider in all matters related to the conduct of studies and the determination of modifications to Affected Systems. A Transmission Provider which may be an Affected System shall cooperate with Transmission Provider with whom

interconnection has been requested in all matters related to the conduct of studies and the determination of modifications to Affected Systems. It is the responsibility of the Affected System Owner to provide the requirements or potential impediments to providing the requested interconnection service, including a preliminary indication of the cost and length of time that would be necessary to (i) complete any interconnection studies and (ii) construct any necessary Interconnection Facilities and Network Upgrades needed to reliably interconnect at the requested service level.

38.7 Withdrawal: Interconnection Customer may withdraw its Interconnection Request at any time by written notice of such withdrawal to Transmission Provider. In addition, if Interconnection Customer fails to adhere to all requirements of this LGIP, except as provided in Section 48.5 (Disputes), Transmission Provider shall deem the Interconnection Request to be withdrawn and shall provide written notice to Interconnection Customer of the deemed withdrawal and an explanation of the reasons for such deemed withdrawal. Upon receipt of such written notice, Interconnection Customer shall have fifteen (15) Business Days in which to either respond with information or actions that cures the deficiency or to notify Transmission Provider of its intent to pursue Dispute Resolution.

Withdrawal shall result in the loss of Interconnection Customer's Queue Position, including any placement in a particular Cluster. If an Interconnection Customer disputes the withdrawal and loss of its Queue Position, then during Dispute Resolution, Interconnection Customer's Interconnection Request is eliminated from the queue until such time that the outcome of Dispute Resolution would restore its Queue Position. An Interconnection Customer that withdraws or is deemed to have withdrawn its Interconnection Request shall pay to Transmission Provider all costs that Transmission Provider prudently incurs with respect to that Interconnection Request prior to Transmission Provider's receipt of notice described above. Interconnection Customer must pay all monies due to Transmission Provider before it is allowed to obtain any Interconnection Study data or results.

In the case of a withdrawal, Transmission Provider shall:

(i) update OASIS as appropriate, including any Queue Position changes;

(ii) impose the applicable Withdrawal Penalty described in Section 38.7.1, if any; and

(iii) issue any refund to Interconnection Customer pursuant to Section 48.3.2.

In the event of such withdrawal, Transmission Provider, subject to the confidentiality provisions of Section 48.1, shall provide, at Interconnection Customer's request, all information that Transmission Provider developed for any completed study conducted up to the date of withdrawal of the Interconnection Request.

38.7.1 Withdrawal Penalty. Except as provided in Attachment W of Transmission Provider's Tariff, an Interconnection Customer shall be subject to a penalty ("Withdrawal Penalty") if it withdraws its Interconnection Request or the Generating Facility does not otherwise reach Commercial Operation unless (1) the withdrawal does not negatively affect the timing or cost of other projects within the same Cluster as determined by Transmission Provider; (2) the Interconnection Customer withdraws after receiving the most recent Cluster Study Report and the costs assigned to the Interconnection Request identified in that report have increased by more than twenty-five percent (25%) compared to costs identified in the previous Cluster Study Report; (3) the Interconnection Customer withdraws after receiving the individual Facilities Study report and the costs assigned to the Interconnection Request identified in that report have increased by more than 100 percent compared to costs identified in the most recent Cluster Study Report. For the avoidance of doubt, Small Generating Facilities participating in the Cluster Study process

pursuant to Section 42 shall not be subject to Withdrawal Penalties.

38.7.1.1 Calculation of the Withdrawal Penalty. If the withdrawing Interconnection Customer has demonstrated any of the Readiness Milestone Options in Sections 38.4.1(v) (a)-(c) or Section 38.4.1(v) (e), and is withdrawing prior to executing an LGIA, the Interconnection Customer shall be charged one (1) times its actual allocated cost of all studies performed up until that point.

If the withdrawing Interconnection Customer only demonstrated the Readiness Milestone Option in Section 38.4.1(v) (d) and is withdrawing prior to executing an LGIA, that Interconnection Customer's Withdrawal Penalty shall be as follows:

(a) If Interconnection Customer withdraws either (i) following commencement of the Cluster Study and before receipt of a Cluster Study Report, or (ii) after receipt of a Cluster Study Report, the Interconnection Customer shall be charged two (2) times of its actual allocated cost of all studies performed for Interconnection Customers in the Cluster up until that point, regardless of any previous Withdrawal Penalty revenues received. This amount shall be capped at one (1) million dollars.

(b) If Interconnection Customer withdraws after receipt of any applicable restudy reports issued pursuant to Section 42.4, the Interconnection Customer shall be charged three (3) times of its actual allocated cost of all studies performed for Interconnection Customers in the Cluster up until that point, regardless of any previous Withdrawal Penalty revenues received. This amount shall be capped at one and one half (1.5) million dollars.

(c) If Interconnection Customer withdraws after receipt of the individual Facility

Study report issued pursuant to Section 43, the Interconnection Customer shall be charged five (5) times of its actual allocated cost of all studies performed for Interconnection Customers in the Cluster up until that point, regardless of any previous Withdrawal Penalty revenues received. This amount shall be capped at two (2) million dollars.

The Withdrawal Penalty for any Interconnection Customer that, before achieving Commercial Operation, withdraws after executing an LGIA shall be nine (9) times of its actual allocated cost of all studies performed for Interconnection Customers in the Cluster up until that point, regardless of any previous Withdrawal Penalty revenues received. In the event that the Interconnection Customer suspends its interconnection agreement, the Interconnection Customer shall be obligated to pay for costs associated with any studies or restudies required as a result of the suspension of the interconnection agreement, including any restudies associated with any affected lower-queued customers.

38.7.1.2 Distribution of the Withdrawal Penalty.

Any Withdrawal Penalty revenues shall be used to fund generation interconnection studies, including individual Interconnection Facility Studies. Withdrawal Penalty revenues shall first be applied, in the form of a bill credit, to not-yet-invoiced study costs for other Interconnection Customers in the same Cluster, and to the extent that such studies are fully credited, shall be applied to study costs of future Clusters in queue order. Withdrawn Interconnection Customers shall not receive a bill credit associated with Withdrawal Penalty revenues. Distribution of Withdrawal Penalty revenues to a specific study shall not exceed the total actual study costs. Allocation of Withdrawal Penalty revenues within a Cluster to a specific Interconnection Customer shall be (1) fifty percent (50%) on a per capita basis based on number of Interconnection Requests in the applicable Cluster; and (2) fifty percent (50%) to Interconnection Customers on a pro-rata basis based on requested megawatts included in the applicable Cluster. Distribution of Withdrawal Penalty revenue associated

with Section 38.7.1.1(c) shall not be distributed to the remaining Interconnection Customers in that Cluster until all Interconnection Customers in that Cluster have reached Commercial Operation and thereafter shall be distributed as described above. Transmission Provider shall not change the distribution of Withdrawal Penalty revenue without authorization by the Commission. Transmission Provider shall post the Withdrawal Penalty balance on its OASIS site.

38.8 Identification of Contingent Facilities.

38.8.1. In general. Transmission Provider's method for identifying the Contingent Facilities to be provided to the Interconnection Customer at the conclusion of the Cluster Study and included in Interconnection Customer's Standard Large Generator Interconnection Agreement is set forth below. The method permits the parties to determine why a specific Contingent Facility was identified and how it relates to the Interconnection Request.

38.8.2. Baseline assumptions. Transmission Provider uses a technical screening process to identify Contingent Facilities, which includes starting with the baseline assumption that the following are in-service: (i) Generating Facilities that are directly interconnected to the Transmission System; (ii) Generating Facilities that are interconnected to Affected Systems and may have an impact on the Interconnection Request; (iii) Generating Facilities that have a pending higher queued Interconnection Request to interconnect to the Transmission System and their associated Interconnection Facilities and Network Upgrade requirements; (iv) Generating Facilities that have no Queue Position, but have executed an interconnection agreement, or requested that an unexecuted interconnection agreement be filed with FERC, and their associated Interconnection Facilities and Network Upgrades; (v) pending and granted requests for transmission service and their associated facilities or upgrade requirements to the extent they have an impact on the Interconnection Request; and (vi) Transmission Provider's transmission expansion plan components, or the transmission expansion plan components of third-party transmission

providers, to the extent they have an impact on the Interconnection Request.

38.8.3. Technical Screening Process. The technical screening process for identifying Contingent Facilities is comprised of the following steps:

(1) Identify Potential Contingent Facilities.

Transmission Provider will review all applicable Interconnection Study results for higher queued Interconnection Requests to identify any unbuilt Interconnection Facilities and/or Network Upgrades as potential Contingent Facilities to be evaluated pursuant to Steps 2-5 below.

(2) Remove a Potential Contingent Facility and Perform Applicable Contingency Analyses.

The Transmission Provider will take a potential Contingent Facility out of service in its study model and: (a) perform steady state, short circuit, voltage stability, and/or transient stability analyses to determine if the Transmission System demonstrates acceptable pre- and post-contingency system performance, in accordance with current Transmission Provider, WECC, NERC, or Reliability Coordinator criteria or standards; and (b) document the resulting Transmission System performance deficiencies following the analysis in Step 2(a).

(3) Add the proposed Generating Facility into Model and Rerun Contingency Analyses.

Transmission Provider will add the proposed Generating Facility into the model after taking the potential Contingent Facility out of service as provided in Step 2 above, and: (a) perform the same analysis for the added proposed Generating Facility as the analysis outlined in Step 2(a) for the removed potential Contingent Facility; and (b) document the resulting Transmission System performance deficiencies following the analysis in Step 3(a).

(4) Apply Threshold and Categorize. If the Transmission System performance deficiencies observed in Step 3(b) are: (a) exacerbated by one percent (1%) or greater than the Transmission

System performance deficiencies initially observed in Step 2(b), then the potential Contingent Facility that is individually evaluated in Step 2 will be deemed a Contingent Facility; or (b) exacerbated by less than one percent (1%) than the Transmission System performance deficiencies initially observed in Step 2(b), then the potential Contingent Facility that is individually evaluated in Step 2 will not be deemed a Contingent Facility.

(5) Repeat for Each Identified Potential Contingent Facility. Transmission Provider will repeat Steps 2-4 for each potential Contingent Facility identified in Step 1.

(6) Per Se Contingent Facilities. Notwithstanding Steps 1-5, an Interconnection Facility or Network Upgrade of a higher-queued Interconnection Request shall automatically be deemed a Contingent Facility if such Interconnection Facility or Network Upgrade would be necessary for the proper functioning of the proposed Generating Facility's System Protection Facilities (as defined in Appendix 6 to Attachment N of Transmission Provider's OATT).

38.8.4. The Cluster Study report will list Contingent Facilities in an appendix, which will include: (a) a description of each Contingent Facility; and (b) the Interconnection Request, transmission service request or planned project for which the Contingent Facility was initially required. This list of Contingent Facilities is subject to updates if a Cluster is Re-Studied pursuant to Section 42.5.

38.8.5. If requested by the Interconnection Customer, and if readily available and not commercially sensitive, Transmission Provider will also provide an estimate of the costs of and the in-service date for each Contingent Facility, which may be subject to later updates if a Contingent Facility's estimated costs and in-service dates change.

38.9. Informational Interconnection Study Requests.

Interconnection Customers evaluating different options (such as different sizes, sites, or voltages) are

encouraged but not required to use the Informational Interconnection Study Process in Section 41 before entering the Cluster Study process.

IV. LARGE GENERATION INTERCONNECTION SERVICE

38 Interconnection Requests and Informational Interconnection Study Requests

38.1 Interconnection Requests: An Interconnection Customer shall submit to Transmission Provider, during a Cluster Request Window, an Interconnection Request in the form of Appendix 1 to this LGIP and a refundable deposit of:

- a. \$75,000 for requests of less than 50 MW;
- b. \$150,000 for requests of 50 MW and greater, but less than 200 MW; or
- c. \$250,000 for requests of 200 MW and greater.

Pursuant to Section 39.2.2, Transmission Provider shall apply the deposit toward the cost of a Cluster Study into which Interconnection Customer is admitted including such Interconnection Customer's individual Facilities Study, and shall be used to process Interconnection Customer's request. For Small Generating Facilities, the appropriate application fee or deposit shall be determined pursuant to Section 49.3 of Transmission Provider's OATT. Interconnection Customer shall submit a separate Interconnection Request for each site and may submit multiple Interconnection Requests for a single site. Interconnection Customer must submit a deposit with each Interconnection Request even when more than one request is submitted for a single site. An Interconnection Request to evaluate one site at two different voltage levels shall be treated as two Interconnection Requests.

At Interconnection Customer's option, Transmission Provider and Interconnection Customer will identify alternative Point(s) of Interconnection and configurations at the Scoping Meeting to evaluate in this process and attempt to eliminate alternatives in a reasonable fashion given resources and information available. Interconnection Customer will select the definitive Point of Interconnection to be studied no later than the execution of the Cluster Study Agreement. For purposes of clustering Interconnection Service requests, Transmission Provider may make reasonable changes to the requested Point of Interconnection to facilitate efficient interconnection of Interconnection Customers at common points of

interconnection. Transmission Provider shall notify Interconnection Customers in writing of any intended changes to the requested Point of Interconnection and the Point of Interconnection shall only change upon mutual agreement.

Transmission Provider shall have a process in place to consider requests for Interconnection Service below the Generating Facility Capacity. These requests for Interconnection Service shall be studied at the level of Interconnection Service requested for purposes of Interconnection Facilities, Network Upgrades, and associated costs, but may be subject to other studies at the full Generating Facility Capacity to ensure safety and reliability of the system, with the study costs borne by the Interconnection Customer. If after the additional studies are complete, Transmission Provider determines that additional Network Upgrades are necessary, then Transmission Provider must: (1) specify which additional Network Upgrade costs are based on which studies; and (2) provide a detailed explanation of why the additional Network Upgrades are necessary. Any Interconnection Facility and/or Network Upgrade costs required for safety and reliability also will be borne by the Interconnection Customer. Interconnection Customers may be subject to additional control technologies as well as testing and validation of those technologies consistent with Article 6 of the LGIA. The necessary control technologies and protection systems shall be established in Appendix C of the executed, or requested to be filed unexecuted, LGIA.

38.2 Identification of Types of Interconnection Services: At the time the Interconnection Request is submitted, Interconnection Customer must request either Energy Resource Interconnection Service or Network Resource Interconnection Service, as described; provided, however, any Interconnection Customer requesting Network Resource Interconnection Service may also request that it be concurrently studied for Energy Resource Interconnection Service, up to the point of five (5) Business Days after the initial Cluster Study Report Meeting held under Section 42.4(c). Interconnection Customer may then elect to proceed with Network Resource Interconnection Service or to proceed under a lower level of interconnection service to the extent that only certain upgrades will be completed.

38.2.1 Energy Resource Interconnection Service.

38.2.1.1 The Product. Energy Resource Interconnection Service allows

Interconnection Customer to connect the Large Generating Facility to the Transmission System and be eligible to deliver the Large Generating Facility's output using the existing firm or non-firm capacity of the Transmission System on an "as available" basis. Energy Resource Interconnection Service does not in and of itself convey any right to deliver electricity to any specific customer or Point of Delivery.

38.2.1.2 The Study. The study consists of short circuit/fault duty, steady state (thermal and voltage) and stability analyses. The short circuit/fault duty analysis would identify direct Interconnection Facilities required and the Network Upgrades necessary to address short circuit issues associated with the Interconnection Facilities. The stability and steady state studies would identify necessary upgrades to allow full output of the proposed Large Generating Facility and would also identify the maximum allowed output, at the time the study is performed, of the interconnecting Large Generating Facility without requiring additional Network Upgrades.

38.2.2 Network Resource Interconnection Service.

38.2.2.1 The Product. Transmission Provider must conduct the necessary studies and construct the Network Upgrades needed to integrate the Large Generating Facility (1) in a manner comparable to that in which Transmission Provider integrates its generating facilities to serve native load customers; or (2) in an ISO or RTO with market based congestion management, in the same manner as Network Resources. Network Resource Interconnection Service Allows Interconnection Customer's Large Generating Facility to be designated as a Network Resource, up to the

Large Generating Facility's full output, on the same basis as existing Network Resources interconnected to Transmission Provider's Transmission System, and to be studied as a Network Resource on the assumption that such a designation will occur.

38.2.2.2 The Study. The Interconnection Study for Network Resource Interconnection Service shall assure that Interconnection Customer's Large Generating Facility meets the requirements for Network Resource Interconnection Service and as a general matter, that such Large Generating Facility's interconnection is also studied with Transmission Provider's Transmission System at peak load, under a variety of severely stressed conditions, to determine whether, with the Large Generating Facility at full output, the aggregate of generation in the local area can be delivered to the aggregate of load on Transmission Provider's Transmission System, consistent with Transmission Provider's reliability criteria and procedures. This approach assumes that some portion of existing Network Resources are displaced by the output of Interconnection Customer's Large Generating Facility. Network Resource Interconnection Service in and of itself does not convey any right to deliver electricity to any specific customer or Point of Delivery. The Transmission Provider may also study the Transmission System under non-peak load conditions. However, upon request by the Interconnection Customer, the Transmission Provider must explain in writing to the Interconnection Customer why the study of non-peak load conditions is required for reliability purposes.

38.3 Utilization of Surplus Interconnection Service.

Transmission Provider must provide a process that allows an Interconnection Customer to utilize or transfer Surplus Interconnection Service at an existing

Point of Interconnection. The original Interconnection Customer or one of its affiliates shall have priority to utilize Surplus Interconnection Service. If the existing Interconnection Customer or one of its affiliates does not exercise its priority, then that service may be made available to other potential Interconnection Customers.

38.3.1 Surplus Interconnection Service Requests.

Surplus Interconnection Service requests may be made by the existing Interconnection Customer whose Generating Facility is already interconnected or one of its affiliates. Surplus Interconnection Service requests also may be made by another Interconnection Customer. Transmission Provider shall provide a process for evaluating Interconnection Requests for Surplus Interconnection Service. Studies for Surplus Interconnection Service shall consist of reactive power, short circuit/fault duty, stability analyses, and any other appropriate studies. Steady-state (thermal/voltage) analyses may be performed as necessary to ensure that all required reliability conditions are studied. If the Surplus Interconnection Service was not studied under off-peak conditions, off-peak steady state analyses shall be performed to the required level necessary to demonstrate reliable operation of the Surplus Interconnection Service. If the original system impact study or Cluster Study is not available for the Surplus Interconnection Service, both off-peak and peak analysis may need to be performed for the existing Generating Facility associated with the request for Surplus Interconnection Service. The reactive power, short circuit/fault duty, stability, and steady-state analyses for Surplus Interconnection Service will identify any additional Interconnection Facilities and/or Network Upgrades necessary.

Interconnection Customers shall request Surplus Interconnection Service by submitting to the Transmission Provider a completed request in the form of, and in accordance with, Appendix 1 of this LGIP. Surplus Interconnection Service requests shall be processed outside of the interconnection queue. In order to deem a request for Surplus Interconnection Service valid and complete, a deposit of \$10,000 must

also be received by the Transmission Provider. After a request for Surplus Interconnection Service has been deemed valid and complete by the Transmission Provider, the Transmission Provider will notify the Interconnection Customer(s) and schedule a scoping meeting within five (5) Business Days.

38.3.2 Surplus Interconnection Service System Impact Study.

38.3.2.1 Within five (5) Business Days following the scoping meeting, Interconnection Customer shall notify the Transmission Provider in writing that the Interconnection Customer wants to proceed with the process for requesting Surplus Interconnection Service. Within five (5) days of the notification that Interconnection Customer wants to proceed with the process for requesting Surplus Interconnection Service, Transmission Provider shall tender to Interconnection Customer the Surplus Interconnection Service System Impact Study Agreement in the form of Appendix 5 of this LGIP, which includes a good faith estimate of the estimated timeframe for completing the Surplus Interconnection Service System Impact Study. The Surplus Interconnection Service System Impact Study Agreement shall specify that Interconnection Customer is responsible for the actual cost of the Surplus Interconnection Service System Impact Study.

38.3.2.2 Interconnection Customer shall execute the Surplus Interconnection Service System Impact Study Agreement and deliver the executed Surplus Interconnection Service System Impact Study Agreement to Transmission Provider no later than thirty (30) Calendar Days after its receipt.

38.3.2.3 As part of its Surplus Interconnection Service System Impact Study process, the Transmission Provider will evaluate the original interconnection system impact study, if any, or applicable Cluster Studies, to determine their suitability for use in the evaluation of the request for Surplus Interconnection Service. Inclusive of any Surplus Interconnection Service System Impact Study(ies) performed to evaluate the existing Interconnection Service and deemed suitable for

use in the evaluation of the request for Surplus Interconnection Service, studies for Surplus Interconnection Service shall consist of reactive power, short circuit/fault duty, stability analyses, and any other appropriate studies. Steady-state (thermal/voltage) analyses may be performed as necessary to ensure that all required reliability conditions are studied. If the existing Interconnection Service was not studied under off-peak conditions or such study was not deemed suitable, off-peak steady state analyses shall be performed to the required level necessary to demonstrate reliable operation of the Surplus Interconnection Service. If an existing interconnection system impact study or Cluster Study is not available or deemed suitable for the Surplus Interconnection Service, both off-peak and peak analysis may need to be performed for the existing Generating Facility associated with the request for Surplus Interconnection Service. The studies performed to evaluate a request for Surplus Interconnection Service will identify if any additional Interconnection Facilities and/or Network Upgrades are necessary. If any additional Network Upgrades are necessary, the Surplus Interconnection Request will be denied. Necessary control technologies will also be identified in the studies performed.

38.3.2.4 Transmission Provider shall use Reasonable Efforts to complete the Surplus Interconnection Service System Impact Study within ninety (90) Calendar Days after the receipt of the executed Surplus Interconnection Service System Impact Study Agreement and any technical data required to complete the study. At the request of Interconnection Customer or at any time Transmission Provider determines that it will not meet the required time frame for completing the Surplus Interconnection Service System Impact Study, Transmission Provider shall notify Interconnection Customer as to the schedule status of the Surplus Interconnection Service System Impact Study. If Transmission Provider is unable to complete the Surplus Interconnection Service System Impact Study within the time period, it shall notify Interconnection Customer and provide an estimated completion date with an explanation of the reasons why additional time is required.

38.3.2.5 Within ten (10) Business Days of providing a Surplus Interconnection Service System Impact Study report to Interconnection Customer, Transmission Provider shall establish a date agreeable to Interconnection Customer to meet to discuss the results of the Surplus Interconnection Service System Impact Study. Such meeting shall be no later than thirty (30) Calendar Days from issuance of the Surplus Interconnection Service System Impact Study report, unless otherwise mutually agreed upon by the Parties.

38.3.3 Surplus Interconnection Service Agreement.

38.3.3.1 Within thirty (30) Calendar Days after delivery of the Surplus Interconnection Service System Impact Study report, Transmission Provider shall tender (1) a draft Surplus Interconnection Service Agreement to the original Interconnection Customer and the Surplus Interconnection Service Customer for their execution, and (2) a draft Amended and Restated Large Generator Interconnection Agreement to the original Interconnection Customer that is revised as necessary to reflect the new Surplus Interconnection Service. Transmission Provider is not required to execute an interconnection agreement for Surplus Interconnection Service if the agreement does not meet the definition set forth in the Tariff or if either the original or surplus Interconnection Customer does not agree to the terms of such service, including any requirements that may be identified by the Transmission Provider in the studies for Surplus Interconnection Service.

38.3.3.2 Transmission Provider and Interconnection Customers shall negotiate concerning any disputed provisions of the appendices to the draft Surplus Interconnection Service Agreement for not more than sixty (60) Calendar Days after tender of the draft Surplus Interconnection Service Agreement. If any Interconnection Customer determines that negotiations are at an impasse, it may request termination of the negotiations at any time after tender of the draft Surplus Interconnection Service Agreement and request submission of the unexecuted Surplus

Interconnection Service Agreement to FERC or initiate Dispute Resolution procedures pursuant to Section 13.5 of the LGIP. The Surplus Interconnection Service request shall be deemed withdrawn if, within sixty (60) Calendar Days of tender of the draft Surplus Interconnection Service Agreement and unless otherwise agreed by the Parties: (1) the original Interconnection Customer fails to also execute the draft amended and restated LGIA following its execution of the Surplus Interconnection Service Agreement, or (2) either the original Interconnection Customer or the surplus Interconnection Customer has not (a) executed the Surplus Interconnection Service Agreement, (b) requested filing of an unexecuted Surplus Interconnection Service Agreement, or (c) initiated Dispute Resolution procedures pursuant to Section 13.5 of the LGIP.

38.3.3.3 As soon as practicable, but not later than fifteen (15) Business Days after receiving the two executed originals of the tendered Surplus Interconnection Service Agreement or the request to file an unexecuted Surplus Interconnection Service Agreement, Transmission Provider shall file the executed or unexecuted Surplus Interconnection Service Agreement with FERC. To the extent the Surplus Interconnection Service Agreement is unexecuted, the filing will contain an explanation of any matters as to which Interconnection Customer(s) and Transmission Provider disagree and support for the costs that Transmission Provider proposes to charge to Interconnection Customer(s) under the Surplus Interconnection Service Agreement. An unexecuted Surplus Interconnection Service Agreement should contain terms and conditions deemed appropriate by Transmission Provider for the Interconnection Request. If the Parties agree to proceed with design, procurement, and construction of facilities under the agreed-upon terms of the unexecuted Surplus Interconnection Service Agreement, they may proceed pending FERC action.

38.4 Valid Interconnection Request:

38.4.1 Initiating an Interconnection Request.

An Interconnection Customer wishing to join a Cluster shall submit its Interconnection Request to Transmission Provider within, and no later than the close of the Cluster Request Window. To initiate an Interconnection Request, Interconnection Customer must submit all of the following:

- (i) applicable deposit amount, pursuant to Section 38.1,
- (ii) a completed application in the form of Appendix 1 (including applicable technical information),
- (iii) Site Control demonstration pursuant to Section 38.4.1(iii) (a) or (b) below:
 - a. Demonstration of actual Site Control. For demonstration of Site Control of Large Generating Facilities: Specifications for acceptable site size for the purposes of demonstrating Site Control are posted on Transmission Provider's OASIS website. Interconnection Customer may propose alternative specifications for site size to those posted on OASIS for Transmission Provider approval. In the event Transmission Provider and Interconnection Customer cannot reach agreement related to adequacy of site size, Transmission Provider will accept a Professional Engineer (licensed in the state of the Point of Interconnection) stamped site plan drawing that depicts the proposed generation arrangement and specifies the maximum facility output for that arrangement. Demonstration of Site Control for Small Generating Facilities shall be pursuant to Section 49.5.
 - b. Posting of an additional deposit of \$10,000 in lieu-of Site Control. Deposits paid pursuant to this Section 38.4.1(iii) shall be refunded to the Interconnection Customer upon Commercial Operation or upon withdrawal pursuant to Section 38.7, subject to applicable Withdrawal Penalties.
- (iv) Generating Facility size (MW) (and requested Interconnection Service amount

if the requested Interconnection Service is less than the Generating Facility Capacity);

- (v) One of the following Readiness Milestone Options totaling the entire capacity of the Generating Facility (or requested Interconnection Service amount if the requested Interconnection Service is less than the Generating Facility Capacity).

(a) Executed term sheet (or comparable evidence) related to a contract for sale of (i) the constructed Generating Facility to a load-serving entity or to a commercial, industrial, or other large end-use customer, (ii) the Generating Facility's energy where the term of sale is not less than five (5) years, or (iii) the Generating Facility's ancillary services if the Generating Facility is an electric storage resource where the term of sale is not less than five (5) years;

(b) Executed contract binding upon the parties for sale of (i) the constructed Generating Facility to a load-serving entity or to a commercial, industrial, or other large end-use customer, (ii) the Generating Facility's energy where the term of sale is not less than five (5) years, or (iii) the Generating Facility's ancillary services if the Generating Facility is an electric storage resource where the term of sale is not less than five (5) years;

(c) Reasonable evidence that the Generating Facility has been selected in a Resource Plan or Resource Solicitation Process by or for a load-serving entity, is being developed by a load-serving entity, or is being developed for purposes of a sale to a commercial, industrial, or other large end-use customer;

(d) A refundable deposit of \$3,000 per MW of generating capacity proposed in the Interconnection Request; or

(e) Site specific Purchase Order for generating equipment specific to the Interconnection Request, or statement signed by an officer or authorized agent of the Interconnection Customer attesting that the Generating Facility included is to be supplied with turbines (or equivalent major electric generating components) with a manufacturer's blanket purchase agreement to which Interconnection Customer is a party. This blanket purchase agreement shall be provided to Transmission Provider.

(vi) A Point of Interconnection.

(vii) Whether the Interconnection Request shall be studied as a Network Resource Interconnection Service or an Energy Resource Interconnection Service, consistent with Section 38.2.

Interconnection Customer shall promptly inform Transmission Provider of any material change to Interconnection Customer's demonstration of Site Control under Section 38.4.1(iii) or its satisfaction of a Readiness Milestone Option as selected under Section 38.4.1(v) or Section 43.1, as applicable. Upon Transmission Provider determining separately that Interconnection Customer no longer satisfies Site Control or a Readiness Milestone Option, Transmission Provider shall give Interconnection Customer fifteen (15) Business Days to demonstrate satisfaction with the applicable requirement to Transmission Provider's satisfaction. Absent such demonstration, Transmission Provider will deem the subject Interconnection Request withdrawn.

The expected In-Service Date of the new Large Generating Facility or increase in capacity of the existing Generating Facility shall be no more than the process window for the regional expansion planning period (or in the absence of a regional planning process, the process window for Transmission Provider's expansion planning period) not to exceed seven (7) years from the date the Interconnection Request is received by Transmission Provider, unless Interconnection Customer demonstrates that engineering, permitting and construction of the new Large Generating Facility or increase in capacity of the existing

Generating Facility will take longer than the regional expansion planning period. The In-Service Date may succeed the date the Interconnection Request is received by Transmission Provider by a period up to ten (10) years, or longer where Interconnection Customer and Transmission Provider agree, such agreement not to be unreasonably withheld.

38.4.2 Acknowledgment of Interconnection Request.

Transmission Provider shall acknowledge receipt of the Interconnection Request within five (5) Business Days of receipt of the request and attach a copy of the received Interconnection Request to the acknowledgement.

38.4.3 Deficiencies in Interconnection Request.

An Interconnection Request will not be considered to be a valid request until all items in Section 38.4.1 have been received by Transmission Provider. If an Interconnection Request fails to meet the requirements set forth in Section 38.4.1, Transmission Provider shall ~~use Reasonable Efforts to~~ notify Interconnection Customer ~~as soon as practicable following~~within five (5) Business Days of receipt of the initial Interconnection Request of the reasons for such failure and that the Interconnection Request does not constitute a valid request. Interconnection Customer shall provide Transmission Provider the additional requested information needed to constitute a valid request no later than the close of the Cluster Request Window. ~~Notwithstanding any other provision in Transmission Provider's Tariff, an Interconnection Request with any uncured deficiency at the time the Cluster Request Window closes will be deemed an invalid Interconnection Request.~~ At any time, if Transmission Provider identifies issues with technical data provided by Interconnection Customer, Interconnection Customer and Transmission Provider shall work expeditiously and in good faith to remedy any data issues. Failure by Interconnection Customer to comply with this Section 38.4.3 shall be treated in accordance with Section 38.7.

Transmission Provider shall determine if the information contained in the Interconnection

Request is sufficient to start the Cluster Study by the close of the Customer Engagement Window.

38.4.4 Scoping Meeting.

During the Customer Engagement Window, Transmission Provider shall hold a Scoping Meeting with all Interconnection Customers whose valid Interconnection Requests were received in that Cluster Request Window. If requested by an Interconnection Customer, Transmission Provider shall also hold individual customer-specific Scoping Meetings, which must be requested no later than fifteen (15) Business Days after the close of the Cluster Request Window.

The purpose of the Scoping Meeting shall be to discuss alternative interconnection options, to exchange information including any transmission data that would reasonably be expected to impact such interconnection options, to discuss the Cluster Area materials posted to OASIS pursuant to Section 42.4, and to analyze such information. Transmission Provider and Interconnection Customer will bring to the meeting such technical data, including, but not limited to: (i) general facility loadings, (ii) general instability issues, (iii) general short circuit issues, (iv) general voltage issues, and (v) general reliability issues as may be reasonably required to accomplish the purpose of the meeting. Transmission Provider and Interconnection Customer will also bring to the meeting personnel and other resources as may be reasonably required to accomplish the purpose of the meeting in the time allocated for the meeting. The duration of the meeting shall be sufficient to accomplish its purpose.

38.5 OASIS Posting:

38.5.1 Transmission Provider will maintain on its OASIS a list of all Interconnection Requests. The list will identify, for each Interconnection Request: (i) the maximum summer and winter megawatt electrical output; (ii) the location by county and state; (iii) the station or transmission line or lines where the interconnection will be made; (iv) the

projected In-Service Date; (v) the status of the Interconnection Request, including Queue Position; (vi) the type of Interconnection Service being requested; (vii) the availability of any studies related to the Interconnection Request; (viii) the date of the Interconnection Request; (ix) the type of Generating Facility to be constructed (combined cycle, base load or combustion turbine and fuel type); and (x) for Interconnection Requests that have not resulted in a completed interconnection, an explanation as to why it was not completed. Except in the case of an Affiliate, the list will not disclose the identity of Interconnection Customer until Interconnection Customer executes an LGIA or requests that Transmission Provider file an unexecuted LGIA with FERC. Before holding a Scoping Meeting with its Affiliate, Transmission Provider shall post on OASIS an advance notice of its intent to do so. Transmission Provider shall post to its OASIS site any deviations from the study timelines set forth herein. Interconnection Study reports shall be posted to Transmission Provider's OASIS site subsequent to the meeting between Interconnection Customer and Transmission Provider to discuss the applicable study results. Transmission Provider shall also post any known deviations in the Large Generating Facility's In-Service Date.

38.5.2 Requirement to Post Interconnection Study Metrics.

Transmission Provider will maintain on its OASIS or its website summary statistics related to processing Interconnection Studies pursuant to Interconnection Requests, updated quarterly. If Transmission Provider posts this information on its website, a link to the information must be provided on Transmission Provider's OASIS site. For each calendar quarter, Transmission Provider must calculate and post the information detailed in Sections 38.5.2.1 through 38.5.2.4.

38.5.2.1 Interconnection Cluster Study Processing Time.

(A) Number of Interconnection Requests that had Cluster Studies completed within Transmission

Provider's coordinated region during the reporting quarter,

(B) Number of Interconnection Requests that had Cluster Studies completed within Transmission Provider's coordinated region during the reporting quarter that were completed more than one hundred fifty (150) Calendar Days after commencement of the Cluster Study,

(C) At the end of the reporting quarter, the number of active valid Interconnection Requests with ongoing incomplete Cluster Studies one hundred fifty (150) Calendar Days after commencement of the Cluster Study,

(D) Mean time (in days), Cluster Studies completed within Transmission Provider's coordinated region during the reporting quarter, from the commencement of the Cluster Study to the date when Transmission Provider provided the completed Cluster Study to the Interconnection Customer,

(E) Percentage of Cluster Studies exceeding one hundred fifty (150) Calendar Days to complete this reporting quarter, calculated as the sum of 38.5.2.1(B) plus 38.5.2.1(C) divided by the sum of 38.5.2.1(A) plus 38.5.2.1(C)).

38.5.2.2 Interconnection Facilities Studies Processing Time.

(A) Number of Interconnection Requests that had Interconnection Facilities Studies that are completed within Transmission Provider's coordinated region during the reporting quarter,

(B) Number of Interconnection Requests that had Interconnection Facilities Studies that are completed within Transmission Provider's coordinated region during the

reporting quarter that were completed more 90 or 180 Calendar Days (study duration depends on Interconnection Customer's selection on Facilities Study Agreement) after receipt by Transmission Provider of the Interconnection Customer's executed Interconnection Facilities Study Agreement,

(C) At the end of the reporting quarter, the number of active valid Interconnection Service requests with ongoing incomplete Interconnection Facilities Studies where such Interconnection Requests had executed Interconnection Facilities Studies Agreement received by Transmission Provider more than 90 or 180 Calendar Days (study duration depends on Interconnection Customer's selection on Facilities Study Agreement) before the reporting quarter end,

(D) Mean time (in days), for Interconnection Facilities Studies completed within Transmission Provider's coordinated region during the reporting quarter, calculated from the date when Transmission Provider received the executed Interconnection Facilities Study Agreement to the date when Transmission Provider provided the completed Interconnection Facilities Study to the Interconnection Customer,

(E) Percentage of delayed Interconnection Facilities Studies this reporting quarter, calculated as the sum of 38.5.2.2(B) plus 38.5.2.2(C) divided by the sum of 38.5.2.2(A) plus 38.5.2.2(C)).

38.5.2.3 Interconnection Service Requests Withdrawn from Interconnection Queue.

(A) Number of Interconnection Requests withdrawn from Transmission Provider's interconnection queue during the reporting quarter,

(B) Number of Interconnection Requests withdrawn from Transmission Provider's interconnection queue during the reporting quarter before completion of any interconnection studies or execution of any interconnection study agreements,

(C) Number of Interconnection Requests withdrawn from Transmission Provider's interconnection queue during the reporting quarter before completion of a Cluster Study,

(D) Number of Interconnection Requests withdrawn from Transmission Provider's interconnection queue during the reporting quarter before completion of an Interconnection Facilities Study,

(E) Number of Interconnection Requests withdrawn from Transmission Provider's interconnection queue after execution of a generator interconnection agreement or Interconnection Customer requests the filing of an unexecuted, new interconnection agreement,

(F) Mean time (in days), for all withdrawn Interconnection Requests, from the date when the request was determined to be valid to when Transmission Provider received the request to withdraw from the queue.

38.5.3 Transmission Provider is required to post on OASIS or its website the measures in paragraph 38.5.2.1(A) through paragraph 38.5.2.3(F) for each calendar quarter within 30 Calendar Days of the end of the calendar quarter. Transmission Provider will keep the quarterly measures posted on OASIS or its website for three calendar years with the first required report to be in the first quarter of 2020. If Transmission Provider retains this information on its website, a link to the information must be provided on Transmission Provider's OASIS site.

38.5.4 In the event that any of the values calculated in paragraphs 38.5.2.1(E), or 38.5.2.2(E) exceeds 25 percent for two consecutive calendar quarters, Transmission Provider will have to comply with the measures below for the next four consecutive calendar quarters and must continue reporting this information until Transmission Provider reports four consecutive calendar quarters without the values calculated in 38.5.2.1(E) or 38.5.2.2(E) exceeding 25 percent for two consecutive calendar quarters:

(i) Transmission Provider must submit a report to the Commission describing the reason for each study or group of clustered studies pursuant to an Interconnection Request that exceeded its deadline (i.e., 150, 90 or 180 days) for completion (excluding any allowance for Reasonable Efforts). Transmission Provider must describe the reasons for each study delay and any steps taken to remedy these specific issues and, if applicable, prevent such delays in the future. The report must be filed at the Commission within 45 Calendar Days of the end of the calendar quarter.

(ii) Transmission Provider shall aggregate the total number of employee-hours and third party consultant hours expended towards interconnection studies within its coordinated region that quarter and post on OASIS or its website. If Transmission Provider posts this information on its website, a link to the information must be provided on Transmission Provider's OASIS site. This information is to be posted within 30 Calendar Days of the end of the calendar quarter.

38.6 Coordination with Affected Systems: Transmission Provider will coordinate the conduct of any studies required to determine the impact of the Interconnection Request on Affected Systems with Affected System Operators and, if possible, include those results (if available) in its applicable Interconnection Study within the time frame specified in this LGIP. Transmission Provider will include such Affected System Operators in all meetings held with Interconnection Customer as required by this LGIP. Interconnection Customer will cooperate with Transmission Provider in all matters related to the conduct of studies and the determination of modifications to Affected Systems. A Transmission Provider which may be an Affected System

shall cooperate with Transmission Provider with whom interconnection has been requested in all matters related to the conduct of studies and the determination of modifications to Affected Systems. It is the responsibility of the Affected System Owner to provide the requirements or potential impediments to providing the requested interconnection service, including a preliminary indication of the cost and length of time that would be necessary to (i) complete any interconnection studies and (ii) construct any necessary Interconnection Facilities and Network Upgrades needed to reliably interconnect at the requested service level.

38.7 Withdrawal: Interconnection Customer may withdraw its Interconnection Request at any time by written notice of such withdrawal to Transmission Provider. In addition, if Interconnection Customer fails to adhere to all requirements of this LGIP, except as provided in Section 48.5 (Disputes), Transmission Provider shall deem the Interconnection Request to be withdrawn and shall provide written notice to Interconnection Customer of the deemed withdrawal and an explanation of the reasons for such deemed withdrawal. Upon receipt of such written notice, Interconnection Customer shall have fifteen (15) Business Days in which to either respond with information or actions that cures the deficiency or to notify Transmission Provider of its intent to pursue Dispute Resolution.

Withdrawal shall result in the loss of Interconnection Customer's Queue Position, including any placement in a particular Cluster. If an Interconnection Customer disputes the withdrawal and loss of its Queue Position, then during Dispute Resolution, Interconnection Customer's Interconnection Request is eliminated from the queue until such time that the outcome of Dispute Resolution would restore its Queue Position. An Interconnection Customer that withdraws or is deemed to have withdrawn its Interconnection Request shall pay to Transmission Provider all costs that Transmission Provider prudently incurs with respect to that Interconnection Request prior to Transmission Provider's receipt of notice described above. Interconnection Customer must pay all monies due to Transmission Provider before it is allowed to obtain any Interconnection Study data or results.

In the case of a withdrawal, Transmission Provider shall:

(i) update OASIS as appropriate, including any Queue Position changes;

(ii) impose the applicable Withdrawal Penalty described in Section 38.7.1, if any; and

(iii) issue any refund to Interconnection Customer pursuant to Section 48.3.2.

In the event of such withdrawal, Transmission Provider, subject to the confidentiality provisions of Section 48.1, shall provide, at Interconnection Customer's request, all information that Transmission Provider developed for any completed study conducted up to the date of withdrawal of the Interconnection Request.

38.7.1 Withdrawal Penalty. Except as provided in Attachment W of Transmission Provider's Tariff, an Interconnection Customer shall be subject to a penalty ("Withdrawal Penalty") if it withdraws its Interconnection Request or the Generating Facility does not otherwise reach Commercial Operation unless (1) the withdrawal does not negatively affect the timing or cost of other projects within the same Cluster as determined by Transmission Provider; (2) the Interconnection Customer withdraws after receiving the most recent Cluster Study Report and the costs assigned to the Interconnection Request identified in that report have increased by more than twenty-five percent (25%) compared to costs identified in the previous Cluster Study Report; (3) the Interconnection Customer withdraws after receiving the individual Facilities Study report and the costs assigned to the Interconnection Request identified in that report have increased by more than 100 percent compared to costs identified in the most recent Cluster Study Report. For the avoidance of doubt, Small Generating Facilities participating in the Cluster Study process pursuant to Section 42 shall not be subject to Withdrawal Penalties.

38.7.1.1 Calculation of the Withdrawal Penalty. If the withdrawing Interconnection Customer has demonstrated any of the Readiness Milestone Options in Sections 38.4.1(v)(a)-(c) or Section 38.4.1(v)(e), and is withdrawing prior to executing an LGIA, the Interconnection Customer shall be charged one (1) times its actual

allocated cost of all studies performed up until that point.

If the withdrawing Interconnection Customer only demonstrated the Readiness Milestone Option in Section 38.4.1(v)(d) and is withdrawing prior to executing an LGIA, that Interconnection Customer's Withdrawal Penalty shall be as follows:

(a) If Interconnection Customer withdraws either (i) following commencement of the Cluster Study and before receipt of a Cluster Study Report, or (ii) after receipt of a Cluster Study Report, the Interconnection Customer shall be charged two (2) times of its actual allocated cost of all studies performed for Interconnection Customers in the Cluster up until that point, regardless of any previous Withdrawal Penalty revenues received. This amount shall be capped at one (1) million dollars.

(b) If Interconnection Customer withdraws after receipt of any applicable restudy reports issued pursuant to Section 42.4, the Interconnection Customer shall be charged three (3) times of its actual allocated cost of all studies performed for Interconnection Customers in the Cluster up until that point, regardless of any previous Withdrawal Penalty revenues received. This amount shall be capped at one and one half (1.5) million dollars.

(c) If Interconnection Customer withdraws after receipt of the individual Facility Study report issued pursuant to Section 43, the Interconnection Customer shall be charged five (5) times of its actual allocated cost of all studies performed for Interconnection Customers in the Cluster up until that point, regardless of any previous Withdrawal Penalty revenues received. This amount shall be capped at two (2) million dollars.

The Withdrawal Penalty for any Interconnection Customer that, before achieving Commercial Operation, withdraws after executing an LGIA shall be nine (9) times of its actual allocated cost of all studies performed for Interconnection Customers in the Cluster up until that point, regardless of any previous Withdrawal Penalty revenues received. In the event that the

Interconnection Customer suspends its interconnection agreement, the Interconnection Customer shall be obligated to pay for costs associated with any studies or restudies required as a result of the suspension of the interconnection agreement, including any restudies associated with any affected lower-queued customers.

38.7.1.2 Distribution of the Withdrawal Penalty.

Any Withdrawal Penalty revenues shall be used to fund generation interconnection studies, including individual Interconnection Facility Studies. Withdrawal Penalty revenues shall first be applied, in the form of a bill credit, to not-yet-invoiced study costs for other Interconnection Customers in the same Cluster, and to the extent that such studies are fully credited, shall be applied to study costs of future Clusters in queue order. Withdrawn Interconnection Customers shall not receive a bill credit associated with Withdrawal Penalty revenues. Distribution of Withdrawal Penalty revenues to a specific study shall not exceed the total actual study costs. Allocation of Withdrawal Penalty revenues within a Cluster to a specific Interconnection Customer shall be (1) fifty percent (50%) on a per capita basis based on number of Interconnection Requests in the applicable Cluster; and (2) fifty percent (50%) to Interconnection Customers on a pro-rata basis based on requested megawatts included in the applicable Cluster. Distribution of Withdrawal Penalty revenue associated with Section 38.7.1.1(c) shall not be distributed to the remaining Interconnection Customers in that Cluster until all Interconnection Customers in that Cluster have reached Commercial Operation and thereafter shall be distributed as described above. Transmission Provider shall not change the distribution of Withdrawal Penalty revenue without authorization by the Commission. Transmission Provider shall post the Withdrawal Penalty balance on its OASIS site.

38.8 Identification of Contingent Facilities.

38.8.1. In general. Transmission Provider's method for identifying the Contingent Facilities to be provided to the Interconnection Customer at the conclusion of the Cluster Study and included in Interconnection Customer's Standard Large Generator Interconnection Agreement is set forth below. The method permits the parties to determine why a specific Contingent Facility was identified and how it relates to the Interconnection Request.

38.8.2. Baseline assumptions. Transmission Provider uses a technical screening process to identify Contingent Facilities, which includes starting with the baseline assumption that the following are in-service: (i) Generating Facilities that are directly interconnected to the Transmission System; (ii) Generating Facilities that are interconnected to Affected Systems and may have an impact on the Interconnection Request; (iii) Generating Facilities that have a pending higher queued Interconnection Request to interconnect to the Transmission System and their associated Interconnection Facilities and Network Upgrade requirements; (iv) Generating Facilities that have no Queue Position, but have executed an interconnection agreement, or requested that an unexecuted interconnection agreement be filed with FERC, and their associated Interconnection Facilities and Network Upgrades; (v) pending and granted requests for transmission service and their associated facilities or upgrade requirements to the extent they have an impact on the Interconnection Request; and (vi) Transmission Provider's transmission expansion plan components, or the transmission expansion plan components of third-party transmission providers, to the extent they have an impact on the Interconnection Request.

38.8.3. Technical Screening Process. The technical screening process for identifying Contingent Facilities is comprised of the following steps:

(1) Identify Potential Contingent Facilities.

Transmission Provider will review all applicable Interconnection Study results for higher queued Interconnection Requests to identify any unbuilt Interconnection Facilities and/or Network Upgrades as potential Contingent Facilities to be evaluated pursuant to Steps 2-5 below.

(2) Remove a Potential Contingent Facility and Perform Applicable Contingency Analyses.

The Transmission Provider will take a potential Contingent Facility out of service in its study model and: (a) perform steady state, short circuit, voltage stability, and/or transient stability analyses to determine if the Transmission System demonstrates acceptable pre- and post-contingency system performance, in accordance with current Transmission Provider, WECC, NERC, or Reliability Coordinator criteria or standards; and (b) document the resulting

Transmission System performance deficiencies following the analysis in Step 2(a).

(3) Add the proposed Generating Facility into Model and Rerun Contingency Analyses. Transmission Provider will add the proposed Generating Facility into the model after taking the potential Contingent Facility out of service as provided in Step 2 above, and: (a) perform the same analysis for the added proposed Generating Facility as the analysis outlined in Step 2(a) for the removed potential Contingent Facility; and (b) document the resulting Transmission System performance deficiencies following the analysis in Step 3(a).

(4) Apply Threshold and Categorize. If the Transmission System performance deficiencies observed in Step 3(b) are: (a) exacerbated by one percent (1%) or greater than the Transmission System performance deficiencies initially observed in Step 2(b), then the potential Contingent Facility that is individually evaluated in Step 2 will be deemed a Contingent Facility; or (b) exacerbated by less than one percent (1%) than the Transmission System performance deficiencies initially observed in Step 2(b), then the potential Contingent Facility that is individually evaluated in Step 2 will not be deemed a Contingent Facility.

(5) Repeat for Each Identified Potential Contingent Facility. Transmission Provider will repeat Steps 2-4 for each potential Contingent Facility identified in Step 1.

(6) Per Se Contingent Facilities. Notwithstanding Steps 1-5, an Interconnection Facility or Network Upgrade of a higher-queued Interconnection Request shall automatically be deemed a Contingent Facility if such Interconnection Facility or Network Upgrade would be necessary for the proper functioning of the proposed Generating Facility's System Protection Facilities (as defined in Appendix 6 to Attachment N of Transmission Provider's OATT).

38.8.4. The Cluster Study report will list Contingent Facilities in an appendix, which will include: (a) a description of each Contingent Facility; and (b) the Interconnection Request, transmission service request or planned project for which the Contingent Facility was initially required. This list of Contingent

Facilities is subject to updates if a Cluster is Re-Studied pursuant to Section 42.5.

38.8.5. If requested by the Interconnection Customer, and if readily available and not commercially sensitive, Transmission Provider will also provide an estimate of the costs of and the in-service date for each Contingent Facility, which may be subject to later updates if a Contingent Facility's estimated costs and in-service dates change.

38.9. Informational Interconnection Study Requests.

Interconnection Customers evaluating different options (such as different sizes, sites, or voltages) are encouraged but not required to use the Informational Interconnection Study Process in Section 41 before entering the Cluster Study process.

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