



May 16, 2019

via eFiling

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street N.E.
Washington, DC 20426

ER19-1883-000

Re: *NorthWestern Corporation (South Dakota)*, Docket No. ER19-__-000
Notice of Cancellation of South Dakota OATT (Tariff ID 39)
Type of Filing Code: 410

Dear Secretary Bose:

Pursuant to Section 205 of the Federal Power Act¹ and Section 35.15 of the Federal Energy Regulatory Commission's Regulations,² NorthWestern Corporation d/b/a NorthWestern Energy submits a Notice of Cancellation to cancel NorthWestern's South Dakota Open Access Transmission Tariff (OATT),³ including all schedules and attachments. Cancellation is appropriate under Section 35.28(c)(1)(iv) of the Commission's regulations⁴ because service over NorthWestern's transmission facilities is provided under the Southwest Power Pool, Inc.'s (SPP) OATT.

NorthWestern respectfully requests an effective date of July 16, 2019, for this cancellation.

I. Background

A. NorthWestern Energy

NorthWestern is a public utility engaged in the generation, transmission, and distribution of electricity and the supply and transportation of natural gas. Its facilities are located primarily in Montana and South Dakota. In South Dakota, NorthWestern is a transmission-owning member of SPP and has transferred functional control of its electric transmission facilities to SPP. As a

¹ 16 U.S.C. § 824d.

² 18 C.F.R. § 35.15.

³ NorthWestern Corporation, FERC FPA Electric Tariff, South Dakota OATT.

⁴ 18 C.F.R. § 35.28(c)(1)(iv).



member of SPP, NorthWestern is also a transmission customer under the SPP OATT and participates in the regional day-ahead and real-time energy and ancillary services markets administered by SPP, known as the SPP Integrated Marketplace.

NorthWestern also maintains a separate OATT in Montana where it is a transmission owner/operator and Balancing Authority Area operator within the Western Electricity Coordinating Council. NorthWestern's Montana and South Dakota transmission facilities are not physically connected and are not in the same electric reliability region. This filing cancels NorthWestern's South Dakota OATT and does not affect Montana.

B. Service under the South Dakota OATT

NorthWestern joined SPP, a Commission-approved Regional Transmission Organization (RTO),⁵ and transferred functional control of its electric transmission facilities to SPP on October 1, 2015.⁶ Immediately prior to integration with SPP, NorthWestern had eleven customers with transmission service agreements (TSAs) under its South Dakota OATT. Those TSAs have been canceled,⁷ and the customers now either take transmission service under the SPP OATT, take distribution service under a state tariff, or take wholesale distribution service under Schedule 10 of the SPP OATT. In addition, the last remaining generator interconnection agreement (GIA) under the South Dakota OATT has been transferred to a three-party GIA under the SPP OATT, and NorthWestern has filed a notice of cancellation for the GIA under the South Dakota OATT.⁸ Thus, there are no longer any eligible customers taking service under the South Dakota OATT.

II. Description of Filing

Because NorthWestern transferred function control of its transmission facilities to SPP and no longer serves any customers under its South Dakota OATT, NorthWestern respectfully requests that the Commission accept this notice of cancellation, effective July 16, 2019. This cancellation is appropriate because SPP now provides all open access transmission services over

⁵ *Southwest Power Pool, Inc.*, 109 FERC ¶ 61,009 (2004).

⁶ *NorthWestern Corp.*, 152 FERC ¶ 61,260 (2015).

⁷ *NorthWestern Corp.*, Docket No. ER18-879-000 (Apr. 12, 2018) (delegated letter order) (accepting notices of cancellation to terminate TSAs with the Town of Langford and the City of Bryant); *NorthWestern Corp.*, ER17-2239-000 (Sept. 19, 2017) (delegated letter order) (accepting notice of termination for TSA with Rolling Thunder I Power Partners, LLC); *NorthWestern Corp.*, 153 FERC ¶ 61,271 (2015) (accepting notices of termination for eight TSAs as part of NorthWestern's integration with SPP).

⁸ The Notice of Cancellation of Service Agreement No. 30-SD is pending in Docket No. ER19-1557-000.



NorthWestern's South Dakota transmission system under the SPP OATT.⁹ Cancellation of NorthWestern's South Dakota OATT is also consistent with the Commission's actions on cancellations filed by other transmission owners who are members of a Commission-approved ISO or RTO.¹⁰

III. General Information

Pursuant to the Commission's regulations, NorthWestern provides the following information:

A. List of Documents Submitted

This filing cancels Tariff ID 39 and includes the following documents:

- 1) This transmittal letter;
- 2) Notice of Cancellation for posting on eLibrary; and
- 3) Electronic filing package containing the cancellation tariff record and associated metadata.

B. Proposed Effective Date

NorthWestern Energy requests an effective date of July 16, 2019.

C. Notice

NorthWestern does not have any customers under the South Dakota OATT. NorthWestern will provide a copy of this filing to the South Dakota Public Utilities Commission. Copies are also available for public inspection at NorthWestern's Corporate Office, 3010 West 69th Street, Sioux Falls, South Dakota.

NorthWestern respectfully submits that any requirements of 18 C.F.R. § 35.15 that have not been specifically addressed are inapplicable to this filing. To the extent that the Commission determines the requirements of Section 35.15 or any other rules to be applicable, NorthWestern Energy respectfully requests waiver of the requirements of such provisions.

⁹ 18 C.F.R. § 35.28(c)(1)(iv) ("Any public utility whose transmission facilities are under the independent control of a Commission-approved ISO or RTO may satisfy its obligation [to have an OATT on file], with respect to such facilities, through the open access transmission tariff filed by the ISO or RTO.")

¹⁰ See, e.g., *Kansas City Power & Light Company*, ER17-72-000 (Nov. 16, 2016) (delegated letter order) (accepting cancellation of SPP member KCP&L's OATT); *Entergy Services, Inc.*, ER14-648-000 (Jan. 31, 2014) (delegated letter order) (accepting cancellation of Entergy Operating Companies OATT upon joining MISO).



IV. Communications

Communications concerning this filing should be directed to the following persons, who should be included on the official service list compiled by the Secretary in this proceeding:

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V. Conclusion

NorthWestern respectfully requests that the Commission accept the cancellation of its South Dakota OATT, effective July 16, 2019.

Respectfully submitted,

s/ *M. Andrew McLain*

M. Andrew McLain

Director – Transmission Market Strategy & FERC Compliance Officer

andrew.mclain@northwestern.com

○ 406-443-8987

Attachment

cc: South Dakota Public Utilities Commission



Certificate of Service

I hereby certify that I have this day served the foregoing document upon each person designated in the foregoing transmittal letter, in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010.

Dated this 16th day of May, 2019.

s/ Dori Quam

Dori Quam

Lead – Transmission Regulatory Support

dori.quam@northwestern.com

Cancels Tariff ID 39

Notice of Cancellation

Notice is hereby given that effective July 16, 2019,
NorthWestern Corporation's South Dakota Open Access Transmission Tariff is canceled.
There are no customers taking service under the South Dakota OATT.

NorthWestern Corporation
FERC FPA Electric Tariff
South Dakota OATT