

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

ISO-New England, Inc.)	
)	
and)	Docket No. ER11-3048-000
)	
New England Power Pool)	
)	

**MOTION TO INTERVENE OF THE NEW ENGLAND CONFERENCE OF
PUBLIC UTILITIES COMMISSIONERS**

Pursuant to Rule 214 of the Federal Energy Regulatory Commission’s (“Commission’s”) Rules of Practice and Procedure,¹ the Commission’s Notice of Filing² and Notice of Extension,³ the New England Conference of Public Utilities Commissioners (“NECPUC”) moves to intervene in the above-captioned proceeding. On March 8, 2011, ISO New England Inc (“ISO-NE”) and New England Power Pool (“NEPOOL”) (“Joint Parties”) filed the Installed Capacity Requirement (“ICR”) and related ICR values for the 2014/2015 Capability Year Auction.⁴

¹ 18 C.F.R. § 385.214 (2008).

² Combined Notice of Filings (March 9, 2011) (setting March 29, 2011 as deadline for interventions, protests, and comments).

³ Notice of Extension of Time (March 28, 2011) (extending deadline for interventions, protests and comments to April 5, 2011).

⁴ ISO New England and New England Power Pool, Filing of Installed Capacity Requirement, Hydro Quebec Interconnection Capability Credits and Related Values for the 2014/2015 Capability Year, Docket No. ER11-3048-000 (filed Mar. 8 2011) (“ICR Values Filing”).

I. COMMUNICATIONS

All correspondence and communications to NECPUC in this docket should be addressed to the following individuals, whose names should be entered on the official service list maintained by the Secretary in connection with these proceedings:

Lisa Fink, Esq.
Benjamin J. Smith, Esq.,
Maine Public Utilities Commission
101 Second Street
Hallowell, ME 04347
Mailing Address: 18 State House
Station
Augusta, ME 04333-0018
(207) 287-1389 (Telephone)
(207) 287-6343 (Telephone)
lisa.fink@maine.gov
benjamin.j.smith@maine.gov

William Nugent
Executive Director
New England Conference of Public
Utilities Commissioners
500 U.S. Route One, Suite 21C
Yarmouth, ME 04096
(207) 846-5440 (Telephone)
Bill.Nugent@myfairpoint.net

II. MOTION TO INTERVENE

Pursuant to the Commission’s Rules, NECPUC moves to intervene in this proceeding. NECPUC is a not-for-profit corporation comprising the public utility commissioners of the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. Formed over fifty years ago and funded by the New England states, NECPUC’s mission is the promotion of regional cooperation and effective communication on all public utility matters within New England. As a representative of New England’s interests concerning the electric industry, NECPUC has a vital stake in the just and reasonable operation of the New England wholesale power markets.

NECPUC has a direct and substantial interest in the Installed Capacity Requirement (“ICR”) for the 2014/2015 Capability Year Forward Capacity Auction

(fifth Forward Capacity Auction). The ICR for the 2014/2015 Capability Year is the amount of installed capacity that is required to be procured in the Forward Capacity Auction that will be held in June 2011. The ICR for the 2014/2014 Capability Year is 34,154 MW, an increase of 1,111 MW from the 2013/2014 capability year.⁵ The net amount to be purchased in the forward Capacity Auction to meet the Installed Capacity Requirement, after deducting the HQICC value is 33,200 MW.

Among their duties on behalf of their respective commissions, the Commissioners that comprise NECPUC are charged with balancing reliability and costs. NECPUC has an interest in these proceedings because of the direct relationship between the amount of capacity required to be purchased to ensure reliability and the total cost to consumers of capacity purchased in the FCA. At a floor price of \$2.95 a kW month, the requirement filed by ISO-NE is estimated to cost consumers over \$1 billion dollars during the 2014/2015 capability year.⁶ The 1100 MW increase in ICR between the FCA Auction Year 4 and FCA Auction year 5 represents an increased cost to consumers of over \$39 million.⁷ As a representative of the New England public utility commissions' s interests and therefore the public interest, NECPUC may be adversely affected by the outcome of these proceedings and, thus, has a substantial interest that cannot be adequately represented by any other party.

⁵ See ISO-NE presentation at page 8 at the following link: [http://www.iso-ne.com/committees/comm_wkgrps/reblty_comm/reblty/mtrls/2011/jan182011/a12_fca5_icr.ppt#449,8,Comparison of ICR Values \(MW\) - FCA5 Versus FCA4](http://www.iso-ne.com/committees/comm_wkgrps/reblty_comm/reblty/mtrls/2011/jan182011/a12_fca5_icr.ppt#449,8,Comparison of ICR Values (MW) - FCA5 Versus FCA4)

⁶ Calculated by taking 33,200 MW at \$2.95 per kW month times 12 months times 1000kW per MW.

⁷ Calculated by taking 1,111 MW at \$2.95/kW month times 12 months times 1000 kW per MW equals a \$39,329,400 annual increase.

III. CONCLUSION

For the foregoing reasons, NECPUC respectfully requests the Commission grant its motion to intervene.

Dated: April 4, 2011

Respectfully submitted,

On behalf of NECPUC

_____/s/
Lisa Fink, Esq.

_____/s/
Benjamin J. Smith, Esq.
State of Maine Public Utilities
Commission
101 Second Street
Hallowell, ME 04347
Mailing Address: 18 State House Station
Augusta, ME 04333-0018
(207) 287-1389 (Telephone)
(207) 287-6343 (Telephone)
lisa.fink@maine.gov
benjamin.j.smith@maine.gov

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing document either by first class mail or electronic service upon each party on the official service list compiled by the Secretary in this proceeding.

Dated at Hallowell, Maine, this 4th day of April, 2011.

/s/ Benjamin J. Smith
Benjamin Smith
State of Maine Public Utilities
Commission
101 Second Street
Hallowell, ME 04347
Mailing Address: 18 State House Station
Augusta, ME 04333-0018
(207) 287-6343 (telephone)
benjamin.j.smith@maine.gov