
FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D.C. 20426



FACT SHEET

FERC DOCKET NOS. RM05-25-000 AND RM05-17-000

ORDER NO. 890

FINAL RULE: PREVENTING UNDUE DISCRIMINATION AND PREFERENCE IN TRANSMISSION SERVICE

The Commission amends its regulations and the *pro forma* open access transmission tariff (*pro forma* OATT), adopted in Order Nos. 888 and 889, to remedy opportunities for undue discrimination and address deficiencies in the *pro forma* OATT that have become apparent since the issuance of these orders.

THE PURPOSE OF THE FINAL RULE

- To strengthen the *pro forma* OATT to ensure that it achieves its original purpose of remedying undue discrimination.
- To provide greater specificity in the *pro forma* OATT to reduce opportunities for the exercise of undue discrimination, make undue discrimination easier to detect, and facilitate the Commission's enforcement.
- To increase transparency in the rules applicable to planning and use of the transmission system.

Brief Overview

- Major reforms:
 - Greater consistency and transparency in ATC calculation
 - Open, coordinated and transparent planning on both a local and regional level
 - Reform of energy and generator imbalance penalties

Régie de l'énergie

DOSSIER: 12-3669-2005

DÉPOSÉE EN AUDIENCE Phase 2

Date: 18/04/2011

Pièces n°: C-6-91 EB7

- Adoption of a “conditional firm” component to long-term point-to-point service and reform of existing requirements for the provision of redispatch service
- Reform of rollover rights policy
- Clarify tariff ambiguities
- Increase transparency and customer access to information
- Core elements of Order No. 888 being retained:
 - Comparability requirement
 - Protection of native load
 - States jurisdiction over bundled retail load
 - Functional unbundling to address undue discrimination
 - Reciprocity

THE APPLICABILITY OF THE FINAL RULE

- The rule applies to all public utility transmission providers, including RTOs and ISOs. Each such public utility will be required to file the revisions to the *pro forma* OATT following the issuance of the Final Rule.
- As with Order No. 888, a public utility may demonstrate that its existing terms and conditions of open access transmission service are consistent with or superior to the *pro forma* OATT.
- The purpose of the rule is not to redesign approved, fully-functional RTO or ISO markets. The Commission does not expect that substantial changes to those markets would be required as a result of this Final Rule.

SIGNIFICANT REFORMS

AVAILABLE TRANSFER CAPABILITY (ATC)

ATC is the transfer capability remaining on a transmission provider’s transmission system that is available for further commercial activity over and above already committed uses. Transmission providers currently calculate the ATC for their systems using different assumptions and methodologies.

After concluding that the absence of a consistent ATC methodology increases the discretion of transmission providers and the opportunities for undue discrimination in the application of the *pro forma* OATT, in the Final Rule the Commission requires:

- consistency in all ATC calculation components and some data inputs and modeling assumptions, as well as consistency in the exchange of data between transmission providers
- public utilities, working through the North American Electric Reliability Corporation (NERC) and the North American Energy Standards Board (NAESB), to develop appropriate standards within 9 months and 12 months of the Final Rule, respectively
- increased transparency of ATC calculations through the inclusion in each transmission provider's OATT of its specific ATC calculation methodology, and through posting of relevant data and models on each transmission provider's open access same-time information system (OASIS)
- transmission providers to post on OASIS metrics relating to transmission requests that are approved and rejected.

COORDINATED, OPEN AND TRANSPARENT TRANSMISSION PLANNING

The Commission concludes that transmission providers have a disincentive to remedy increasing transmission congestion on a nondiscriminatory basis and that the current *pro forma* OATT does not adequately address this problem. Therefore, the Final Rule requires that:

- Transmission providers participate in a coordinated, open and transparent planning process on both a local and regional level
- Each transmission provider's planning process meet the Commission's nine planning principles, which are coordination, openness, transparency, information exchange, comparability, dispute resolution, regional coordination, economic planning studies, and cost allocation
- Each transmission provider must describe its planning process in its tariff
- The Commission will allow regional differences in planning processes.

PRICING OF IMBALANCES

Differences between the scheduled and the actual delivery of energy to a load (energy imbalances) and differences between the energy scheduled for delivery from a generator and the amount of energy actually generated in an hour (generator imbalances) are both corrected by transmission providers to keep the system in balance. Existing policies for pricing energy and generator imbalances provide wide discretion in the development of these charges and allow the potential for undue discrimination. The Commission finds that existing energy and generator imbalance charges are excessive, too varied, and otherwise unrelated to the cost of providing the service and, therefore, reforms energy and generator imbalance pricing as follows:

- The Commission revises the existing *pro forma* OATT Schedule 4 for energy imbalances and adopts a new Schedule 9 for generator imbalances to require imbalances to be based on a tiered structure similar to the imbalance provision used by Bonneville. In these new provisions, imbalance charges escalate as the imbalance increases and are based on incremental cost. Intermittent resources are exempt from the highest deviation band.
- Any deviations from these provisions must be consistent with or superior to the *pro forma* OATT as modified by this Final Rule and must meet the following criteria: the charges must (1) be related to the cost of correcting the imbalance, (2) be tailored to encourage accurate scheduling behavior, such as by increasing the percentage of the adder as the deviations become larger, and (3) account for the special circumstances presented by intermittent generators.

REQUESTS FOR FIRM POINT-TO-POINT SERVICE

The Commission concludes that the existing methods for evaluating requests for long-term firm point-to-point transmission service are no longer just, reasonable and not unduly discriminatory. This is so because a transmission customer may be denied service when its transaction is not deliverable during as little as one hour of the service period, while transmission providers need not eliminate otherwise economic options under similar conditions. To remedy this problem, the Commission modifies the *pro forma* OATT, as follows:

- The Commission adopts a “conditional firm” component to long-term firm point-to-point service that requires the transmission provider to identify either defined system conditions or an annual number of hours during which service will be conditional, and allows the customer to select one of them
- Transmission providers also have an obligation to evaluate the provision of redispatch from their own resources and provide customers with information on

the capabilities of other generators to provide redispatch

- The duration of both service options is limited to a time period over which service can be reasonably provided without impairing reliability
- After the end of each month, transmission providers must post certain information associated with the actual cost of redispatch services provided that month.

ROLLOVER RIGHTS

The Commission revises the rollover provision in the *pro forma* OATT, which grants an ongoing right to transmission customers to renew or “rollover” their contracts, to apply to contracts that have a minimum term of five years, rather than the current minimum term of one year. A customer must provide notice of whether or not it will exercise its right of first refusal to renew the contract no less than one year prior to the expiration date of the transmission service agreement, rather than within the current 60-day period. These reforms promote consistency between the rights of rollover customers and the resulting obligations of transmission providers to plan and upgrade the system to accommodate rollovers.

Examples of Increases in Transparency

- In addition to the increased transparency included in the ATC and planning reforms described above, the Commission requires transmission providers to post on OASIS all business rules, practices and standards that relate to transmission services provided under their OATTs, and to include their credit review procedures in their OATTs.
- The Commission requires transmission providers and their network customers to use the transmission provider’s OASIS to request designation of a new network resource and to terminate the designation of an existing network resource.

Reforms to Facilitate Enforcement of the *Pro Forma* OATT:

- The Final Rule includes a number of posting and reporting requirements that will provide the Commission and market participants with information about each transmission provider’s performance of *pro forma* OATT obligations. For example, the Commission requires transmission providers to post specific performance metrics related to their completion of studies required to evaluate certain transmission requests under the *pro forma* OATT.

Other Reforms

- **Capacity reassignment** – For capacity reassignments by transmission customers, the Final Rule eliminates the price cap (which currently is the higher of the original rate, the maximum tariff rate or the customer's opportunity cost capped at the cost of expansion) and allows negotiated rates between the customer and its assignee.
- **Designated network resources** – The Final Rule makes a number of clarifications related to the types of agreements that may be designated as network resources, the process for verifying whether agreements meet the requirements in the *pro forma* OATT, and the requirement for transmission providers to designate and undesignate network resources on OASIS.
- **Reservation priority** – The Commission changes the reservation priority rules to give priority to pre-confirmed transmission service requests (for non-firm service and short-term firm service) submitted in the same time period as non-confirmed requests.

HQT OATT Phase 2 Evidence

Attachment K and Section 15.4

WK(Bill) Marshall, P.Eng.

WKM Energy Consultants Inc

Bill.Marshall@rogers.com

WKM
Energy

regie de l'ent...

DOSSIER: R-3669-2008

DEPOSÉE EN AUDIENS

Phase 2

Date: 19/04/2011

Pieces n°: C-6-106 EB7

Presentation Outline

- Objectives of the FERC Orders
- Requirements for a Coordinated, Open and Transparent Transmission Planning Process (Attachment K)
- Transmission Service Subject to Re-dispatch or Curtailment (Section 15.4)

Objective of the FERC Orders

The general purpose of FERC Order 890 and the follow up re-hearing orders as stated in the SUMMARY is *“amending the regulations and the pro forma open access transmission tariff adopted in Order Nos. 888 and 889 to ensure that transmission services are provided on a basis that is just, reasonable and not unduly discriminatory or preferential.”*

More specifically the changes in each of the Orders “are designed to:

- (1) strengthen the pro forma OATT to ensure that it achieves its original purpose of remedying undue discrimination;
- (2) provide greater specificity to reduce opportunities for undue discrimination and facilitate the Commission’s enforcement;
- (3) increase transparency in the rule applicable to planning and use of the transmission system.”

WKM

Energy

***Requirements for a
Coordinated, Open and Transparent
Transmission Planning Process
(Attachment K)***

***WKM
Energy***

FERC Planning Process Requirements

Order 888 set certain minimum requirements for transmission planning and Order 888-A encouraged utilities to engage in joint planning

In the years since 1996 FERC became concerned about

the “***economic self interest of transmission monopolists***” who
“***naturally wish to maximize their profit***” (890 P423),

the lack of “**clear criteria regarding the transmission provider’s planning obligation**” (890 P424),

and that “**there is no requirement [in Order 888] that the overall transmission planning process be open to customers, competitors, and state commissions.**” (890 P424)

FERC required in the 890 Orders that a planning process be documented in Attachment K that meets nine planning principles.

FERC Planning Process Requirements

Follow up on planning concerns by FERC has continued with a “White Paper”, technical conferences, and a new “NOPR Transmission Planning and Cost Allocation” in June 2010

Reciprocity obligations apply to “planning processes”

“With regard to non-public utility transmission providers, we reiterate our expectation of participation in the planning processes established pursuant to Order No. 890 consistent with their reciprocity obligation” (890A P214)

Reciprocity obligations apply to foreign utilities

“We reiterate that these reciprocity requirements apply equally to all non-public utility transmission providers, including those located in foreign countries.” (890 P191)

WKM Position on Attachment K

The principles lay out a process that is in the interests of all concerned parties including the society served

Many non jurisdictional utilities are adopting compatible processes

- BC Hydro
- Bonneville Power Authority
- New Brunswick System Operator (NBSO)

The revised NBSO process was developed in consultation with stakeholders and filed with NB EUB under “Application for Changes to NBSO OATT” (Oct 18, 2010)

- Includes an Attachment K
- Includes updated Market Rules with alternative open proposals
- Includes other updates consistent with Order 890
- Includes redline version of OATT

Many of these documents are attached as Appendices to my evidence.

Others available at

www.nbso.ca/Public/en/op/regulatory/proceedings.aspx

HQT Position on Attachment K

It may be appropriate for FERC and US utilities but HQT "considère qu'il n'y a pas lieu de joindre un processus de planification en appendice K à ses Tarifs et conditions."

Rationale:

- Primary reason of Order 890 was to relieve congestion and increase transmission investment neither of which is an issue in Québec.
- Current processes in Québec meet or are superior to the Attachment K principles desired by FERC in Order 890.
 - Regulatory approval processes before the Régie (rate case, S.73),
 - NERC (ERO) and NPCC processes and audits,
 - Environmental impact assessments,
 - OATT sections
 - Code of Conduct
 - Exploratory studies (Section 12A.5 of OATT)

Mr. Rose Support For HQ Proposal

Presentation (HQT-37-B163)

- Provided historical background on US transmission issues
- Stated that lack of investment and increasing congestion were the drivers behind Attachment K planning by FERC
- US coordination is needed because there are “hundreds of Transmission Providers ... Zones, RTOs [that] are all synchronized within one Interconnection”
 - HQ grid has fewer participants so coordination is easier
 - HQ is a single Interconnection better coordinated than US grids
- The current planning process in Québec is working and “already meets the goals of FERC”
- “Reciprocity requirements are met” but “Régie should ensure that reciprocity is not misused”

WKM Position on HQT Rational (Investment)

HQT does not have superior transmission investment on a relative basis compared with other systems

<i>HQT Investment relative to its Tariff</i>			
	<u>HQT</u>	<u>US</u>	<u>Ratio(%)</u>
	(\$/kW-yr)		
Investment (2006-10) ¹	31	18	172%
Investment (2009-13) ¹	42	22	190%
Tariff (\$/kW-yr)	72 ²	35(40) ³	206(180)%

Notes - 1 HQT DOC 36-B1162 page 7
 2 HQT OASIS
 3 Mr Rose testimony Oct 22 page 93

The vast nature of the HQ system is different but relative investment is the same (or even a little less) than the US

WKM Position on HQT Rational (Congestion)

HQT is not the only system with no internal congestion.

NB has no congestion in its system or its Balancing Area.

“NPCC 2010 Maritimes Area Comprehensive Review of Resource Adequacy”¹ in Section 2.6 states

“Within the Maritimes Area ... a transmission congestion issue of consequence to the LOLE results occurs for only one of these three interconnections, the tie between New Brunswick and Nova Scotia”.

NB-NS interface is external congestion

– It is a NS issue that is currently being addressed

NB IS single node like HQT but external congestion exists in NB and HQT

– Many interconnections have more requests than capacity

Most of the US congestion is between systems not within systems

HQT’s advantage is its large geographic territory with little internal congestion but there is still congestion at the interconnections

¹ <http://www.npcc.org/documents/reviews/Resource.aspx>

WKM Position on HQT Rational (Mr. Rose Points)

Coordination is not dependent on a large number of market participants

- Should a few market players be ignored?
- Openness and transparency is more important to mitigate potential discrimination in a monopolistic market like Québec

The characteristic of the HQ system as a single synchronized Interconnection is irrelevant

- Coordinated open planning is still needed for internal customers and to connect neighbouring systems

The fact that current planning processes appear to work is also irrelevant

- Processes can always be improved
- Attachment K is a necessary OATT addition
- Meeting the nine planning principles will improve the situation

WKM Position on HQT Rational (Planning Processes)

HQT type planning processes (or an equivalent) have existed throughout North America since Order 888 in 1996 and prior to Order 890.

- Explanation and examples provided in response to Q4.1 of September 2010 IRs from HQT (C-6-61)

Order 890 requires an Attachment K process that is an improvement on these existing processes.

HQT process does not meet the nine planning principles of FERC as detailed in WKM evidence, for e.g.

- No process for consultation and coordination with customers
- No open planning meetings except before the Régie
- No provision of models and data for transparency
- No study procedures for economic upgrades

Onus is on HQ to demonstrate that its process comply with Order 890 P 602 and “**substantially conforms or is superior to**” the Attachment K process and that it be properly documented

***Transmission Service
Subject to Re-dispatch or Curtailment
(Section 15.4)***

***WKM
Energy***

Requirement for a “Written Request”

Words added “upon reception of a written request from the Transmission Customer” by HQT but not FERC

Obligation is on HQT to inform a customer of possible options after submission of a Completed Application

Customer may (or may not) proceed to SIS Agreement where “written request” with specifications is provided

Problematic for two reasons

- It's redundant and could delay provision of service.
- It places burden on customer to have prior knowledge of the system

Mitigation of the issue could be

- Remove the redundant wording so obligation is on HQT
- Invoke an open planning process so customer is informed

Issue of HQ Corporation as the Transmission Provider

FERC View

- Response to IR 9.1 of C-6-33 traces FERC's view that the Transmission Provider is the integrated utility corporation
- "Because a transmission provider may use its system in different ways (e.g., to integrate load and resources when serving retail native load, to make off-system sales or purchases, or to serve wholesale requirements customers), the Commission set for hearing the factual issues associated with identifying those uses, as well as any potential impediments or consequences to providing comparable services to third parties." (Order 888, P. 37)

Québec Law

- In the law respecting the Régie the Transmission Provider ("transporteur") is defined as "Hydro-Québec in the act of carrying on electric power transmission activities"
- In the HQ tariff "Transmission Provider" is defined as "Hydro-Québec when carrying on electric power transmission activities"
- There is no mention of HQT

Re-dispatch in the HQT “Control Area”

HQT expand re-dispatch from “its own resources” to “resources in the Transmission Provider’s Control Area”

Transmission Provider is “HQ Corporation” not just HQT so an internal agreement between HQT and HQP can be struck for re-dispatch that will enable sales of more transmission for the overall benefit of HQ corporation

Obligation on HQT to a Customer is to

- Study all possible re-dispatch options
- Offer “re-dispatch from its own resources” if available
- Inform Customer of third party re-dispatch options

Customer can then accept HQT re-dispatch offer or negotiate with third party

Having HQT negotiate with third party for re-dispatch puts it into conflicting commercial activity

Summation

Attachment K Planning Process

- An open coordinated process with all stakeholders prior to regulatory review is required
- Lack of a process is discriminatory to third parties
- HQT arguments re congestion and investment are not valid
- Lack of a process does not fulfill HQ's reciprocity obligations
- **The Province of Québec would be better served with an open coordinated planning process**

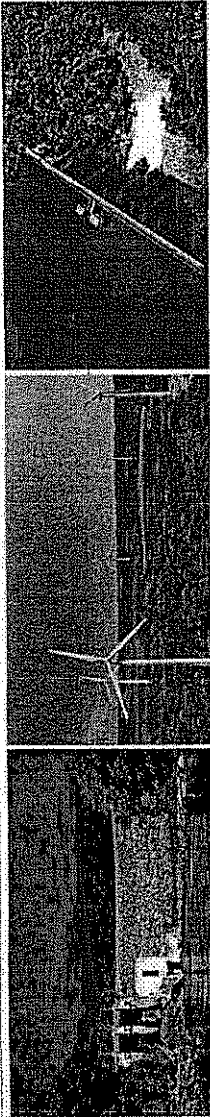
Service Subject to Re-dispatch or Curtailment (Section 15.4)

- Obligation to offer service is on HQT
- Wording should revert to that in the FERC proforma tariff

Brookfield

Énergie renouvelable Brookfield inc.

Axée sur la production d'énergie renouvelable



PRÉSENTATION D'EBM

Processus de planification | R-3669-2008, Phase 2 - Avril 2011

Régie de l'énergie
DOSSIER: R-3669-2008 Phase 2
DÉPOSÉE EN AUDIENCE
Date: 19/04/2011
Pièces n°: C-6-104 ES9

Processus de planification des installations de transport

POSITION DE EBM

- HQT doit offrir un processus de planification qui soit coordonné, ouvert et transparent et produire une annexe K conformément aux ordonnances de la FERC (9 principes)
- Il n'y a pas de désavantage à plus de concertation. Il existe un consensus de la part des intervenants à l'effet qu'une annexe K devrait être produite. Il s'agit d'un message clair.
- Les mécanismes actuels, sans vouloir les critiquer, ne rencontrent pas les principes énoncés par la FERC
 - Les dossiers réglementés n'équivalent pas au processus de planification ouvert, transparent et coordonné
 - D'un côté, on parle d'un processus réglementé requérant des procédures (intervention, DDR, preuve), des débats, des décisions de la Régie par opposition à des rencontres de «stakeholders», des échanges d'information pertinente en temps utile avant le dépôt d'un plan de planification

Processus de planification des installations de transport

- Par exemple: HQT-9 ne répond pas aux principes de coordination («timely and meaningful input») et de transparence («disclosure of basis criteria, assumption data that underlies the plan»)
- Les dossiers d'investissement n'offrent pas le forum requis pour discuter de projets de planification
- Actuellement, il n'existe pas de processus organisé avec des rencontres de planification avec les participants
- Les clients (sauf affiliés d'HQT) ne sont pas systématiquement consultés avant le dépôt d'HQT-

9

Processus de planification des installations de transport

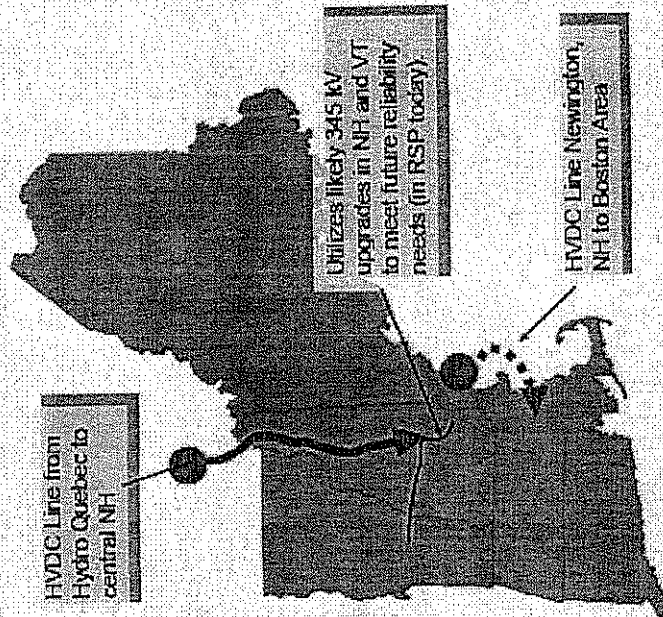
- Exemple du processus québécois dans le cas de la nouvelle interconnexion proposée entre le Québec et le New Hampshire
- Exemple du processus québécois dans le cas d'approbation de projets d'investissements liés à des réservations de point à point sur des interconnexions existantes
- Exemples de cas réels d'un processus "d'open season" pour une nouvelle interconnexion (vol. du 22/10/10), p. 135-141)
- Exemples de « stakeholder process" dans d'autres juridictions

Processus de planification des installations de transport – Exemple nouvelle interconnexion

- L'exemple utilisé est celui de la nouvelle interconnexion proposée entre le Québec et le New Hampshire en Nouvelle-Angleterre
- Voici la chronologie des événements:
 - Lors du *Planning Advisory Committee* de l'ISO-NE du 18 décembre 2007 (http://www.iso-ne.com/committees/comm_wkgrps/prcptnts_comm/pac/mtris/2007/dec182007/index.html), la possibilité d'un nouveau lien entre le Québec et le New Hampshire est présentée par Northeast Utilities dans sa présentation intitulée « *Creating Benefits for New England Through Additional DC Transmission Connections* »
 - TransÉnergie a déposé une présentation intitulée « *Response to New Transmission Service Requests to NE* » à ce comité

Processus de planification des installations de transport – Exemple nouvelle interconnexion

A Set of Complementary Projects with Tangible Benefits for New England



Benefits

- > A solution with real benefits for the region
 - Economic value
 - CO₂ reduction
 - Renewable resource additions
 - Fuel diversity
- > HVDC tie line with Hydro Quebec allows for large import capability into New England
- > Optimizes use of existing and planned bulk power grid – connects the DC tie line from Hydro Quebec at a good location on the New England AC system
- > Provides a new, strong and separate reliability path from HQ
- > Addition of north-south DC connection allows for enhanced power flows to southern New England load centers



Processus de planification des installations de transport

- Le 31 mars 2008, NU conformément à l'annexe K demande d'effectuer «an analysis of increases to the North-South New England»
- HQUS «supports the Northeast Utilities request for the above described study in accordance with Attachment K of FERC Order 890»

Processus de planification des installations de transport – Exemple nouvelle interconnexion

- Selon le site OASIS du Transporteur, en avril 2008, Hydro-Québec dans ses activités de production, a déposé une demande de service de transport
- En mai 2008, deux autres demandes sur le même chemin vers le New Hampshire sont demandées par Cargill et Brookfield
- Plus tard en mai 2008, une demande supplémentaire est déposée par Hydro-Québec Production

n°	Date demande reçue	Nom du projet/ Description	Localisation	MW	Mise en service demandée	Client	Statut
117T	2008-04-02	Demande de service de transport ferme à long terme de point à point	Nouveau chemin Québec-New Hampshire	1 200 MW	Juin 2014	Hydro-Québec Production	Terminée (2010-03-16)
118T	2008-05-14	Demande de service de transport ferme à long terme de point à point	ON-New Hampshire	3 x 105 MW	Juin 2014	Cargill	Retirée (2010-04-11)
119T	2008-05-14	Demande de service de transport ferme à long terme de point à point	ON-New Hampshire	2 x 105 MW	Juin 2014	Énergie Brookfield	En cours
120T	2008-05-26	Demande de service de transport ferme à long terme de point à point	HQT-New Hampshire	300 MW	Juin 2014	Hydro-Québec Production	En cours

Processus de planification des installations de transport – Exemple nouvelle interconnexion

- En décembre 2008, Hydro-Québec et les deux principaux distributeurs d'électricité de la Nouvelle-Angleterre, Northeast Utilities et NSTAR, ont signé une lettre d'entente concernant un projet de ligne à courant continu de 1 200 MW entre le poste des Cantons et un poste dans le sud du New Hampshire qui reste à déterminer. L'interconnexion présentera des caractéristiques techniques semblables à celles de la ligne à courant continu qui a été mise en service au début des années 90.*
- En mai 2009, la FERC a rendu une décision favorable relativement à la structure des transactions qui encadrent le projet.*

* (Selon plan stratégique d'Hydro-Québec 2009-2013, dépôt légal 3^{ième} trimestre 2009, HQT-17, document 1)

Processus de planification des installations de transport – Exemple nouvelle interconnexion

- En mars 2010, Hydro-Québec TransÉnergie produit son rapport d'étude d'impact pour la demande 117T.
 - Le rapport mentionne sous la section *Hypothèses d'étude* que « *L'étude tient compte de l'ensemble des projets ayant préséance sur la présente étude d'impact selon l'ordonnement du système Oasis.* »
 - Cela est en ligne avec les réponses fournies par les témoins d'HQT (panel 3) lorsque contre-interrogés par la procureure de EBM (volume du 21/10/10, p. 69 et ss.).

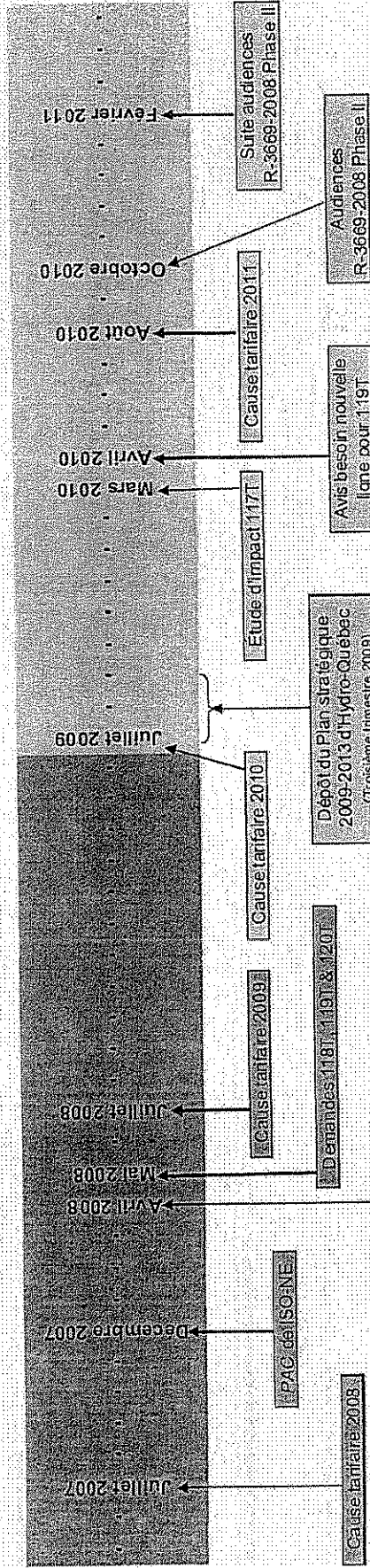
- En avril 2010, HQT informait EBM par lettre que:
 - L'étude d'impact #117T était maintenant terminée et disponible sur demande
 - La demande de service de transport requérant l'étude d'impact #118T a été retirée par le demandeur.
 - Le Transporteur est maintenant prêt à entamer l'étude d'impact 119T, prochaine en séquence.
 - Comme la capacité de la nouvelle interconnexion sera de 1200 MW, la demande d'EBMI requiert l'étude d'impact sur une deuxième interconnexion vers le New Hampshire.

Processus de planification des installations de transport – Exemple nouvelle interconnexion

- Nouvelle interconnexion et causes tarifaires
 - Selon les témoins d’HQT, la pièce « HQT-9 » déposée dans le cadre des causes tarifaires est le document qui traite de la planification et qui permet d’en débattre de façon ouverte, transparente et coordonnée (vol. du 20/10/10, p. 189 et ss.)
 - La pièce « HQT-9 » déposée dans la cause tarifaire 2009 ne semble pas mentionner cette nouvelle interconnexion
 - 2009: R-3669-2008, Tableau 7, HQT-9, Document 1, 2008-07-29
 - Pour ce qui est des causes tarifaires 2010 et 2011, on y mentionne seulement un item « Interconnexion Nouvelle-Angleterre » qui réfère potentiellement à cette nouvelle interconnexion
 - 2010: R-3706-2009, Tableau 7, HQT-9, Document 1, 2009-07-30
 - 2011: R-3738-2010, Tableau 7, HQT-9, Document 1, 2010-08-02

Processus de planification des installations de transport – Exemple nouvelle interconnexion

Séquence des événements



Processus de planification des installations de transport – Exemple nouvelle interconnexion

- En conclusion:
 - La possibilité d'intervention dans la cause tarifaire arrive après le processus de planification
 - Malgré le fait que 4 demandes de service de transport pour un même nouveau chemin furent déposées en moins de 2 mois, HQT n'a pas procédé à aucune demande de rencontres entre les trois participants de marché impliqués pour discuter du projet de façon coordonnée et a produit une étude d'impact qui ne tient pas compte des demandes subséquentes à la 117T
 - L'intervention dans une cause tarifaire ne répond pas à l'ensemble des objectifs visés par la notion de planification ouverte, transparente et coordonnée

Processus de planification des installations de transport – Exemple d'un cas d'approbation d'un projet d'investissements

R-3715-2009

- Description du projet R-3715-2009
- L'intervention possible en vertu de l'article 73 de la Loi est limitée
 - Le projet doit être examiné « tel quel » (projet soumis) et les intervenants de marché ne peuvent pas suggérer de modifications
 - «Exigences de nature technico-économique et justification du projet en regard de ses objectifs, de l'impact des coûts sur les tarifs et de l'impact du projet sur la fiabilité du réseau» (D-2007-20, p. 4)
 - Le rapport d'étude d'impact n'est pas jugé pertinent
 - Il ne s'agit pas d'un processus favorisant la planification de façon coordonnée

Processus de planification des installations de transport – Exemple d'un cas d'approbation d'un projet d'investissements

- Exemple d'un dossier où HQT ne tient pas compte des droits de renouvellements dans son processus de planification
- Ceci est en contradiction avec la position de la FERC à l'effet qu'il y a un lien direct avec la planification. Voir extraits de la p. 41 du rapport de monsieur Roach (C-6-56):

« (...)»

As the Commission explained in Order No. 890, reforms regarding rollovers and transmission planning must proceed together because they are closely related. Under our longstanding policy, transmission service eligible for a rollover right must be set aside for rollover customers and included in transmission planning.

(...)

Accordingly, it is only after a transmission provider's Attachment K planning process is accepted by the Commission that the transmission provider should file the rollover reform language, and the effective date of that language should be commensurate with the date of that filing.

(...))»

Processus de planification des installations de transport – *Open season*

- Exemples de cas réels d'un processus de type "*open season*" pour une nouvelle interconnexion
 - Même si ce n'est pas le seul processus utilisé, un processus de type *open season* est couramment considéré dans le cadre de projets de nouvelles interconnexions
 - La FERC considère qu'il y a des avantages certains à ce que les intervenants de marché participent «in joint ownership» (FERC Order 890 par. 587 à 594 et 890A par. 259 à 264)
 - Des exemples récents d'utilisation de processus de type *open season* incluent les projets d'interconnexions suivants:
 - Cross Sound Cable
 - Linden VFT
 - Zephyr and Chinook Power Transmission Lines

Processus de planification des installations de transport – Exemples réels de "Stakeholder process"

- ISO-NE
 - Il existe une multitude de comités et de groupes de travail comme par exemple les comités de participants, de marchés, de fiabilité, de transmission ou autres
 - Parmi les comités de participants, le *Planning Advisory Committee* est probablement le forum d'échange privilégié pour la planification des installations de transport

http://www.iso-ne.com/committees/comm_wkgrps/prtcpts_comm/index.html

- Lettre de Northeast Utilities System du 31 mars 2008

Processus de planification des installations de transport – Exemples réels de "Stakeholder process"

- NYISO
 - Tout comme pour l'ISO-NE, il existe une multitude de comités et de groupes de travail divisés en trois grandes sections soit management, affaires commerciales et opérations
 - Parmi les comités d'opérations, le *Transmission Planning Advisory Subcommittee* est probablement le forum d'échange privilégié pour la planification des installations de transport

http://www.nyiso.com/public/webdocs/committees/general_information/WP_03_Committee_Org_Structure_rev_2009.pdf

Processus de planification des installations de transport – Exemples réels de "Stakeholder process"

- IESO STAKEHOLDER INITIATIVES
 - Advisory Committee
 - Technical Panel
 - Working group
 - Standing Committees (ex: Inter-Jurisdictional/Trading Standing Committee)

http://www.ieso.ca/imoweb/consult/stakeholder_engagement.asp

Processus de planification des installations de transport – Exemples réels de "Stakeholder process"

Investissement/congestion

- Dans la dernière cause tarifaire, HQT fait état de «contraintes reliées à la capacité de transport présentement disponible» et du fait qu'«il prévoit réaliser, sur la prochaine décennie, des projets de développement d'un coût total de 5.4 G\$ afin de répondre à des besoins croissants en matière de transport d'électricité» (D-2011-039, p. 84 à 86)
- Il y a lieu de constater le développement de projets majeurs au niveau des interconnexions (Ontario, Nouvelle-Angleterre) sans la participation d'intervenants mais impliquant HQP

Processus de planification des installations de transport – Exemples réels de "Stakeholder process"

Conclusion

- Notre vision d'un processus ouvert, transparent et coordonné respectant les 9 principes de la FERC a été proposé en réponse à une DDR de la Régie (C-6-33 Q. 2.1). Les éléments suivants devraient notamment être considérés:
 - Production d'une annexe K préparée en collaboration avec les intervenants
 - Création d'un comité de planification de réseaux (CPR)
 - Rencontres et échange d'information (selon une fréquence définie et un mécanisme de communication avec les participants)
 - Échanges d'informations avant les causes tarifaires (divulgaration des critères considérés)
 - Création d'un processus de planification bien défini (i.e. CPR pourrait être impliqué dès l'initiation d'un projet).

