

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION  
104 FERC ¶ 61,296

Before Commissioners: Pat Wood, III, Chairman;  
William L. Massey, and Nora Mead Brownell.

RTO Informational Filings	Docket No. RT01-1-000
Baconton Power, LLC	Docket No. RT01-11-000
Bangor Hydro-Electric Co. Central Maine Power Company National Grid USA Northeast Utilities Service Company United Illuminating Company Vermont Electric Power Company ISO New England Inc.	Docket No. RT01-86-001
Central Vermont Public Service Corp. Citizens Communications Co. Green Mountain Power Corp. Vermont Electric Power Co.	Docket No. RT01-97-000
Citizens Communications Co.	Docket No. RT01-89-000
Concord Electric Co. Exeter & Hampton Electric Light Co.	Docket No. RT01-39-000
Fitchburg Gas and Electric Co. Concord Electric Co. Exeter & Hampton Electric Light Co.	Docket No. RT01-90-000
Florida Keys Electric Coop.	Docket No. RT01-30-000
ISO New England, Inc. New York Independent System Operator, Inc.	Docket No. RT02-3-000
Maine Electric Power Co.	Docket No. RT01-19-000
Maine Public Service Co.	Docket No. RT01-5-000

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New York Independent System Operator, Inc.

Docket No. RT01-95-001

Northern Maine Independent System  
Administrator, Inc.

Docket No. RT01-61-000

NSTAR Services Co.

Docket No. RT01-94-001

Regional Transmission Organizations

Docket Nos. RT01-99-000 and  
RT01-99-001

Sowega Power, LLC

Docket No. RT01-16-000

## ORDER ADDRESSING DOCKETS

(Issued September 16, 2003)

1. In Order No. 2000, the Commission required public utilities to file proposals to participate in a Regional Transmission Organization (RTO).<sup>1</sup> Alternatively, as codified in 18 C.F.R. §§ 35.34 (c)(2), (g) (2003), Order No. 2000 required utilities to:

report[ ] on the status of pertinent RTO formation and development, the obstacles that have prevented the filing of an appropriate RTO proposal, and any of the public utility's plans and timetable for future efforts directed toward RTO formation and participation. [footnote omitted] Given the importance that the Commission places on RTO development, it is important for us to understand no later than October 15, 2000 just how much progress the industry is making on forming RTOs. If the October 15, 2000, filings reveal obstacles that prevent serious progress toward RTO formation [sic] are reported for a given region, we will be able to act early enough to provide guidance on what steps we think are appropriate to help

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<sup>1</sup> Regional Transmission Organizations, Order No. 2000, 65 Fed. Reg. 809 (January 6, 2000), FERC Stats. & Regs., Regulations Preambles July 1996-December 2000 & 31,089 at 31,226-27 (1999), order on reh'g, Order No. 2000-A, 65 Fed. Reg. 12,088 (March 8, 2000), FERC Stats. & Regs., Regulations Preambles July 1996-December 2000 & 31,092 (2000), affirmed sub nom. Public Utility District No. 1 of Snohomish County, Washington, et al. v. FERC, 272 F.3d 607 (D.C. Cir. 2002).

address the obstacles (e.g., further collaborative efforts). And where serious regional progress is reported, but more time is requested in connection with meeting a particular RTO requirement, we will be able to act early enough to try to accommodate the local needs, complications and complexities that the particular region faces.<sup>2</sup>

2. The Commission has reviewed the above-captioned proceedings and determined that their continuation is no longer necessary to achieve the Commission's objective of establishing RTOs. The Commission therefore terminates all of these proceedings. The Commission, in terminating these proceedings, is not making any finding or decision with regard to any substantive issue raised by the petitioners or parties in these proceedings.

3. Most of the listed dockets are the alternative filings provided for in sections 35.34 (c)(2) and (g) of the Commission's regulations.<sup>3</sup> These filings are largely from small public utilities and non-jurisdictional utilities, and provide information as of October 2000 as to their experiences and plans to participate in an RTO. In some instances, the Commission has either already acted on specific RTO proposals or has open proceedings that render the listed proceedings moot or unnecessary. Three groups of dockets warrant some further discussion, however.

**ISO New England, Inc.  
New York Independent System Operator, Inc.**

**Docket No. RT02-3-000**

4. On August 23, 2002 ISO New England Inc. (ISO-NE) and the New York Independent System Operator, Inc. (NYISO) filed a petition for declaratory order seeking an order that the proposed Northeastern Regional Transmission Organization would qualify as a RTO. On November 22, 2002, ISO-NE and NYISO filed a motion to withdraw their petition. The motion was unopposed. Therefore, pursuant to Rule 216 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.216 (2003), the petition was withdrawn effective December 7, 2002.

**Bangor Hydro-Electric Co.  
Central Maine Power Company  
National Grid USA  
Northeast Utilities Service Company  
United Illuminating Company**

**Docket No. RT01-86-001**

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<sup>2</sup> Order No. 2000 at 31,226-27.

<sup>3</sup> 18 C.F.R. §§ 35.34 (c)(2), (g) (2003).

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**Vermont Electric Power Company  
ISO New England Inc.**

**NSTAR Services Co.**

**Docket No. RT01-94-001**

**Regional Transmission Organizations**

**Docket Nos. RT01-99-000  
and RT01-99-001**

5. On July 12, 2001, the Commission issued orders in Docket Nos. RT01-86-000 and RT01-94-000,<sup>4</sup> and RT01-99-000, directing parties to participate in a mediation proceeding established in Docket No. RT01-99-000 to explore a possible single Northeast-wide RTO.<sup>5</sup>

6. These proceedings have since been overtaken by subsequent events. We recently found that PJM's scope and configuration is sufficient to grant it full RTO status.<sup>6</sup> We recently approved the filing of new market rules for ISO-NE, which largely track PJM's market rules, and which ISO-NE has stated were to reduce seams problems for participants who trade in both New England and PJM and eventually to reduce seams problems with New York as well.<sup>7</sup>

7. In light of these subsequent events, the Commission terminates Docket Nos. RT01-86-001, RT01-94-001 and RT01-99-000 and -001.

**Maine Public Service Co.**

**Docket No. RT01-5-000**

**Northern Maine Independent System  
Administrator, Inc.**

**Docket No. RT01-61-000**

8. Maine Public Service Company (MPS) states that it currently owns an electrically isolated transmission and distribution system in northern Maine that interconnects only with Canadian facilities. Further, MPS no longer owns generation, and does not engage in the wholesale or retail marketing of generation. MPS is also a member of the Northern

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<sup>4</sup> Bangor Hydro-Electric Co., et al., 96 FERC ¶ 61,063 (2001).

<sup>5</sup> Regional Transmission Organizations, 96 FERC ¶ 61,065 (2001).

<sup>6</sup> PJM Interconnection, L.L.C., et al., 102 FERC ¶ 61,345 at P 5 (2002), rehearing denied 104 FERC ¶ 61,124 (2002).

<sup>7</sup> New England Power Pool, 100 FERC ¶ 61,287 at P 4 (2002).

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Maine Independent System Administrator, Inc. (NMISA). NMISA provides administration of the reservation, scheduling and dispatch of northern Maine's transmission system, and the administration of certain northern Maine markets, including energy, ancillary services and related services.

9. NMISA and MPC state that there are no current plans to interconnect their systems with other electrical systems in the United States. They also argue that they should not be required to create their own RTO due to the cost of such an endeavor, the small size of their market, their greater ties with the Canadian market, and the adequacy of the NMISA as a Commission-approved regional transmission group.<sup>8</sup> Notwithstanding, they state that, if an electrical interconnection with an area under the control of an RTO is established in the future, they would reconsider their participation in an RTO.

10. In light of these representations, the Commission terminates Docket Nos. RT01-5-000 and RT01-61-000.

The Commission orders:

The proceedings listed in the caption of this document are hereby terminated.

By the Commission.

( S E A L )

Magalie R. Salas,  
Secretary.

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<sup>8</sup>Northern Maine Independent System Administrator, Inc., 89 FERC ¶ 61,179 (1999).