UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Midcontinent Independent System Operator, Inc.) Docket No. ER22-496-000


Pursuant to Rule 213 of the Federal Energy Regulatory Commission’s (Commission) Rules of Practice and Procedures, the Solar Energy Industries Association (SEIA), American Clean Power Association (ACP), and Clean Grid Alliance (CGA), Sierra Club, Natural Resources Defense Council (NRDC), and the Sustainable FERC Project (collectively the Clean Energy Coalition) submit this protest of the Midcontinent Independent System Operator, Inc.’s (MISO) November 30, 2021 filing to include a Minimum Capacity Obligation (MCO) on Market Participants participating in MISO’s Planning Resource Auction (PRA).


2 The comments contained in this filing represent the position of SEIA as a trade organization on behalf of the solar industry, but do not necessarily reflect the views of any particular member with respect to any issue.

3 ACP is a national trade association representing a broad range of entities with a common interest in encouraging the expansion and facilitation of wind, solar, energy storage, and electric transmission in the United States. The views and opinions expressed in this filing do not necessarily reflect the official position of each individual member of ACP.

4 Clean Grid Alliance is a non-profit organization whose 50+ members include wind, solar, energy storage and hybrid resource developers and manufacturers, non-profit environmental organizations, public interest and clean energy advocacy organizations, farmer organizations, and other businesses that support renewable energy. The opinions expressed in this filing do not necessarily reflect the position of each individual member of CGA.

5 NRDC is a national nonprofit environmental organization, headquartered in New York City, with more than three million members and activists nationwide and over 40,000 members in New York State. The organization is committed to the preservation and protection of the environment, public health, and natural resources.

6 Sustainable FERC Project is a partnership of state, regional, and national environmental and other interest organizations working to expand the deployment of clean energy resources into America’s electricity transmission grid and to reduce and eventually eliminate carbon pollution from the U.S. power sector.
In seeking to solve one problem, MISO creates another. MISO’s MCO Proposal creates risks of unmitigated seller market power in the bilateral market, inhibits transparent price signals, and generally threatens to lead to increased prices as well as undue discrimination by Load Serving Entities (LSEs). The MCO Proposal will also suppress capacity prices, discouraging new capacity, at a time when prices should be encouraging new capacity. This problem would be exacerbated should the Commission grant MISO’s request to implement the MCO Proposal on a sub-Regional basis. MISO’s MCO Proposal creates these significant market issues and interferes with state regulatory authority regarding resource adequacy, meanwhile MISO’s own evidence demonstrates that there is no immediate need for the proposal. Accordingly, the Commission should reject MISO’s MCO Proposal as unjust and unreasonable, and unduly discriminatory, to allow MISO more time to create a market construct that will solve the resource adequacy issues in a way that creates a reliable grid.

I. PROTEST

A. MISO’s MCO Proposal creates risks of unmitigated seller market power in the bilateral market, inhibits transparent price signals, and generally threatens to lead to increased prices and undue discrimination by Load-Serving Entities against unaffiliated suppliers, and would inhibit transparent price signals for non-utility suppliers.

Under the MCO Proposal, an LSE would be required to procure 50 percent of its Planning Reserve Margin Requirement (PRMR) ahead of the PRA. While this new requirement would initially have only a minimal impact (as only 742 MW of capacity procured via the PRA in the 2021-2022 Planning Year would have been subject to the MCO, had it been in place at that

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7 Transmittal Letter at 4.
time), the precedential and longer-term impacts of constraining LSE options for how to satisfy their PRMR would be substantial.

First, forcing LSEs to buy a minimum amount of their PRMR through the bilateral market would create a heightened potential for the exercise of seller market power in that market. Second, restricting buyers’ reliance on the PRA prevents the formation of transparent price signals, and exacerbates existing risks of undue preference and discrimination in the bilateral markets. An assessment by the Brattle Group that MISO submitted in support of its filing explains that the bilateral market is not monitored or mitigated. Thus, market-based rates will be competitive only if the market is structurally competitive. Although the Brattle Group analysis concludes that there is no pivotal supplier, this assertion reflects current market conditions, including low historic PRA prices and a large number of non-pivotal net suppliers prevailing. However, if the conditions allegedly necessitating the MCO—specifically, PRA supply shortages—come to pass, then the market structure underlying Brattle’s analysis would also almost certainly be materially changed. Furthermore, MISO proposes to add a locational component to the MCO, which would create market power concerns that would be difficult to mitigate, because large portions of generation (as well as some adjacent service territories) are owned by a single parent entity in many locations in MISO.

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8 Tab E, Wright Testimony 4:3-6.
9 Brattle Report, Exh. 2 to Affidavit of Scott Harvey, at 1 (Brattle Report) (“Because the bilateral market is not monitored and mitigated, we assess whether the market is structurally competitive enough to support a competitive price.”).
10 Id.
11 See Brattle Report, at 2-4; Transmittal Letter at 8.
12 See Tab C, Harvey Testimony at 14 (“many [MISO utilities] are vertically integrated, rate-regulated and use the capacity they control to meet their load serving obligations.”).
In Orders Nos. 697-A and 861, the Commission tailored its horizontal market power mitigation scheme based on its conclusion that the existence of a capacity market “disciplines” the price of bilateral capacity supply sales.\(^{13}\) Despite the differences between the PRA and other eastern capacity markets, Order Nos. 861 specifically concluded that “MISO conducts annual capacity auctions subject to Commission-approved monitoring and mitigation, thereby disciplining the price of bilateral capacity sales and providing capacity buyers with protections.”\(^{14}\) The MCO Proposal will fundamentally change the basis for the Commission’s determination in Order No. 861 as it relates to MISO because the PRA can no longer discipline the prices in the bilateral transactions mandated by the MCO. The Commission must show that it has an adequate market power mitigation program in place in order to approve market-based rates as just and reasonable, and cannot rely upon a market structure that MISO claims will fundamentally change in the coming years to protect consumers against excessive rates for capacity.

Additionally, the provisional nature of the MCO Proposal undermines MISO’s argument on two levels. Should the Commission accept the MCO Proposal, MISO intends to substantially change it as early as 2025—and the MCO Proposal is both a poor near-term fix, and a highly problematic and unproven long-term one. As noted above, the hypothetical PRA shortage conditions that precipitated the MCO Proposal have not actually occurred and show little sign of


\(^{14}\) Order No. 861, 168 FERC ¶ 61,040, P 48.
occurring before the 2025-26 planning year. For the next three years, the MCO Proposal is a solution chasing a problem.

The longer-run plan for the MCO creates far more concerns regarding the exercise of market power. MISO acknowledges concerns, including from the Independent Market Monitor (IMM), that application of the MCO on a sub-Regional basis could lead to the potential exercise of market power.\textsuperscript{15} MISO also acknowledges that it fully intends to transition to sub-Regional application of the MCO in the near future (the 2025-26 Planning Year, which is only three years away),\textsuperscript{16} but that it intends to file an updated market power analysis with the Commission before that transition point. However, failure to include even indicative information on the final state of play—a sub-regional MCO—constitutes a material omission from the MCO Filing. Thus, the long-run outcome of the MCO Filing, even if not presented here, needs to be considered as part of the statutory context as the Commission determines whether MISO has met its burden as the rate proponent under Section 205.

The MCO Proposal would not only threaten to raise costs for a portion of MISO customers, but also heightens the risk for undue preference and undue discrimination, based on utilities’ incentive to self-supply their obligation under the MCO. This incentive occurs because most of the utilities in MISO are vertically integrated,\textsuperscript{17} as MISO’s own exhibits state, “LSEs are likely to satisfy their own requirement with their own capacity to the extent that they can.”\textsuperscript{18} The MCO shifts some capacity procurement from a transparent market-based approach to an opaque,  

\textsuperscript{15} Transmittal Letter at 9.  
\textsuperscript{16} Transmittal Letter at 8.  
\textsuperscript{17} Tab D, Harvey Testimony, 14:1-6.  
\textsuperscript{18} Brattle Report, at 2.
forward bilateral approach, thereby increasing the risk of undue preference (of LSEs, for affiliated generation) and undue discrimination (by LSEs, against nonaffiliated generation).\footnote{This is in contrast to, for example, NYISO’s Locational Capacity Requirements – because in NYISO, all investor-owned utilities have divested their generation, reducing the opportunity for exercise of market power through preferential capacity procurement.}

This non-transparent forward procurement requirement would reduce competition and could lead to inefficient market outcomes. Currently, LSEs rely on power supply transactions with neighboring utilities and independent power producers, as well as their own resources and the PRA to supply their load. This generally allows for sufficient competition, and for the participation of independent power producers in the PRA market.

In contrast, the proposed MCO Proposal—a forward procurement requirement with a locational component—would diminish the ability of competitive suppliers to respond to changes in forward-looking information over the forward-looking time period because of the loss of transparency. This would tend to decrease the efficiency in the price signals regarding the need for capacity resources. By reducing competition, this proposal could ultimately result in higher prices to consumers. There may also be unforeseen—and, under the MCO Proposal, highly opaque—issues that undermine the apparent presumption that forward capacity procurement will occur efficiently. For example, MISO’s own witness notes that “Bilateral capacity prices also may be higher than expected if utilities that are long on capacity are not allowed by their regulators, or do not desire, to sell capacity in forward bilateral transactions and wait until the PRA to offer this capacity for sale.”\footnote{Tab D, Harvey Testimony at 30.} Additionally, some LSEs rely on PRA purchases to fill in gaps with lumpy capacity procurements.\footnote{See Tab D, Harvey Testimony at 23.} Constraining this option may
induce utilities to build uneconomic capacity, or build it at less optimal times. The MCO Proposal does not clearly address these concerns.

B. The MCO Proposal will further suppress already-low capacity prices at a time when the PRA should be encouraging more capacity.

Capacity prices as seen in the PRA are a result of supply and demand within the market. Low capacity clearing prices do not reflect a flaw in market fundamentals, rather, prices have been appropriately low in the PRA and reflect the excess of installed capacity in the region.\(^\text{22}\) As noted by MISO’s Independent Market Monitor, Potomac Economics, it is inefficient and counterproductive to attempt to solve an alleged pricing problem by imposing new administrative burdens, restrictions, and requirements on market activity. Rather, if pricing is the problem, MISO should seek solutions that would address the pricing problem itself within the PRA such as improving the PRA design. Instead, by forcing LSEs to contract for more capacity in advance of the PRA, MISO’s MCO Proposal will reduce demand and therefore likely further decrease capacity prices in the PRA.

MISO’s own problem statement does not point to the MCO Proposal as a solution. MISO states its market is facing increased generator retirements and MISO cannot reliably operate the system if the resources it depends on do not or cannot perform—that is, do not provide energy or reserves during periods of highest need.\(^\text{23}\) But when and how LSEs meet their capacity requirements, either through owning or contracting for capacity resources in advance of

\(^{22}\) See 2021/2022 Planning Resource Auction (PRA) Results (April 15, 2021), https://cdn.misoenergy.org/PY21-22%20Planning%20Resource%20Auction%20Results541166.pdf, (showing that approximately five percent of capacity being traded via the PRA).

\(^{23}\) Transmittal Letter at 4.
the PRA, or through acquiring capacity via the PRA, does nothing to address the operational problem of whether capacity resources can meet the system needs during periods of high risk. MISO’s MCO Proposal will not address whether capacity resources are on forced or planned outages, but instead limits the options of capacity buyers in ways that will adversely affect pricing and markets.

MISO’s PRA is already a residual or balancing market with only approximately five percent of the capacity qualifying to meet resource adequacy requirements being traded via the PRA. MISO’s proposed 50 percent forward capacity requirement would further reduce the ability of the PRA to act as a balancing market. Forward contracting in commodity markets is voluntary and driven primarily by participants’ expectations of the spot market prices. Implementing this new procurement requirement would limit participants’ ability to voluntarily contract in the MISO market via the PRA. Additionally, the PRA’s ability to send a signal for new capacity may be dulled or muted by requiring 50 percent procurement in advance of the PRA. By muting the transparent price signals sent by the PRA, MISO’s Proposal may deter new entry, reduce capacity supply, increase Power Purchase Agreement prices for that limited supply, ultimately raise costs to customers. This is because lower prices in the PRA will lead to higher Power Purchase Agreement prices.

C. The MCO unnecessarily interferes with state authority regarding resource adequacy.

Resource adequacy is an area of traditional state responsibility, and the Commission has long recognized that it shares authority with states over resource adequacy, particularly when it

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comes to procurement of resources to meet established requirements.\textsuperscript{25} MISO states play a prominent role in resource adequacy as compared to states in other RTOs.\textsuperscript{26}

MISO acknowledges, but does not seriously address, the ways in which the MCO will intrude on state authority regarding resource adequacy.\textsuperscript{27} For example, MISO asserts that “the proposal is meant to complement existing Relevant Electric Retail Regulatory Authority (‘RERRA’) and state resource planning authority, which may be more prescriptive,”\textsuperscript{28} but fails to acknowledge ways in which the MCO Proposal would potentially conflict with existing state resource planning authorities. For example, a mandate as to the minimum amount of capacity that must be procured through bilateral contracts conflicts with the general procurement planning responsibility of the Illinois Power Agency. The Illinois Power Agency’s plans, which are approved by the Illinois Commerce Commission, involve a careful risk analysis of how much Illinois load-serving entities should procure upfront through bilateral contracts, versus relying on PRA purchases.\textsuperscript{29} In its final 2020 procurement plan, approved by the Illinois Commerce


\textsuperscript{27} See Transmittal Letter at 4 (“Notwithstanding the primary role of state authorities with respect to resource adequacy, MISO must ensure that its PRA provides an appropriate means of supporting the Resource Adequacy needs of LSEs across the MISO Region.”).

\textsuperscript{28} Id. at 6; see also id. at 7 (“Mr. Wright also notes that the 50% MCO threshold avoids infringing unnecessarily on state and RERRA resource planning authority”); id. at 19 (“Based on review of state and other RERRA planning 19 requirements, MISO understands that the 50% MCO is well below any existing 20 level of state or RERRA resource planning requirement.”).

Commission, the Illinois Power Agency states that its “procurement strategy will continue to balance anticipated low capacity clearing prices coupled with high price volatility in the MISO PRA with relatively higher capacity prices observed in the IPA’s capacity procurements.” The MCO Proposal would constrain the Illinois Power Agency from making a determination in certain years that procuring greater than 50 percent of the utility’s capacity needs through the PRA in the best interest of Illinois consumers. The Michigan Public Service Commission also approves capacity demonstration filings made by its utilities, and sets out requirements for those filings, including the level of purchases from the PRA that will be deemed prudent. While the Public Service Commission’s recent order did not conclude that would be prudent to rely on the PRA for more than 50 percent of the utilities’ PRMRs, the MCO Proposal could conflict with future determinations that the Michigan Public Service Commission might make.

More generally, the MCO Proposal would constrain state regulators from determining that it is more prudent for their utilities to rely more on the PRA in certain planning years, such as following the retirement of certain generating assets but before others are available to come online during transitions. The MCO Proposal would prohibit even short-term reliance on the PRA for greater than 50 percent of the PRMR; even where a state utility regulator might conclude that doing so would be prudent for the utility and in ratepayers’ best interests.

MISO glosses over the real impacts of the MCO Proposal on states’ ability to oversee the resource adequacy decisions of their utilities. Given the lack of benefits and very likely harms

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30 IPA, Final 2020 Electricity Procurement Plan, at 56.

31 See, e.g., Michigan Public Service Commission, In the matter, on the Commission’s own motion to open a docket for load serving entities in Michigan to file their capacity demonstrations as required by MCL 460.6w, Case No. U-20886 (July 2, 2021), Attachment A at 6 (“The amount of ZRCs planned to be purchased in the MISO Planning Resource Auction (PRA) that will be deemed prudent in an approved capacity demonstration will be limited to [5 percent] of the LSE’s total PRMR requirement.”).
caused by the MCO, as described above, there is no justification for the Commission to approve this constraint on state choices in an area of traditional state authority.

D. Following the Transition Period, MISO’s proposal to implement the MCO on a sub-Regional basis will create new resource adequacy issues.

MISO’s proposal to split the footprint into two separate resource Planning Areas will result in unjust and unreasonable rates that exacerbate resource adequacy issues. MISO proposes to apply the MCO on a MISO footprint-wide basis for the first two years, starting with the 2023/2024 Planning Year.\textsuperscript{32} This means that capacity resources will be able to commit or contract capacity to meet LSE needs anywhere in the MISO footprint. Following that two-year period, MISO will apply the MCO on a sub-Regional basis.\textsuperscript{33} Under the sub-Region approach capacity resources in MISO North/Central may only commit to MCO loads located in the North/Central region, and MISO South capacity resources may only commit to MCO loads in MISO South. MISO states the transition to a sub-Regional MCO will not occur until MISO submits a subsequent filing to the Commission assessing and, if necessary, mitigating market power concerns.\textsuperscript{34}

MISO argues the transition will respect the major constraint between MISO North/Central and MISO South. MISO hypothesizes that splitting the MCO will align the resources relied upon to meet the MCO with the locations of the loads served by the MCO resources. However, MISO’s current market construct already contemplates the need to have capacity resources located in close proximity to the loads served through the Local Clearing

\textsuperscript{32} Transmittal Letter at 8.

\textsuperscript{33} Tab E, Wright Testimony, 20:21-21.

\textsuperscript{34} Id., 21:4-9
Requirement (LCR). The LCR establishes the amount of capacity resources that must be procured within each zone, while acknowledging the benefit of capacity imports. While the MCO Proposal looks to create a sub-Region split in the capacity market, it fails to account for the transmission constraints within each sub-Region or encourage LSEs to procure local capacity. This failure exacerbates the reliability issues experienced throughout the footprint, rather than fixing them. The North/South split element of the proposal isn’t even consistent with MISO Generator Interconnection Process (GIP) or the granting of Network Resource Interconnection Service (NRIS). Resources with NRIS are studies, allocated Network Upgrades, and deemed to be fully deliverable to the MISO system. The North/South split of the MCO Proposal arbitrarily precludes capacity resources with NRIS from committing capacity to other sub-regions even though such resources are fully deliverable to load in the footprint, effectively stripping resources of rights that were funded. Although unintended, the MCO’s North and South split creates gaps between interconnection, resource planning, and maintaining reliability.  

MISO’s stated purpose in this filing is to ensure resource adequacy and reduce the number of MaxGen and load shed events. These are real time operating issues caused by having too few available generation resources and inadequate transmission to deliver power to all areas of the MISO footprint from available generation. Yet, this filing then proceeds to recommend further dividing the North/Central and South regions, discouraging the very thing that would ensure resource adequacy and reduce the number of MaxGen and load shed events:

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35 The North/South split doesn’t even allow for loads to incur a Locational Deliverability Charge, which inconsistent with Commission precedent for Module E-1, and erodes the locational element of capacity pricing and reliability.

36 Transmittal Letter at 3-4.
expanding the 1,000 MW MISO North-South constraint. Issues surrounding the 1,000 MW MISO North-South constraint have plagued the MISO system since the integration of MISO South. Nearly a decade later, the constraint still exists. Additional transmission to alleviate the constraint has not been built and plans to expand the constraint in the near future do not exist. To ensure reliability, the North-South transmission constraint must be expanded. The MCO does not incentivize such a change and the sub-Region split worsens the current situation.

E. MISO demonstrates that there is no immediate need to implement the flawed MCO Proposal.

As MISO states, this filing stems from its Reliability Imperative, which addresses “emerging issues” as the MISO system faces significant change. These issues include a transition to more renewable resources on its system, lower excess reserve margins, increases in extreme weather events and correlated generator outages, and increases in generator forced outage rates. Specifically, this MCO Proposal would impose the formal requirement for LSEs to procure capacity ahead of the PRA, “reinforcing the fundamental assumption” that LSEs in MISO are planning appropriately. MISO states that it seeks to reduce the “likelihood of severe

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38 See Midwest Independent Transmission System Operator, Inc., 139 FERC ¶ 61,056 (2012) (approving the integration of the Entergy System into MISO); see also Sw. Power Pool, Inc., 146 FERC ¶ 61,231 (2014) (discussing the multiple complaints and filings resulting from market flows between MISO North and MISO South that exceeded the 1,000 MW limit on the transmission line connecting the two sub-Regions).
39 Transmittal Letter at 2.
41 Transmittal Letter at 2.
42 Tab E, Wright Testimony, 14:14-20; Tab D, Harvey Testimony, 20:1-4.
43 Tab E, Wright Testimony, 14:14-17.
capacity shortfalls due to overreliance on the PRA”⁴⁴ and that there is an “immediate need” for this filing due to the high levels of thermal resource retirements and significant shift to solar and wind generation.⁴⁵

MISO’s arguments for the MCO Proposal are inconsistent with its evidence to support the proposal. First, MISO admits that the market is not over-relying on the PRA. As Mr. Wright states, “approximately 92% of LSEs either submitted a [Fixed Resource Adequacy Plan] or participated by self-scheduling in the PRA.”⁴⁶ Just eight percent of the ZRCs have been offered in the PRA.⁴⁷ Had the MCO been applied in the 2021/2022 Planning Year, just 742 MW would be implicated,⁴⁸ or, as the Illinois Commerce Commission has explained, just half of one percent of MISO’s 133,903 MW planning reserve margin requirement.⁴⁹ MISO does not even have a complete understanding of which LSEs would be affected by the MCO Proposal, admitting that “it is also possible that some of the LSEs identified as being required to purchase capacity under the MCO already purchase capacity to cover part or all of their planning reserve margin requirement under capacity contracts that are structured so they are not visible to MISO.”⁵⁰

Second, MISO’s own evidence undermines its claims that there is any likelihood of capacity shortfalls in the PRA. The market for PRA capacity is already highly competitive.⁵¹ The

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⁴⁴ Tab E, Wright Testimony, 15:14-15.
⁴⁵ Tab E, Wright Testimony, 13:8-10.
⁴⁶ Tab E, Wright Testimony, 8:3-5.
⁴⁷ Tab E, Wright Testimony, 8:3-5.
⁴⁸ Tab E, Wright Testimony, 4:3-6.
⁵⁰ Tab D, Harvey Testimony 16:2-6.
⁵¹ Transmittal Letter at 9; Tab D, Harvey Testimony, 8:12-16.
low clearing prices indicate that there is already an abundance of capacity in the market.\textsuperscript{52} MISO’s Transmission Expansion Plan (MTEP) indicates that the MISO region will have adequate reserve margins through 2023.\textsuperscript{53} In the supporting testimony to this filing, MISO Witness Scott Harvey states that the amount of capacity expected to come on-line over the next decade would be “huge”\textsuperscript{54} and “substantial.”\textsuperscript{55} The amount of capacity coming online is likely to be accelerated by MISO’s recent filings accepted by the Commission in Docket Nos. ER22-298 and ER21-2620,\textsuperscript{56} which further incentivizes storage resources to participate in the capacity markets, as well as MISO’s pending filing in Docket No. ER22-661, which would decrease the interconnection processing timeline to approximately one year.\textsuperscript{57} Even if there are capacity shortfalls, MISO Witness Scott Harvey admits that LSEs would “voluntarily change their behavior purchase capacity to cover their planning reserve margin requirement in forward bilateral transactions”\textsuperscript{58} undermining the need to mandate these purchases in the first place.

Finally, throughout its filing, MISO argues that the purpose of the filing is to address the increase in MaxGen events.\textsuperscript{59} The increase in these events have been driven by a number of factors, including the retirement of thermal resources, planned and forced outages, and an

\textsuperscript{52} See Tab D, Harvey Testimony, 11, Table 1, PRA Clearing Prices and Mitigation Floors.
\textsuperscript{53} MISO Transmission Expansion Plan 2020, p. 32.
\textsuperscript{54} Tab D, Harvey Testimony, 18:X.
\textsuperscript{55} Tab D, Harvey Testimony, 8:X.
\textsuperscript{56} \textit{Midcontinent Independent System Operator, Inc.}, 177 FERC ¶ 61,234 (2021) (accepting tariff revisions that would allow hybrid resource to drop a fuel source before the start of DPP I without triggering the material modifications provisions of the MISO Tariff); \textit{Midcontinent Independent System Operator, Inc.}, 177 FERC ¶ 61,009 (2021) (accepting tariff revisions that would define Hybrid Resources and establish a capacity accreditation methodology for these resources).
\textsuperscript{57} Midcontinent Independent System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii: 2021-12-15_Attachment X GIP Timeline Reduction Filing, Docket No. ER22-661 (Dec. 15, 2021).
\textsuperscript{58} Tab D, Harvey Testimony 22:13-16.
\textsuperscript{59} Transmittal Letter at 4.
increase of renewable resources. As MISO states, “the existence of resources, even if ample in quantity and well-located, is meaningless if those resources do not provide energy or reserves.”

Yet, this MCO Proposal does not ensure that the resources are able to provide energy when called upon. Given that the failure to perform resulted in the widespread outages in the Winter 2021 storm, and it is the Winter 2021 storm that MISO is concerned with, it is incumbent upon MISO to address those issues, before implementing reforms to a residuals market that would have a limited impact on reliability.

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60 Transmittal Letter at 3. Notably, the sources MISO cites to in support its filing do not address the reliability benefits of storage resources.

61 Id.

II. CONCLUSION

The Clean Energy Coalition respectfully requests that the Commission accept this protest and reject MISO’s MCO Proposal.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this pleading has been served this day upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC this 14th day of January 2022.

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