



October 9, 2018

Mr. David Meyer
Office of Electricity Delivery and Energy Reliability
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Submitted electronically via email to: <http://energy.gov/oe/congestion-study>

Re: Department of Energy – Procedures for Conducting Electric Transmission Congestion Studies, 83 Fed. Reg. 42647 (August 23, 2018)

Dear Mr. Meyer:

I. INTRODUCTION

Ameren Services, on behalf of the Ameren Transmission Company (“Ameren Transmission”), submits these comments in response to the above referenced Department of Energy (“DOE”) Notice of Procedures for Conducting Electric Transmission Congestion Studies (“Notice”) dated August 23, 2018. Through that Notice, DOE is initiating its next triennial congestion study, and seeks comments on the publicly available data and information that should be considered and the types of analysis that should be performed to identify and understand the significance and character of transmission congestion. In addition, the Notice explains that with regard to the congestion studies and the designation of national interest electric transmission corridors (“National Corridors), DOE will continue to produce the triennial studies required by the statute and “would also respond, perhaps separately, to requests for the preparation of project-specific congestion studies or the designation of related National Corridors.”

Ameren Transmission is a transmission-only, direct subsidiary of Ameren Corporation dedicated to electric transmission infrastructure and development, and is a transmission-owning member of the Midcontinent Independent System Operator, Inc. (“MISO”). As such, Ameren Transmission has a direct and substantial interest in DOE’s efforts to identify and assess transmission congestion that may lead to the designation of National Corridors and the development of needed transmission.

II. STATEMENT OF INTEREST

Ameren Transmission respectfully requests that DOE accept and consider these comments. As a major transmission developer and deliverer of electricity to customers, Ameren Transmission has substantial interest in the development of the triennial congestion study and any ensuing corridor designations. The need for additional transmission has not waned since the issuance of the Energy Policy Act of 2005 (“EPAAct 2005”), and in some regions the need for transmission is becoming acute. The staggering generator interconnection queues and the transitioning generation fleets in certain regions are two indicators of the need for robust transmission development – development not on a request-by-request basis that could take an inordinate amount of time but development on a more proactive, holistic basis. The DOE is well aware of the pressures facing the energy industry, and Ameren Transmission submits that transmission investment is needed to ensure reliable and resilient delivery of power to customers. DOE has an opportunity through this Notice and the subsequent congestion study to support the development of transmission, consistent with the intent of Congress.

III. COMMENTS

As mandated by Congress in section 1221 of EPAAct 2005, adding section 216 to the Federal Power Act (“FPA”), DOE is required to conduct a transmission congestion study every three years. The Secretary of Energy is authorized to designate “any geographic area experiencing electric energy transmission capacity constraints or congestion that adversely affects consumers as a national interest electric transmission corridor” after completion of a congestion study. DOE must conduct the study in consultation with affected states. In the Notice, DOE defines congestion, establishes three forms of congestion, and seeks comment on what publicly available data and information should be considered,

and what types of analysis should be performed to identify and understand the significance and character of transmission congestion. In addition, DOE notes its agreement with comments to previous congestion studies that suggested that it might be informative for DOE to publish a transmission congestion study focused on specific transmission project(s), and, if appropriate, designate a National Corridor tailored to the project(s). DOE states, however, that this may not mesh well with the triennial large geographic congestion studies envisioned in FPA section 216(a)(1). DOE states that for this reason it will continue to produce the triennial studies required by the statute and would perhaps respond separately to requests for project-specific congestion studies or the designation of a related National Corridor.¹

Ameren Transmission provides comment on both the data to be considered and the analysis to be performed, and the appropriateness of project-specific congestion studies and corridor designations.

A. Analysis to be Performed and Data to be Considered

The Notice provides that congestion occurs when a constraint within an area's transmission network prevents the network from accommodating all transactions at a given time, and delineates three types of congestion: economic, economic in conjunction with reliability, and inadequate transmission to meet policy goals. According to the Notice, economic congestion prevents power purchasers from accessing the least cost supplies, but may not warrant transmission investment to resolve. Congestion that results from both economic and reliability presents not only higher prices but also the inability to meet NERC standards. The third category contemplates not only the inability of the transmission system to meet federal, state, and local public policy goals, but also the need for the transmission system to be designed to ensure resilience and security under extreme stress (e.g., natural disasters or physical/cyber attacks).

Ameren Transmission supports analysis of the three categories of congestion identified in the Notice, and believes that analysis of the third category is of paramount importance. As the generation fleet continues to transition in response to federal, state, and local public policy goals and customer demands, the transmission system will be used in ways different from originally planned. In addition, with the need of the transmission system to be designed for resilience and security, DOE is uniquely

¹ 83 Fed. Reg. at 42648.

positioned to analyze congestion in this context. DOE has related efforts underway that may help inform this analysis, e.g., transmission modeling for resilience.

The Notice also lists numerous sources of data, analyses and information to be used in the forthcoming study. Among the listed data are interconnection queues, current and projected supply and generation plans, and results of any “stress test” analysis based on threat and resilience modeling. Ameren Transmission agrees that information in these specific areas would aid DOE in developing meaningful analyses of transmission congestion. Ameren Transmission suggests that DOE work with the Regional Transmission Organizations and Independent System Operators (“RTOs/ISOs”) to take into account future scenarios that include reliability, resilience, and state public policy objectives and the resultant need for transmission to meet those objectives. In addition, DOE should identify persistent transmission congestion between regions and improve upon the Order No. 1000 Interregional Coordination processes by, for example, identifying and highlighting differences in modeling and the degree to which the use of contract paths for allocating transmission can understate the need for transmission investment that, if built, would ensure the efficient transfer of power between regions.

B. Project Specific Congestion Studies and Project-Specific Corridor Designation

Pursuant to the Notice, DOE will continue to produce the triennial studies required by the statute, and states that it would also respond, perhaps separately, to requests for the preparation of project-specific congestion studies or the designation of related National Corridors. Ameren Transmission supports, as a general matter, DOE’s publication of triennial congestion studies and the potential designation of National Corridors as required under FPA section 216(a). However, Ameren Transmission does not support and has a number of concerns with DOE conducting project-specific congestion studies or project-specific corridor designation. The statutory language of FPA section 216 does not support DOE conducting “project-specific” congestion studies or corridor designations. The statutory language at FPA section 216(a)(2) is clearly limited to “geographic areas” experiencing electric transmission constraints or congestion. It provides that the Secretary of Energy “shall conduct a study of electric transmission” and “shall issue a report, based on the study, which may designate any geographic area experiencing electric energy transmission capacity constraints or congestion that adversely affects consumers as a national electric interest transmission corridor.” There is no express

mention of “project-specific,” nor is it implied, and therefore DOE should not modify, or even suggest that it would entertain, the studies or corridor designations in this way. Doing so not only is inconsistent with the statute, but also has the great potential to duplicate efforts of, and be in conflict with, regional planning processes. As the DOE recognized in its September 2015 National Electric Transmission Congestion Study (at p. 25), future congestion studies should be coordinated with regional transmission planning efforts, including those mandated by the Federal Energy Regulatory Commission (“FERC”) in Order No. 1000. Ameren Transmission supports this recommendation. It would promote the use of compatible data and modeling approaches and produce consistent results and avoid the problem of competing analysis. As such, DOE should coordinate its studies with the RTOs/ISOs and other regional planning entities, and to the extent DOE identifies additional geographic areas of congestion, make that information available to the RTOs/ISOs, other planning entities and the FERC. This may be particularly helpful in identifying inter-regional seams and congestion issues that are not adequately addressed through FERC’s Order No. 1000 Interregional Coordination Requirements.

IV. CONCLUSION

Ameren Transmission appreciates the opportunity to provide these comments in response to the August 23, 2018 Notice.

Respectfully submitted,

/s/ _____

Joseph Power
Vice President, Federal Legislative and Regulatory Affairs
Ameren Services Company
1331 Pennsylvania Ave, Ste 550S
Washington, DC 20004
(202) 783-7604
jpower@ameren.com