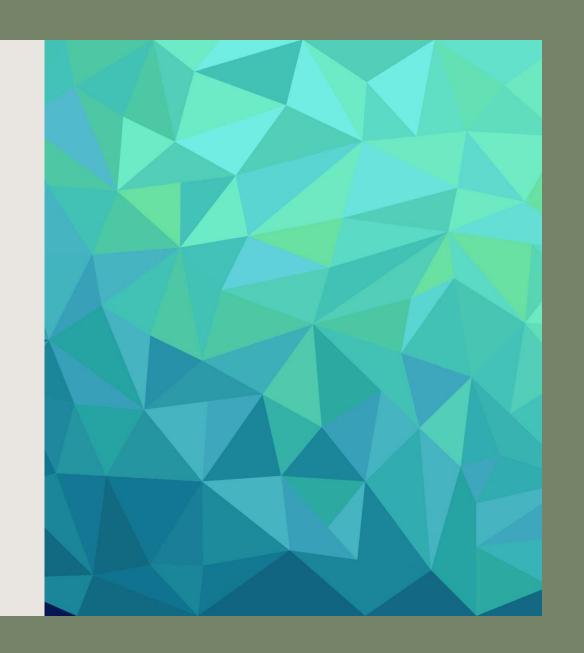
FERC Update

NASUCA Annual Meeting

Jason Gray Duncan & Allen LLP jtg@duncanallen.com

November 12, 2024



No Updates

- Transmission Incentives
 - April 15, 2021 Supplemental Notice of Proposed Rulemaking in RM20-10
- Cost Management and Transmission Planning
 - April 21, 2022 order in AD22-8 establishing October 6, 2022
 - technical conference
 - May 13, 2024 Order No. 1920 says cost containment issues remain "under examination" and will be considered "in the future"
- Recovery of Association Dues
 - December 16, 2021 Notice of Inquiry in RM22-5

Base Return on Equity Methodology

• November 12, 2013 Section 206 Complaint in Docket No. EL14-12 challenged 12.38% return on equity established March 26, 2004

August 9, 2022 DC Circuit Opinion in Case Nos. 16-1325 et al.
vacated Opinions 569 and 569-A and remanded

- October 17, 2024 order on remand
 - Eliminated "risk premium" method and reduced return from 10.02% to 9.98%

Reactive Power Revenue Requirements

 March 21, 2024 NOPR in Docket No. RM22-2 re: whether recovering costs of reactive power through transmission rates is just and reasonable

 October 17, 2024 Order No. 904 finding that inclusion of reactive power revenue requirements in transmission rates is unjust and unreasonable for plants operating in "deadband"

Independent Market Monitors

- October 31, 2024 ALJ order certifying "Black Start" settlement in EL21-91
- "It is not clear on the current record whether Dr. Bowing has the requisite education or experience to qualify as expert on legal or ratemaking issues[.]" P 237

- "I question his qualifications to testify as an expert on rate making." FN 576
- "There is no evidence that IMM's witness Dr. Bowring is qualified to offer expert opinions about regulatory law, rate making, or generator finance." P 249 (E)(2)

Questions?