

103 FERC ¶ 61, 260
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

California Independent System
Operator Corporation

Docket Nos. ER03-608-000
ER00-2019-006
ER01-819-002

ORDER ON TARIFF AMENDMENT

(Issued May 30, 2003)

1. In this order, we accept in part, suspend in part, and reject in part, proposed tariff revisions the California Independent System Operator Corporation (CAISO) filed as Amendment No. 49 to its Open Access Transmission Tariff (OATT) in Docket No. ER03-608-000. Additionally, we will consolidate Docket No. ER03-608-000 with the on-going proceeding in Docket No. ER00-2019-006, et al., for purposes of hearing and decision. This order benefits customers by clarifying certain provisions of the CAISO tariff.

Background

2. On March 11, 2003, the CAISO filed its proposed Amendment 49 to its OATT. This amendment proposes to modify the transmission access charge amendments that the Commission previously accepted for filing, suspended and set for hearing in Docket No. ER00-2019-000, et al. The CAISO states that these tariff revisions reflect changes based on three years of operational experience and settlement discussions among stakeholders in California. The CAISO has proposed revisions to twelve separate provisions of its tariff regarding the operation of Transmission Access Charge (TAC) rate design and five clarifications to Amendment No. 27, the tariff provisions the CAISO originally filed in Docket No. ER00-2019-000. The CAISO requests that these tariff revisions be made effective June 1, 2003.

3. Notice of the CAISO filing was published in the Federal Register on March 24, 2003, 68 Fed. Reg. 14,231 (2003), with comments, protests, and motions to intervene due on or before April 1, 2003. The following parties filed timely unopposed motions to intervene and comments: California Department of Water Resources State Water Project (California State Water Project); California Municipal Utilities Association (CMUA); Cities of Anaheim, Azusa, Banning, Colton, and Riverside, California (Southern Cities); Cities of Santa Clara and Palo Alto, California (Santa Clara/Palo Alto); City of Vernon, California (Vernon); Cogeneration Association of California and the Energy Producers and Users Coalition; Metropolitan Water District of Southern California (Metropolitan); Modesto Irrigation District (Modesto)¹; Northern California Power Agency (NCPA); Pacific Gas and Electric Company (PG&E); San Diego Gas & Electric Company (SDG&E); Southern California Edison Company (SoCal Edison); and Transmission Agency of Northern California (TANC); and Western Area Power Administration (WAPA); and Williams Energy Marketing & Trading Company.

4. The following parties filed timely unopposed motions to intervene that raised no substantive issues: California Electricity Oversight Board; Dynegy Power Marketing, Inc., El Segundo Power, LLC, Long Beach Generation LLC, Cabrillo Power I LLC and Cabrillo Power II LLC. On April 2, 2003, the City and County of San Francisco (San Francisco) filed an untimely motion to intervene that raised no substantive issues. On April 16, 2003, the CAISO and SoCal Edison separately filed answers to the protests. On April 23, 2003, Modesto and Vernon filed separate reply comments to CAISO and SoCal Edison answers.

5. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure,² the timely, unopposed motions to intervene of the movants listed above serve to make them parties to this proceeding. Regarding the untimely motion to intervene from San Francisco, given its interest in this proceeding, the early stage of the proceeding, and the absence of any undue prejudice or delay from granting late intervention, we will grant this party's intervention. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure prohibits the filing of an answer to a protest or to an answer unless otherwise permitted by the decisional authority.³ We will accept the CAISO, SoCal Edison, Vernon and Modesto answers because they have assisted us in understanding the issues

¹On April 17, 2003, Modesto filed a correction to its comments. In its April 17, 2003 filing, Modesto changed the word "use" in two instances to "does not use."

²18 C.F.R. § 385.214 (2002).

³18 C.F.R. § 385.213(a)(2) (2002).

before us.

Discussion

I. Issues to Consolidate with Docket No. ER00-2019-000

6. Our analysis indicates that some of the proposed tariff changes in Amendment 49 have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful. In addition, concerns over these proposed tariff changes raise factual questions that we can not summarily decide in this proceeding because the outcome may adversely affect the hearing in Docket No. ER00-2019-006, et al. Accordingly, we will consolidate five issues described below with Docket No. ER00-2019-006, et al., for purposes of hearing and decision.

Transition Charge - In Amendment 27, the CAISO proposed that new Participating Transmission Owners' costs of new and existing High Voltage facilities would be incorporated in the Transition Charge cost shift calculation to determine the net costs or benefits of a Participating Transmission Owner.⁴ The CAISO now proposes a revision that would exclude new transmission investments from the cost shift cap calculation. The CAISO states that this modification will ensure that the costs of New High Voltage facilities will be borne by all CAISO customers rather than assigning most of the costs to customers within a particular Transmission Access Charge area. In addition, the CAISO states that its proposed modification to the cost shift calculation will encourage new construction of high voltage facilities because the tariff removes the uncertainty with full cost recovery.

Allocation of Costs between High Voltage and Low Voltage Facilities - The CAISO states that it worked with the active parties in Docket No. ER00-2019-000 to develop a "Procedure for Division of Certain Costs Between the High and Low Voltage Transmission Access Charge," which is a new methodology for allocating the costs of multi-voltage substations, transmission towers that carry both high voltage and low voltage, general expenses and existing contracts. The CAISO further states that this new procedure was incorporated through settlement⁵ of dockets in which the Original Participating Transmission Owners made corresponding changes to their respective Transmission Owner tariffs to implement the Transmission Access Charge under Amendment 27. As a result,

⁴See Section 8.6 CAISO tariff and Section 1.1 and 5.7 of Schedule 3, Appendix F of the CAISO tariff.

⁵Offer of Settlement occurred in Docket No. ER01-833-000.

the CAISO proposes to create a definition for the methodology for allocating the costs of joint use facilities between the High Voltage Transmission Revenue Requirement and the Low Voltage Transmission Revenue Requirement of each participating transmission owner and post this procedure on the CAISO website and include a cross-reference to the requirements in the CAISO tariff.⁶

Transmission Revenue Credit - Amendment 49 seeks to revise the definition of Transmission Revenue Credit to include a definition of Net FTR Revenue in which New Participating Transmission Owners given Firm Transmission Rights in accordance with Section 9.4.3 of the CAISO tariff are required to credit against their Transmission Revenue Requirements only the positive difference between the Usage Charges paid and the Firm Transmission Rights and Usage Charge revenue received.

Conversion of Existing Contracts - The CAISO states that in recognition of the fact that certain Participating Transmission Owners may present special or unusual circumstances, Amendment 49 adds Section 4.5 in Schedule 3 of Appendix F that allows for flexibility to assist New Participating Transmission Owners in converting existing rights to Firm Transmission Rights. The CAISO also provides clarification regarding the characteristics to be considered in the determination of the amount of contracted transmission capacity, and the firmness of the capacity.

Treatment of Behind the Meter Load - In Amendment 27, the determination of Gross Load excluded behind-the-meter Load of existing Qualifying Facilities that were operational as of March 31, 2000, and that received standby service. In Amendment 49, the CAISO proposes to revise the definition of gross load by deleting the date limitation. By deleting the date limitation, the CAISO contends that its proposed change eliminates the potential for double charging Qualifying Facilities customers taking standby service. It further states that the exemption should not disadvantage other customers because transmission revenues received by Participating Transmission Owners from Standby Service are taken as a credit against the Participating Transmission Owners Transmission Revenue Requirements.

7. We will suspend for a nominal period these five issues to be consolidated with Docket No. ER00-2019-000, et al., and establish an effective date of June 1, 2003, subject to refund.

⁶See Section 11 of Schedule 3, Appendix F of the CAISO tariff.

II. Issues resolved in Docket No. ER608-000

8. We will accept the remaining parts of the CAISO's proposed Tariff Amendment 49 for filing, and establish an effective date of June 1, 2003, but for the waiver provision to transfer certain facilities to the CAISO. These proposed changes to the tariff are described below.

Waiver Provision to Transfer Certain Facilities to the CAISO

9. The CAISO proposes to amend Section 3.1 of its tariff by adding a provision⁷ that would give the CAISO discretion to exempt a federal power marketing agency seeking to become a New Participating Transmission Owner from the obligation to turn over operational control to the CAISO of all of its transmission facilities and entitlements to the extent the federal power marketing agency's transmission facility or entitlement has overriding regional importance (*i.e.*, such as the upgrade to Path 15). The proposed tariff provision also provides that such exemption would be filed for the Commission's approval either with the transmission control agreement or under Section 203 of the Federal Power Act. The CAISO argues that the proposed exemption is necessary to encourage the Western Area Power Administration to transfer its portion of Path 15 to the operational control of the CAISO.

10. Several parties indicated that they were not opposed to the general principle of allowing the CAISO the ability to grant a waiver of the general requirement that a Participating Transmission Owner transfer control of all its facilities to the CAISO.⁸ However, they argue that the current proposed language to grant waiver is narrowly focused and unduly discriminatory because it does not make reasonable accommodations to all market participants.

11. Some of these parties⁹ also challenge the CAISO's "overriding regional importance" standard of review process to determine waiver eligible participants. They argue that the CAISO does not provide adequate guidance or criteria on how it will evaluate whether certain facilities have overriding regional benefits. Hence, these parties propose that the Commission require the CAISO to establish explicit standards for

⁷See Section 3.1.3 of the CAISO tariff.

⁸CMUA, Metropolitan, CDWR, TANC and the Southern Cities.

⁹Metropolitan, PGE and SoCal Edison

granting waivers and make them subject to stakeholder review and comments prior to waiver approval.

12. SoCal Edison also argues that the Commission should reject the CAISO's proposal to create "partial" Participating Transmission Owners. SoCal Edison states that the CAISO has not explained why WAPA cannot turn control over all of its transmission facilities to the CAISO. SoCal Edison proposes that the Commission order the CAISO to work with WAPA and market participants to craft a reasonable and nondiscriminatory solution to the path 15 upgrades.

Commission Determination

13. We will reject without prejudice the CAISO's proposal to amend its OATT to allow it the discretion to waive the requirement that a New Participating Transmission Owner turn over operational control of all its transmission facilities to the CAISO under certain conditions. We find that the provision is insufficiently defined and could lead to discriminatory and unreasonable results. Further, and perhaps more importantly, the OATT should not include a provision that would grant this type of discretionary power to a transmission provider, including the CAISO. Should the CAISO in the future believe that an exemption from the requirement that a New Participating Transmission Owner turn over operational control of all its transmission facilities to the CAISO is appropriate, the CAISO at that time may file a request for a waiver of its OATT. While we would entertain such a request, we do not, here, prejudge whether such a request will be granted. We believe that a party seeking such a waiver must show that the waiver is in the public interest because, as a general proposition, we believe that waivers are not in the public interest. We thus would be inclined to consider such requests only in a very narrow circumstance, that is, if the request involves exempting a federal agency from this requirement and that agency is involved in a high value project both with overriding regional significance and that provides substantial benefits to customers.

Application to Become a Participating Transmission Owner

14. The CAISO tariff currently requires that a Participating Transmission Owner applicant declare its intent to become a Participating Transmission Owner by January 1 or July 1 of any year, so that an agreement can be negotiated and filed by the following April 1 or October 1, respectively. The CAISO notes that the tariff does not establish a specific date by which an application to become a Participating Transmission Owner must be submitted. As a result, the CAISO proposes to modify the application process (i.e., Section 3.1.1) to require the submission of an application within 15 days of a

Participating Transmission Owner's Notice of Intent, so that the process can begin promptly and the CAISO has sufficient time to negotiate and file with the Commission an amendment to the Transmission Control Agreement. The CAISO also proposes to eliminate the April 1 and October 1 contract execution and filing deadlines because these deadlines are unrealistic.

15. The Southern Cities state that they do not oppose a time limit for submission of an application. However, the Southern Cities claim that 15 days is unreasonably short because the Participating Transmission Owner application requires a collection of detailed information regarding the prospective Participating Transmission Owner's transmission facilities and entitlements. As a result, the Southern Cities request that the Commission require a Participating Transmission Owner application to be filed 30 days after the submission of the Notice of Intent.

16. PG&E disagrees with the CAISO's assertion that the contract execution and filing deadlines are unrealistic. PG&E contends that the elimination of these deadlines will lead to similar problems that the CAISO is seeking to resolve through its proposal for a 15 day application deadline. In addition, PG&E is concerned that elimination of the deadlines will result in the Transmission Control Agreements and related documents being executed and filed just before the effective date of the agreements.

Commission Determination

17. We find the CAISO's proposal to require the submission of an application within 15 days of an entity declaring its intent to become a Participating Transmission Owner to be reasonable. Because applicants in this process control the timing of their Notice of Intent, they also control the time in which to collect data concerning their facilities and entitlements prior to and 15 days following their submission of a Notice of Intent, we find no reason to extend the filing deadline beyond 15 days. With regard to PG&E's concern that the elimination of the contract execution and filing deadline will result in Transmission Control Agreements and related documents being filed just before the effective date of the agreements, we find this argument to be speculative and, therefore, we will allow the CAISO to eliminate the contract execution and filing deadlines.

Elimination of the Revenue Review Panel

18. Under Amendment No. 27, the CAISO proposed a Revenue Review Panel to review the transmission revenue requirement of non-jurisdictional public utility entities

(e.g., Governmental Entities) that are new Participating Transmission Owners.¹⁰ In the CAISO proposal, the Revenue Review Panel's decisions would have been final and not subject to review. However, the Commission determined that the Revenue Review Panel's decisions are appealable to the Commission.¹¹ Because the effect of this Commission decision diminished the Revenue Review Panel's role, the CAISO proposes that the Revenue Review Panel be eliminated.

19. PG&E supports the elimination of the Revenue Review Panel if the CAISO includes a detailed procedure and standard in the tariff that would enable a Commission review of new Participating Transmission Operator's Transmission Revenue Requirements to determine if they are just and reasonable. PG&E states that the tariff must be explicit in detailing the cost support necessary to permit a just and reasonable rate determination of a proposed Transmission Revenue Requirement. PG&E believes that the detail should be comparable to the requirements in Section 205 of the Federal Power Act.

20. TANC argues that the CAISO's amendment effectively requires that all publicly owned electric utilities, including non-jurisdictional utilities, be regulated by the Commission. TANC contends that the Commission should order the CAISO to revise the CAISO tariff to eliminate the requirement that non-jurisdictional utilities file Transmission Revenue Requirements with the Commission.

Commission Determination

21. Generally, we find that the Revenue Review Panel should be eliminated to ensure the justness and reasonableness of each Participating Transmission Owner's Transmission Revenue Requirement. In addition, we agree with the CAISO's contention that the Revenue Review Panel has become unnecessary since all five municipal utilities that have become Participating Transmission Owners have chosen to file their proposed Transmission Revenue Requirement with the Commission rather than the Revenue Review Panel Board. We also find that it would be administratively more efficient for the Commission to directly review and determine the justness and reasonableness of the Transmission Revenue Requirement of new Participating Transmission Owners as opposed to the alternative Revenue Review Panel review process in Amendment 27, (i.e., Transmission Revenue Requirement disputes of non-public utility entities being

¹⁰See Section 7.1.1 of the CAISO tariff.

¹¹See California Independent System Operator Corporation, 91 FERC ¶ 61,205 (2000).

appealable to the Commission). Finally, we find the elimination of the Revenue Review Panel will not only streamline the review process, but also eliminate the potential administrative costs associated with the Revenue Review Panel from the CAISO's Grid Management Charge.

Metering Equipment

22. Section 7.1.4.4 of the CAISO tariff sets forth a temporary procedure for Scheduling Coordinators that schedule wheeling out or wheeling through transactions or schedule transactions for Non-Participating Transmission Owners located within the CAISO control area to provide details of the transactions to the CAISO rather than maintain CAISO certified meters at the scheduling points. The CAISO implemented the procedure to give the Scheduling Coordinators enough time to meet the necessary metering requirements. However, Section 7.1.4.4.1 through Section 7.1.4.4.3 provides for termination of this temporary procedure once the CAISO issues a Notice of Full Scale Operations.

23. The CAISO states that its intent to have certified metering equipment at every scheduling point has not been fulfilled. This is due in part to a number of Participating and Non-Participating Transmission Owners that possess metering equipment that does qualify for CAISO certification. The CAISO contends that although some Participating and Non-Participating Transmission Owners have proposed to replace their current meters with CAISO certified meters, this has not been accomplished. As a result, the CAISO proposes to delete language that provides for termination of these temporary procedures because operating without the procedure is impossible for the CAISO.

24. CDWR states that the CAISO's proposal is unacceptable because it essentially allows the condition to persist indefinitely, without consideration of the costs and benefits to all market participants. CDWR argues that a better alternative is to enforce market participants to comply with current metering requirements.¹² It further states that the CAISO has acknowledged that because of the CAISO's socialization of costs, one entity's failure to have adequate metering adversely affects others. As a result, rather than accept the proposed approach, the Commission should order an examination of the consequences of a noncompliance with the CAISO metering requirements.

¹²PG&E raised similar concerns.

Commission Determination

25. We agree with CDWR. The elimination of the language that provides for termination of the temporary procedure upon full scale operations of the CAISO does not resolve the ongoing problem of Participating and Non-Participating Transmission Owners not having CAISO certified meters. We realize that in order for the CAISO to operate an efficient and reliable transmission grid effectively, it is essential for parties to comply with the metering requirement as described in the CAISO tariff. Therefore, we will require the CAISO in a compliance filing within 30 days from the date of this order to submit a report identifying the Scheduling Coordinators who are not in compliance, the reasons for the non-compliance, and the anticipated date of compliance. In the interim, we will permit the deletion of Sections 7.1.4.4.1 through 7.1.4.4.3.

Miscellaneous Issues

26. The CAISO proposes to remove the impact of the Grid Management Charge from the hold harmless provision for New Participating Transmission Owners. The CAISO states that the proposal is appropriate because the new Grid Management Charge methodology removes the inequities of the Grid Management Charge in Amendment 27. Under Amendment 27, a governmentally owned utility's responsibility for the Grid Management Charge could significantly increase if it became a Participating Transmission Owner. The CAISO states that since there is no difference between the Grid Management Charge costs that a Participating Transmission Owner and Non-Participating Transmission Owner would pay for the same service, no further protection is needed. No parties protested the removal of the Grid Management Charge from the hold harmless provision. We find that the proposed change is reasonable because the Grid Management Charge emphasizes the principles of cost causation in which all customers that are not similarly situated should incur the same cost for various services. Since new Participating Transmission Owners will not experience higher costs because of the Grid Management Charge, we find that no additional protection is necessary.

27. The CAISO also proposes to modify its tariff to include a market notification process that requires the CAISO to issue a "Market Notice" when the CAISO is aware of revised rates of Participating Transmission Owners. We find it reasonable and we note that no protests were filed on this issue. Accordingly, we will accept this proposal.

Low Voltage Access Fee

28. The CAISO proposes to amend Section 7.1 and Section 1.1 of Appendix F, Schedule 3 of the CAISO tariff to clarify the method of billing and the fact that

Participating Transmission Owners serving load in another Participating Transmission Owner's service area must pay the latter a Low Voltage Access Charge and the method of billing for the charge.

29. Modesto argues that if it becomes a Participating Transmission Owner, the above requirement would result in Modesto paying a Low Voltage Access Charge for certain load in PG&E's service territory served by Modesto's transmission and distribution facilities.¹³ It further states that a California law, AB2638, prohibits an electrical corporation from providing electric transmission or distribution service to retail customers in the Mountain House Community Services District. However, Modesto contends that the proposed tariff language leads Modesto to conclude that PG&E could charge Modesto for service to Mountain House that PG&E does not provide. As a result, Modesto would prefer to not wait to have this matter resolved in a Section 205 or 206 proceeding. Modesto states that for the sake of administrative convenience the Commission should require the CAISO to amend the tariff to provide safeguards to prevent inappropriate billings.

Commission Determination

30. According to the CAISO tariff, the Low Voltage Access Charge for each Participating Transmission Owner is set forth in the Participating Transmission Owner's Transmission Owner Tariff. Our interpretation of the CAISO tariff as it relates to the low voltage charge is that Modesto would not be assessed PG&E's charge because the retail customer loads are served by transmission and distribution facilities either owned or entitled to Modesto. To the extent that PG&E's Transmission Owner Tariff is interpreted differently, we would encourage both PG&E and Modesto to negotiate an agreement that resolves any dispute that results from implementing California law AB2638.

Miscellaneous Changes

31. The CAISO also proposes in Amendment 49 to correct grammar and typographical errors, and inconsistent or outdated use of terminology in the following sections related to Amendment 27: Sections 3.1.2, 3.2, 3.2.1.1.2, 3.2.1.1.3, 3.2.1.2, 3.2.2.1, 3.2.2.3, 3.2.2.4, 3.2.3, 3.2.6, 3.2.7, 3.2.8.2, and 7.1.4.1; Appendix A, Definitions

¹³The load served by Modesto is the Mountain House Community Services District under California Assembly Bill 2638, Cal Pub. Util. Code § 9610 (2003) (AB2638).

of Access Charge, New High Voltage Facility, and TRBA; Appendix F, Schedule 3, Sections 1.1, 2, 3, 4.3, 5, 6.1, 7 and 10.1. Finally, the CAISO proposes in Amendment 49 to delete certain language from Section 7.1.6.3 of its tariff, consistent with the Commission's order in California Independent System Operator Corp., 101 FERC ¶ 61,219 at paragraph 58 (2002), directing the CAISO to remove corresponding language from Section 2.2.3 of the Transmission Control Agreement. The parties raised no concerns regarding the corrections. Because we find these corrections reasonable, we will accept these proposed corrections.

32. Section 7.1 of the CAISO tariff refers to the Transmission Revenue Requirement prior to the adjustment for Transmission Revenue Credits. The definition of Transmission Revenue Requirement, however, includes an adjustment of costs for those credits, and the reference is thus circular. The CAISO proposes in Amendment 49 to amend Section 7.1 to refer to the costs of facilities and entitlements. Because we find this reasonable, we will accept this proposed amendment.

33. The new transmission access charge in Amendment 27 made the terms Base Transmission Revenue Requirements and Self-Sufficiency Test Period irrelevant and these terms should have been deleted. The CAISO proposes in Amendment 49 to delete these two definitions from Appendix A of the CAISO tariff. Because we find this reasonable, we will accept this proposed deletion.

34. Amendment 27 explicitly required that Participating Transmission Owners provide to the CAISO any changes that the Participating Transmission Owner proposes to make to its Transmission Revenue Requirement, Transmission Revenue Balancing Account or Gross Load. Amendment 45 added a requirement that Participating Transmission Owners also provide a copy of the submittal to the CAISO to the other Participating Transmission Owners by serving the person named for service in the notice provisions of the Transmission Control Agreement. However, this information is not consistently included in those filings. Because the CAISO and market participants have had difficulty in the past determining the actual amounts to be included in the Access Charge calculation, the CAISO proposes in Amendment 49 to amend Section 7.1 to require that a specific appendix be added to the filing that states the High Voltage Transmission Revenue Requirement, the Low Voltage Transmission Revenue Requirement (if applicable), and the appropriate Gross Load. The CAISO also proposes to amend Section 9.2 to clarify that these requirements apply to federal power market agencies. Because we find these proposals reasonable, we will accept these proposed amendments.

35. To avoid confusion regarding the confidentiality of data, and allow the

Docket No. ER03-608-000 et al. - 13 -

Participating Transmission Owners to ensure that the CAISO has correctly calculated and disbursed the Wheeling Access Charge revenue, the CAISO proposes in Amendment 49 to include in Section 7.1.4.3 of its tariff, a list of the data that the CAISO will release to the Participating Transmission Owners. Because we find this reasonable, we will accept this proposed amendment.

The Commission orders:

(A) The Commission hereby consolidates certain issues in Docket No. ER03-608-000 with the proceeding established in Docket No. ER00-2019-006, et al., suspends these issues for a nominal period and makes them effective June 1, 2003, subject to refund, as discussed in the body of this order.

(B) The Commission rejects the CAISO's proposed tariff Section 3.13 related to a waiver provision to transfer certain facilities to the CAISO.

(C) The Commission hereby accepts in part the CAISO's remaining proposed tariff revisions for filing and makes them effective June 1, 2003, as discussed in the body of this order.

(D) The CAISO is hereby directed to file a report with the Commission, within 30 days from the date of this order, identifying the Scheduling Coordinators who are not in compliance with the CAISO tariff metering requirements, the reasons for non-compliance, and the anticipated date of compliance, as discussed in the body of this order.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.