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Washington Energy Report

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DECEMBER 6, 2017

[FERC Claims Exclusive Jurisdiction Over Energy Efficiency Resources in Wholesale Electricity Markets](#)

By [Meghan Mandel](#) & [Daniel Archuleta](#) on December 6, 2017

Posted in [Generation](#), [Market Policy](#), [Renewables](#)

On December 1, 2017, FERC concluded that it has exclusive jurisdiction over the participation of energy efficiency resources ("EERs") in wholesale electricity markets. FERC also found that: (1) state or local regulators may not bar or restrict EER participation in wholesale electricity markets, unless given express authority to do so by FERC; and (2) FERC's previous Order No. 719 on demand response may not be interpreted to permit a state or local regulator to exercise an opt-out and bar or restrict the participation of EERs.

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[FERC Conditionally Accepts PJM's Pseudo-Tie Requirements for External Resources Participating in Forward Capacity Auctions](#)

The Washington Energy Report is a weekly publication written by the Troutman Sanders Federal Energy Regulatory Commission ("FERC") practice that monitors and reports on significant developments in FERC and energy-related matters around the country.

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By [Adrienne Thompson & Jasmine Hites](#) on December 6, 2017

Posted in [Market Policy](#), [Transmission](#)

On November 17, 2017, FERC conditionally accepted a proposal filed by the PJM Interconnection, LLC (“PJM”) to establish pseudo-tie requirements for new external resources desiring to participate in PJM’s forward capacity auction, as well as a transition period to allow existing “pseudo-tie” resources to comply with the new requirements. PJM’s proposal was given a May 9, 2017 effective date, provided that it submits further compliance filings addressing FERC’s concerns in its order.

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[FERC Affirms Denial of Blanket Construction Certificate for Rover Pipeline](#)

By [Russell Kooistra & Daniel Archuleta](#) on December 6, 2017

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On November 30, 2017, FERC upheld its denial of Rover Pipeline, LLC’s (“Rover”) request for a blanket construction certificate—which would have allowed Rover to perform certain routine construction activities and operations—in connection with the Rover Pipeline Project. FERC determined that it was not confident Rover would comply with the blanket construction certificate’s environmental requirements due to Rover’s demolition of a historic property along the project’s route during the certificate proceeding. FERC also concluded that Rover intentionally circumvented the National Historic Preservation Act (“NHPA”) by purchasing and demolishing the property.

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[FERC Grants Partial Extension of Aliso Canyon Related Tariff Revisions](#)

By [Meghan Mandel & Christopher Zentz](#) on December 6, 2017

Posted in [Market Policy](#), [Natural Gas](#)

On November 28, 2017, FERC accepted in part and rejected in part the California Independent System Operator Corporation's ("CAISO") two sets of tariff revisions concerning natural gas system limitations on CAISO's system and market operations. Specifically, FERC accepted CAISO's proposed extension, for one additional year, of temporary Aliso Canyon tariff revisions that FERC previously accepted on an interim basis. However, FERC rejected CAISO's proposal to make other interim measures permanent and to extend their application to the entire CAISO-operated western grid, including the CAISO-operated Western Energy Imbalance Market ("EIM").

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Glick Sworn in as Latest FERC Commissioner

By [Meghan Mandel](#) & [Thomas DeVita](#) on December 6, 2017

Posted in [Uncategorized](#)

On November 29, 2017, Richard Glick was sworn in as the latest FERC Commissioner. Following his nomination for the position by President Trump in August, Commissioner Glick was confirmed by the Senate on November 2, 2017 (see November 7, 2017 edition of the [WER](#)). Commissioner Glick was previously the Democratic General Counsel for the Senate Energy and Natural Resources Committee. Commissioner Glick will serve the remainder of a term ending in June 2022. Commissioner Glick will serve alongside current FERC Chairman Neil Chatterjee and Commissioners Cheryl LaFleur and Robert Powelson. The swearing-in of Commissioner Glick brings FERC's Commission one step closer to a full five-member Commission. The Senate has confirmed Kevin McIntyre to fill the last seat on the Commission, but he has not yet been sworn in.

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