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Washington Energy Report

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[McIntyre Sworn in as FERC Chairman, Requests Extension to Address DOE NOPR](#)

By [Meghan Mandel](#) & [Thomas DeVita](#) on December 12, 2017

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On December 7, 2017, Kevin McIntyre was sworn in as FERC Chairman. The addition of Chairman McIntyre now completes a full, five-member Commission. On the same day, Chairman McIntyre requested a 30-day extension of the deadline for FERC to act on Department of Energy ("DOE") Secretary Rick Perry's proposed rulemaking concerning grid resiliency pricing.

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[Lawsuit Accuses New England Natural Gas Companies of Withholding Pipeline Capacity](#)

By [Meghan Mandel](#) & [Daniel Archuleta](#) on December 12, 2017

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On November 16, 2017, twelve New England electricity consumers ("Plaintiffs") filed a class action lawsuit in in

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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the U.S. District Court of Massachusetts against two large New England energy companies, Eversource Energy (“Eversource”) and Avangrid, Inc. (“Avangrid”), arguing that they raised power prices by artificially constraining capacity on the Algonquin Gas Transmission Pipeline (“Algonquin”). Specifically, the Plaintiffs argue that for the past three years, Eversource and Avangrid have increased power prices by 20% by reserving more capacity than was needed on Algonquin with the intent to cancel the reservation when it was too late for the pipeline capacity to be resold to other market participants. Plaintiffs allege that this behavior was a misuse of Eversource’s and Avangrid’s market power, in violation of state and federal unjust enrichment, consumer protection and antitrust laws.

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[FERC Denies Rehearing of Atlantic Sunrise Project Approval](#)

By [Jamond Perry](#) & [Daniel Archuleta](#) on December 12, 2017

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On December 6, 2017, FERC denied requests for rehearing of its prior order (“February Order”) authorizing Transcontinental Gas Pipe Line Company (“Transco”) to build and operate its Atlantic Sunrise Project. A variety of protestors raised several claims in their requests for rehearing, including that the assessment of the public purpose and need of the project was incorrect and that the analysis regarding the project’s effect on climate change was inadequate. FERC rejected all challenges to its February Order for several reasons, concluding that the claims were meritless.

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[FERC Approves MISO Tariff Revisions Related to Its Competitive Developer Selection Process](#)

By [Adrienne Thompson](#) & [Jasmine Hites](#) on December 12, 2017

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On December 5, 2017, FERC approved a trio of proposed revisions to the Open Access Transmission, Energy, and Operating Reserve Markets Tariff ("Tariff") of the Midcontinent Independent System Operator, Inc. ("MISO"). These revisions all pertained to MISO's Competitive Developer Selection Process, memorialized in Tariff Attachment FF, which sets out the process for identifying certain transmission facilities within a regional transmission project as well as qualified developers to construct the facilities. FERC approved the proposed revisions after finding that they would improve MISO's Competitive Developer Selection Process and make it more efficient.

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