

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Transmission System Planning Performance)	Docket No. RM22-10-000
Requirements for Extreme Weather)	
)	

**MOTION TO INTERVENE AND COMMENTS OF THE
NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS**

The National Association of Regulatory Utility Commissioners (“NARUC”) submits the following comments in response to the Federal Energy Regulatory Commission (“Commission” or “FERC”) Notice of Proposed Rulemaking (“NOPR”) on Transmission System Planning Performance Requirements for Extreme Weather.¹ In the NOPR, the Commission proposes to direct the North American Electric Reliability Corporation (“NERC”) to submit modifications to Reliability Standard TPL-001-5.1 (Transmission System Planning Performance Requirements) to address concerns pertaining to transmission system planning for extreme heat and cold weather events that impact the reliable operation of the Bulk Power System.²

I. COMMUNICATIONS

All pleadings, correspondence and other communications related to this proceeding should be addressed to the following person:

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¹ Notice of Proposed Rulemaking, *Transmission System Planning Performance Requirements for Extreme Weather*, 179 FERC ¶ 61,195 (June 16, 2022).

² NOPR at 1.

II. MOTION TO INTERVENE

NARUC is the national organization of the state commissions responsible for economic and safety regulation of the retail operations of utilities. NARUC's members have the obligation under state law to ensure the establishment and maintenance of such energy utility services as may be required by the public convenience and necessity, as well as ensuring that those services are provided at just and reasonable rates. NARUC's members include the government agencies in the fifty states, the District of Columbia, Puerto Rico, and the Virgin Islands charged with regulating the rates, terms, and conditions of service associated with the intrastate operations of electric, natural gas, water, and telephone utilities. Both Congress³ and the federal courts⁴ have long recognized NARUC as the proper party to represent the collective interests of state regulatory commissions.

This proceeding will have an impact on NARUC's member state commissions. The NOPR concerns the impact of climate change and extreme weather events on electric system reliability, for which state regulatory commissions also have responsibility. Thus, any action the Commission takes in this proceeding necessarily will either influence or impact NARUC member commissions.

³ See 47 U.S.C. § 410(c) (1971) (Congress designated NARUC to nominate members of Federal-State Joint Boards to consider issues of concern to both the Federal Communications Commission and State regulators with respect to universal service, separations, and related concerns); Cf., 47 U.S.C. § 254 (1996) (describing functions of the Joint Federal-State Board on Universal Service). Cf. *NARUC, et al. v. ICC*, 41 F.3d 721 (D.C. Cir. 1994) (where the Court explains “[c]arriers, to get the cards, applied to . . . [NARUC], an interstate umbrella organization that, as envisioned by Congress, played a role in drafting the regulations that the ICC issued to create the ‘bingo card’ system”).

⁴ See *United States v. Southern Motor Carrier Rate Conference, Inc.*, 467 F. Supp. 471 (N.D. Ga. 1979), *aff'd* 672 F.2d 469 (5th Cir. 1982), *aff'd en banc on reh'g*, 702 F.2d 532 (5th Cir. 1983), *rev'd on other grounds*, 471 U.S. 48 (1985).

III. INTRODUCTION

Recent extreme weather events that spread across large areas of the country highlight the challenges to transmission planning and, specifically, demonstrate the risks to reliable operation of the Bulk Power System. While these events may not occur in every year, their frequency and magnitude are expected to increase. NARUC has received reports and discussed the significant risks posed by extreme weather events and highlighted the emerging issue of increasing occurrences of extreme weather events in NARUC's recently published Resource Adequacy Primer for State Regulators.⁵

NARUC has previously stated that climate change and extreme weather implicate both federal and state issues.⁶ Maintaining reliable electric service is vital to the nation's economy, national security, public health, and safety. States have been leading the way on addressing climate change and the issues surrounding extreme weather events. Not only do reliability challenges vary by region, but they can vary from state to state. Thus, the type of climate and extreme weather events, mitigation of such events, level of preparedness, and the funding available⁷ for system upgrades are dependent on the characteristics of the state, such as its geography, economy, and demographics, and its experiences with these types of challenges. The

⁵ NARUC, *Resource Adequacy Primer for State Regulators* (July 2021) available at: <http://pubs.naruc.org/pub/752088A2-1866-DAAC-99FB-6EB5FEA73042>.

⁶ Motion to Intervene and Comments of the National Association of Regulatory Utility Commissioners, *Climate Change, Extreme Weather, and Electric System Reliability*, Docket No. AD21-13 (April 15, 2021).

⁷ See Converge Strategies, LLC, *Federal Funding Opportunities for Pre- and Post-Disaster Resilience Guidebook: Prepared for the National Association of Regulatory Utility Commissioners* (detailing eight priority federal funding opportunities and the key takeaways for state utility regulators concerning those funding opportunities and program eligibility requirements), available at https://pubs.naruc.org/pub/2B94EB6B-1866-DAAC-99FB-290897194F07?_gl=1*1se0zou*_ga*MTI0ODg2MDA5NC4xNTQ5MzE1NjQ1*_ga_QLH1N3Q1NF*MTY1NzI5MDA3OS4yLjAuMTY1NzI5MDA4NS4w.

consequences of the extreme heat and cold events described in the NOPR⁸ were borne by the retail customers of the area encompassed by the event. NARUC supports the Commission's proposal to direct NERC to develop modifications to Reliability Standard TPL-001-5.1 to address the planning challenges associated with extreme heat and cold weather events.

IV. COMMENTS

The NOPR, which builds on the June 1-2, 2021 technical conference in Docket No. AD21-13-000,⁹ is well reasoned, developed, and supported. The impacts of climate change are anticipated to affect the electric system in multiple, compounding, and synergistic ways and extreme weather events are likely to become more severe and frequent in the future. Reliability standards should address not only planning and operational preparedness for energy adequacy risks, but also contingences and mitigation of the impacts to reliability caused by extreme weather events. Directing NERC to close the reliability gap that exists in Reliability Standard TPL-001-5.1 with respect to the lack of a long-term planning requirement for extreme heat and cold weather is appropriate.

NERC's 2022 State of Reliability notes that the Bulk Power System continues to perform in a highly reliable and resilient manner overall with year-to-year improvement, demonstrating the success of industry actions.¹⁰ However, NERC notes that the extreme cold weather across the South Central United States and Texas led to the largest controlled load shedding event in

⁸ NOPR at P 5, n.11.

⁹ *Climate Change, Extreme Weather, and Electric System Reliability*, Docket No. AD21-13-000, Notice of Technical Conference (March 5, 2021).

¹⁰ North American Electric Reliability Corporation, 2022 State of Reliability: An Assessment of 2021 Bulk Power System Performance (July 2022) ("NERC 2022 Report"), available at: [www.nerc.com/pa/RAPA/PA/Performance Analysis DL/NERC_SOR_2022.pdf](http://www.nerc.com/pa/RAPA/PA/Performance%20Analysis%20DL/NERC_SOR_2022.pdf).

North American history.¹¹ According to NERC, this unserved energy demand underscores the need for winterization requirements in power generation and addressing resource availability issues. In addition, NERC notes that severe weather, such as extreme cold and heat, hurricanes, and drought-related wildfires, challenges the Bulk Power System, underscoring the need for more robust resilience tools to withstand extreme weather. NARUC agrees but recommends adding tornadoes to this list of extreme weather events.

A. Develop Benchmark Planning Cases based on Major Prior Extreme Heat and Cold Weather Events

NARUC supports directing NERC to develop requirements that address the types of extreme heat and cold scenarios the responsible entities are required to study. As stated in the NOPR, without a specific requirement describing the types of heat and cold scenarios that entities must study, the standard may not provide a significant improvement upon the status quo. NARUC agrees that the modified Reliability Standard developed by NERC should include benchmark events that responsible entities must study, as well as guidelines regarding which range of sensitivities must be applied to these benchmark event scenarios.¹²

B. Transmission System Planning for Extreme Heat and Cold Weather Events

NARUC commends the Commission for addressing concerns pertaining to transmission system planning for extreme heat and cold weather events that impact the reliable operation of the Bulk Power System. NARUC supports a directive to NERC to require the development of planning cases based on major prior extreme heat and cold weather events (or future

¹¹ NERC 2022 Report at 4.

¹² NOPR at PP 50-56.

meteorological projections), planning for extreme heat and cold weather scenarios, including the expected resource mix availability, and corrective plans that include mitigation for instances where performance requirements are not met.¹³

Having the necessary data and performing modeling in advance of extreme weather allows transmission planners and operators to assess the potential impacts and to identify corrective actions that could be taken well in advance of the event. This information and modeling, as well as options for mitigation, are important to state regulators as we make resource adequacy and resource acquisition decisions.

C. Implementation of Corrective Action Plan if Performance Standards Are Not Met

NARUC agrees that, because of their potential severity, extreme heat and cold, as well as hurricanes, tornadoes, and drought-related wildfires, which challenge the Bulk Power System, should require evaluation and the development and implementation of corrective action plans to help protect against system instability, uncontrolled separation, or cascading failures as a result of a sudden disturbance or unanticipated failure of system elements. The examples listed in the NOPR,¹⁴ such as planning for additional contingency reserves or implementing new energy efficiency programs to decrease load, increasing intra- and inter-regional transfer capabilities, transmission switching, or adjusting transmission and generation maintenance outages based on longer-lead forecasts, are all reasonable. Importantly, mitigation and corrective actions to minimize loss of load and improve resilience should also be subjected to a cost/benefit analysis.

¹³ NOPR at P 47.

¹⁴ NOPR at P 84.

V. CONCLUSION

NARUC respectfully requests that Commission consider these comments. NARUC appreciates that the Commission has identified concerns that should be addressed regarding extreme heat and cold weather events and is not proposing specific required solutions. The reliability challenges, as well as the type of extreme weather events and the mitigation of such events that vary by state to state and by region, are important issues to NARUC members.

Respectfully submitted,

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Dated: August 25, 2022

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC: August 25, 2022

Respectfully submitted:

/s/ Jennifer M. Murphy