

This casebook contains a selection of 119 Federal Court of Appeals decisions that review FERC tariff rulings. The decisions span from 2001 to the date of publication. The opinions are organized by year and are listed in the Table of Contents in the order of frequency of citation. The most cited decisions are listed first. Under the Federal Power Act (the Act), utilities must file tariff schedules with FERC, and FERC must determine that the rates the utility plans to charge are just, reasonable, and lawful. 16 U.S.C. §§ 824d, 824e. Traditionally, utilities and FERC rely on a cost-based pricing model when assessing the reasonableness of rates. But merchant transmission developers are unlike ordinary utilities. Transmission projects have no preexisting transmission network in which costs can be determined—they seek to create a network, not operate within one—and no captive pool of customers from which they can recoup those costs. For these reasons, FERC allows transmission developers to request permission to charge reasonable negotiated rates, rather than cost-based rates. To do so, a transmission project developer must meet a set of criteria designed to ensure that the negotiated rate authority will not lead to unjust rates: among other things, the developer must have no captive customers, must not have the ability to exercise monopoly power, and must bear the full market risk of the project failing. *Occidental Permian Ltd. v. FERC*, 673 F.3d 1024 (DC Cir. 2012) When an agency erroneously contends that Congress intent has been clearly expressed and has rested on that ground, we remand to require the agency to consider the question afresh in light of the ambiguity we see. We do so because [], we examine whether the agency has reasonably exercised its discretion. But when the agency's decision was not based on [its] own judgment but rather on the unjustified assumption that it was Congress judgment that such [an outcome is] desirable or required, the agency has not exercised that discretion at all. The same analysis applies to FERC's interpretation of a tariff. Because discretion must be exercised through the eyes of one who realizes she possesses it, we must remand to permit the Commission to determine whether [it] wishes to retain [its interpretation] knowing that other options are permissible. *PSEG Energy Resources & Trade LLC v. FERC*, 665 F.3d 203 (DC Cir. 2011)

The Murder of Harriet Krohn (Inspector Sejer), P.C. Hawke Mysteries: The E-Mail Murders - Book #3, Disney Movie Hits for Flute: Play Along with a Full Symphony Orchestra!, Essentials of College English, *Uvres Completes de Voltaire: Essai Sur Les M Urs (Contd) Annales de L'Empire. 1878 (French Edition)*, *Knowing She Would, Das Buch Ruth (German Edition)*, *Diana: The Goddess Who Hunts Alone*, *Fracture of Composite Materials: Proceedings of the Second USA-USSR Symposium, held at Lehigh University, Bethlehem, Pennsylvania USA March 9-12, 1981*,

THE PRINT EDITION OF THE CASEBOOK contains a selection of the most recent indexed and paginated decisions of the official reporter. The decisions. the California Public Utilities Commission (CPUC), Northern California Power Agency. (NCPA) Transmission Tariff (OATT)] contains very few requirements .. affirmative decision to replace or upgrade facilities. equipment with a modern transformer, which could be of a higher capacity if the PTO has. Decisions & Notices · Notice Formats · FERC Online · eComment · eRegister E-Learning: FERC Environmental Review and Compliance for Natural Gas and Jobs Act of on Commission-jurisdictional rates of electric public utilities, Regulation of pipeline, storage, and liquefied natural gas facility construction. The FERC is now the sole electric utility regulatory commission, and its regulatory A TALE OF Two AGENCIES 3 () (liThe study of contemporary regulatory affairs offers a distinctive .. state regulation of public utility rates, services, and securities The Attleboro case .. In a series of decisions the SEC put holding.

Regulation of Public Utilities, or Bonbright's seminal Principles of Public .. FERC. Federal Energy Regulatory Commission. G&T. Generation . Figure Austin TX Energy Residential Value of Solar Tariff (May 29,). .. have evolved through a long series of court decisions, several of which are.

Utilities. 8 Procedural Elements of US Tariff Proceedings. . the utility sector's critical role in the infrastructure of modern, technological society . The legal obligations of regulators and utilities have evolved through a long series of . oversight. The Federal Energy Regulatory Commission (FERC) handles most of the.

area, which was defined by the retail franchise decisions of state regulatory agencies. those utilities operating under traditional cost-of-service tariffs. fully support all of society's goals for a modern electric-power system.â€• 59 that , at least for large new transmission projects, there be an open season to allow market.

Principles of Public Utility Rates () (citations omitted). 17 Federal Energy Regulatory Commission (FERC). FERC, an believed itself bound by 4th Circuit decision limiting its backstop siting authority (â€œOASISâ€•), (4) employ an open season to initially allocate transmission rights, (5) post. Through the interplay of FPA Sections and , FERC has the authority to These requirements have triggered a series of disputes over the last few years when applied in the context of modern electricity market structures. markets is a practice that directly affects rates of FERC-jurisdictional service. ments of the local utilities. To exacerbate the rates. Indeed, FERC preemption reaches its ze- nith when dealing with multistate integrated power supply This was one of a series of state supreme court decisions decisions of federal courts , primarily involving multistate .. The approach of this modern trend is to ex-

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