

FERC Order No. 1920: Checklist for State Entities

Steps states can take to ensure optimal *compliance with* and *implementation of* FERC Order No. 1920

Critical Information about Compliance and Implementation

Key Dates:

RTO Deadline for compliance filing: _____

State Engagement Period start and end dates: _____

Start of first planning cycle (no later than two years from compliance filing): _____

Facility selection (no more than three years after start of planning cycle): _____

Start of next planning cycle (no more than five years from start of last cycle): _____

Key Contacts and Information:

RTO stakeholder forum/committee for compliance discussions: _____

RTO staffer(s) leading compliance efforts: _____

Regional body coordinating state engagement period: _____

Chair of the body/committee: _____

State entity(ies) involved: _____

Participating individual(s) / voting representative(s): _____

Compliance Checklist for States

Key opportunities for states to provide input in the compliance process¹

- ☐ Identify which state entity(ies)² should be engaged on some or all aspect(s) of Order 1920 compliance:

¹ Paragraph references are to Order 1920, unless Order 1920-A is specified.

² A “Relevant State Entity” is “any state entity responsible for electric utility regulation or siting electric transmission facilities within the state or portion of a state located in the transmission planning region, including any state entity as may be designated for that purpose by the law of such state.” (§ 1355).

- ☐ Participate in cost allocation state engagement period, weigh in on key questions:
 - ☐ What constitutes “agreement” (majority vote / supermajority / unanimity, etc.)?
 - ☐ What public information sharing and feedback opportunities will states offer?
 - ☐ Will states develop ex ante cost allocation method(s), a state agreement process (to develop alternative cost allocation after facility selection), or both?
 - ☐ What ex ante cost allocation method(s) will states develop (e.g., usage based, benefit-driven, hybrid approach, etc.)³
- ☐ Weigh in on how transmission provider proposes to comply with key requirements of the planning process:
 - ☐ Process for transmission providers to consult with states on scenario development (1920-A at ¶ 344)
 - ☐ Process for states to require additional analyses or scenarios (1920-A at ¶ 365-7)
 - ☐ How the seven required benefits will be measured, identification of any additional benefits to evaluate (¶ 903), and determination of whether benefits will (ever/always) be evaluated for a portfolio of transmission facilities (vs. individually, ¶ 889)
 - ☐ Evaluation process and selection criteria for facility selection (¶ 994), including alternative transmission technology (“ATT”) evaluation (¶ 1214)
 - ☐ Process for voluntary funding of (a portion of) certain transmission facilities that would not otherwise meet selection criteria (¶ 1012)
 - ☐ Enhancements to transparency and stakeholder feedback processes regarding local transmission planning as an input to regional planning (¶ 1625)

Implementation Checklist for States

Key opportunities for states to provide input in the new planning process

- ☐ Participate in scenario development:
 - ☐ Provide information about inputs to scenario development, especially with regard to relevant state regulations, laws, integrated resource plans, and other factors impacted by state needs or actions

³ See cost allocation explainer: [add link when complete]



- ☐ Work with other states to request additional scenarios or analyses to inform cost allocation (if applicable) (1920-A ¶ 365-7)
- ☐ Evaluate benefit assessment and facility/portfolio selection decisions:
 - ☐ When published by the transmission provider, provide input on benefit assessment, facility or portfolio selection decision (¶ 994), and ATT determinations (¶ 1214)
- ☐ Engage in cost allocation discussions:
 - ☐ Participate in state agreement process to develop alternate cost allocation (if applicable)
 - ☐ Determine whether to pursue voluntary funding of (a portion of) transmission facilities not otherwise selected by the transmission provider (¶ 1012)
- ☐ Participate in local planning input sessions and feedback opportunities:
 - ☐ Participate and provide comment before, during, and after the three required stakeholder meetings where local planning assumptions, needs, and solutions will be discussed (¶ 1625-6)

