

REGULATORY UPDATE FOR SEPTEMBER 7, 2021 (WEEK OF AUGUST 30)**CALIFORNIA PUBLIC UTILITIES COMMISSION****New Proposed Decisions and Draft Resolutions¹**

A.20-06-005 (PG&E Long-Term Debt). This decision grants Pacific Gas and Electric Company (PG&E) contingent authority to manage temporary utility debt in the amount of \$1.5 billion that matures on January 1, 2022. PG&E currently intends to retire this \$1.5 billion in debt with proceeds from the issuance of \$7.5 billion of recovery bonds previously authorized by the Commission in Decision (D.) 21-05-015. However, due to possible future appeals of D.21-08-022 (which denied applications for rehearing of D.21-05-015) and possible appeals of related decisions, it is unclear whether proceeds from the \$7.5 billion of recovery bonds will be available to PG&E on or before January 1, 2022, the date the \$1.5 billion debt matures. As a result, the Commission grants additional authority to PG&E to manage the \$1.5 billion debt, if and to the extent necessary, pending retirement of this debt via proceeds from the recovery bonds by extending the maturity date of the \$1.5 billion debt, refinancing the \$1.5 billion debt, or managing the debt by a combination of these methods. Should the proceeds from the \$7.5 billion of the recovery bonds become available to PG&E on a timely basis, PG&E will not exercise the authority granted herein.

Draft Resolution E-5159. This Resolution approves agreements between Southern California Edison Company (SCE) and two newly forming Community Choice Aggregators (CCAs). Per an agreement with the City of Santa Barbara (“Santa Barbara”) described in Advice letter 4304-E, SCE will comply with Santa Barbara’s 2022 Resource Adequacy (RA) obligations. Per a separate agreement with Central Coast Community Energy (“3CE”) described in Advice Letters 4314-E and 4314-E-A, SCE will comply with 3CE’s 2021 and 2022 RA obligations and provide 3CE an option to make purchases of PCC-1 renewable energy (RPS Energy) from SCE during 2021 and 2022, at the Commission-set market price benchmarks for RPS Energy. This Resolution also permits SCE to make annual and monthly forecasts and year-ahead and month-ahead RA compliance filings on behalf of load migrating to Santa Barbara for 2021 and 2022, and load migrating to 3CE for 2021. The agreements are necessary because the two CCAs were compelled to change the dates when they will start serving customers. Santa Barbara submitted its 2021 load forecasts to the CPUC and the California Energy Commission (CEC) based on a projected launch date of May 1, 2021, as stated in its CPUC-certified Implementation Plan. Addendum No. 2 to 3CE’s Implementation Plan, which contemplated expanding service to additional communities in PG&E’s service area as well as communities in SCE’s service area in January 2021, was approved by the CPUC on March 9, 2020. However, the CCAs were later told by SCE that SCE was unable to accommodate their projected launch

¹ Per California Public Utilities Commission (CPUC or Commission) Rules of Practice and Procedure Rule 14.3, comments on proposed decisions are due 20 days after issuance of the proposed decision, and reply comments are due five days thereafter. Comments on draft resolutions are due 20 days after the draft resolution appears in the CPUC’s daily calendar, per Rule 14.5.

dates because the effort to replace its billing system with the Customer Service Re-Platform (CSR) would not be completed in time. The CSR involves a system freeze during which time SCE says it cannot transfer customer accounts to CCA service. Changes to implementation dates may cause the CCAs to suffer adverse financial impacts, including procurement of resources for a substantial amount of time before they begin serving load. The agreements approved by this Resolution are intended to mitigate those consequences and risks by allowing SCE, on behalf of the CCAs, to comply with Santa Barbara's RA obligations for 2022 and with 3CE's RA obligation for 2021, as well as providing an option for 3CE to purchase RPS Energy in 2021 and 2022.

Draft Resolution E-5162. This Resolution approves each of the behind-the-meter microgrid tariffs (Schedule BTMM - Behind-The-Meter Microgrids) proposed by PG&E (Advice Letter 6170-E), San Diego Gas & Electric Company (SDG&E) (Advice Letter 3742-E) and SCE (Advice Letter 4473-E). The new tariffs were filed to comply with D.21-01-018 adopting rates, tariffs and rules facilitating the commercialization of microgrids pursuant to Senate Bill (SB) 1339 (Stern, 2018). In D.21-01-018, the Commission directed the three largest investor-owned utilities to each file a Tier 3 Advice Letter to create a new microgrid tariff for their respective service territories. The new microgrid tariff formed under D.21-01-018 is a schedule that explicitly makes terms of existing tariffs available to combinations of resources that meet California's statutory definition of a microgrid. The new schedule does not change any compensation that would otherwise be available to individual resources. Instead, this new rate schedule creates regulatory identity in the utilities' tariff books for a new, statutorily defined entity (a microgrid) pursuant to SB 1339.

Voting Meetings

The Commission's next voting meeting is scheduled for September 9, 2021. The following energy-related items are on the agenda.

Item 4. Draft Resolution E-5166. This Resolution certifies San Jose Clean Energy's request in Advice Letter 17-E and supplemental Advice Letter (AL) 17-E-A to elect to administer their Energy Efficiency Program Administration Plan, submitted pursuant to Public Utilities Code Section 381.1(e) and (f) and the CPUC's direction in D.14-01-033. The CPUC approves a budget for San Jose Clean Energy of \$5,066,776.20 over the course of its three-year Energy Efficiency Program Plan. This funding will come from PG&E's Energy Efficiency Portfolio Budget and thus not result in any incremental costs for PG&E's ratepayers.

Item 5. Draft Resolution WSD-022. This Resolution ratifies the Action Statement (Appendix A of the Resolution) of the Office of Energy Infrastructure Safety approving Bear Valley Electric Service, Inc.'s 2021 Wildfire Mitigation Plan (WMP) Update pursuant to Public Utilities Code Section 8386.

Item 7. Draft Resolution E-5164. This Resolution (1) requires PG&E to pursue a new clean substation microgrid project and (2) approves PG&E's proposed use of Demand Response (DR) programs during Public Safety Power Shutoff (PSPS) events. In D.21-01-018, the Commission required that any utility reserving temporary generation to mitigate transmission-

level PSPS events “document its plans to establish clean substation microgrid projects located at, or able to serve, at least one substation,” or alternatively “document the specific conditions [for clean substation pilots] that have not been met in its Advice Letter.” The Resolution finds that PG&E has not documented its plans to establish a clean substation microgrid project. The Resolution also finds that PG&E has not adequately documented specific conditions that make such a project infeasible. The Resolution concludes that although PG&E provided evidence for the infeasibility of temporary projects, it did not provide adequate evidence for the infeasibility of permanent projects, which may still meet the requirements of D.21-01-018. The Resolution directs PG&E to meet its obligation under D.21-01-018 by pursuing a new clean substation project. PG&E is required to issue a Request for Proposals that allows for permanent projects, and submit a Tier 3 AL requesting approval for at least one project through the framework approved in D.21-01-018. This Resolution also approves PG&E’s request to use two existing DR programs to reduce the use of temporary generation during PSPS events.

Item 9. R.13-11-005 (Energy Efficiency). This decision approves a settlement agreement between SDG&E, the Public Advocates Office of the CPUC, and The Utility Reform Network, related to SDG&E’s administration of an upstream lighting energy efficiency program between 2017 and 2019. The settlement agreement provides for refunds to SDG&E customers in the amount of \$45.44 million, a return to customers of \$6.162 million in shareholder awards associated with the program, and a fine in the amount of \$5.5 million for SDG&E knowingly submitting inaccurate information to the CPUC. In addition, if SDG&E pursues recovery of additional funds from manufacturers who participated in the program and violated its terms, 33 percent of any amount collected from those manufacturers will be returned to SDG&E customers. Finally, SDG&E will conduct whistleblower training within one year of this decision, at shareholder expense.

Item 10. Draft Resolution E-5130. This Resolution approves, with modification, Lancaster Choice Energy’s AL 13-E, Pico Rivera Innovative Municipal Energy’s AL 8-E, and San Jacinto Power’s AL 6-E to create tariffs to implement the Disadvantaged Communities Green Tariff and/or Community Solar Green Tariff programs.

Item 11. R.19-10-005 (EPIC Program). In this decision, the Commission authorizes PG&E, SCE, and SDG&E to continue in their role as administrators of the Electric Program Investment Charge (EPIC) Program, subject to additional administrative requirements. Like the CEC, the Investor-owned Utilities (IOU) are authorized to file two five-year investment plans, with the first cycle covering 2021-2025 (EPIC 4) and the second cycle covering 2026-2030 (EPIC 5). The Commission authorizes EPIC 4 investment plan budgets of \$18.444 million annually for PG&E, \$3.24 million annually for SDG&E, and \$15.131 million annually for SCE. To bring greater focus to the EPIC Program and improve transparency, the Commission adopts a number of administrative requirements, as well as the guiding principles and mission statement contained in Appendix A of the Proposed Decision. Given the number of revisions in this decision, the Commission extends the filing deadline for the CEC’s EPIC 4 investment plan from October 1, 2021 to December 1, 2021. Although the Commission authorizes the IOUs as

administrators, and authorize their investment plan budgets, this decision does not approve their investment plans.

Item 12. Draft Resolution E-5168. On February 26, 2021, PacifiCorp d/b/a Pacific Power (PacifiCorp) filed AL 643-E, which was withdrawn on May 17, 2021 and replaced with AL 649-E on May 21, 2021. PacifiCorp filed AL 649-E-A on June 18, 2021, which clarifies language within their May 21 filing. On March 1, 2021, Bear Valley Electric Service Inc. (BVES) filed AL 413-E, and Liberty Utilities (Calpeco Electric) LLC (Liberty) filed AL 166-E. The three IOUs request approval to establish new Electric Rules—Rule 24 for BVES, Liberty, and PacifiCorp—known as the EV Infrastructure Rules. The ALs also request approval of associated Electric Vehicle Infrastructure Memorandum Account to track the costs associated with offering these new Rules. This Resolution requires modifications to the proposed EV Infrastructure Rules to create consistency in policy across the IOU service territories, increase transparency for customers, and ensure additional protections for ratepayers. This Resolution requires each IOU to file a Tier 1 AL within 60 days of adoption of this Resolution to make the modifications that this Resolution orders and to address the outstanding implementation details related to the Rules. The Resolution additionally orders each IOU to also file a Tier 2 AL to address outstanding implementation details that the Tier 1 AL filing does not cover.

Item 13. Draft Resolution E-5167. On February 26, 2021, SCE filed AL 4429-E, SDG&E filed AL 3705-E, and PG&E filed AL 6102-E that was later replaced by AL 6102-E-A filed on March 17, 2021. The ALs request the establishment of new Rules—Electric Rule 45 for SDG&E and Electric Rules 29 for SCE and PG&E—known as the EV Infrastructure Rules (Rules) and request associated Memorandum Accounts (Memo Accounts) to track the costs associated with offering these new Rules. This Resolution approves, with modifications, PG&E’s, SCE’s and SDG&E’s proposed Rules and associated Memo Accounts. Under the proposed Rules, ratepayers cover the costs of service line extensions and electrical distribution infrastructure—or EV Service Extensions—for separately metered EV charging for customers other than those in single-family residences. Per the direction of Public Utilities Code (PU Code) Section 740.19, these costs related to utility-side distribution infrastructure that support EV charging will be recovered through the IOUs’ general rate cases (GRC). As a result, IOUs will no longer request approval for utility-side costs associated with separately metered EV charging in an application or AL proposing a new TE program. In the past, the IOUs tracked these costs in Balancing Accounts associated with individual TE programs, whereas with the approval of this Resolution the IOUs will, moving forward, track these costs within a Memo Account and seek approval of those costs within a GRC.

Item 17. R.14-08-013 (Distribution Resources Plans). This decision closes Rulemaking 14-08-003 in light of the opening of the successor distribution resource plan proceeding, Rulemaking (R.) 21-06-017, and approves, as modified, the IOUs’ Applications 15-07-002, 15-07-003, and 15-07-006, as well as the Small and Multi-Jurisdictional Utilities’ Applications 15-07-005, 15-07-007, and 15-07-008. This decision determines that the IOUs’ distribution resource plan proposals are in a sufficiently developed shape such that they may be approved, as modified by the decisions that the Commission has adopted in this proceeding, and by the guidance rulings the assigned Commissioner and assigned Administrative Law Judge (ALJ) have issued. Any additional work that the IOUs must undertake as required by the decisions and rulings in this

proceeding to complete their distribution resource plan proposals will be overseen by the Commission in the successor distribution resource plan proceeding, R.21-06-017 (Order Instituting Rulemaking to Modernize the Electric Grid for a Higher Distributed Energy Resources Future). The Small and Multi-Jurisdictional Utilities (PacifiCorp, Liberty, and BVES, collectively, SMJUs) have also provided the Commission with enough preliminary information to approve their distribution resource plan proposals, as modified by the decisions that the Commission has adopted in this proceeding, and by the guidance rulings the assigned Commissioner and assigned ALJ have issued. Any additional work that the SMJUs must undertake as required by the decisions and rulings in this proceeding to complete their distribution resource plan proposals will be overseen by the Commission in the successor distribution resource plan proceeding, R.21-06-017.

Item 28. Draft Resolution WSD-021. This Resolution ratifies the Action Statement (Appendix A of the Resolution) of the Office of Energy Infrastructure Safety (Energy Safety approving PG&E's 2021 WMP Update pursuant to PU Code Section 8386.

CALIFORNIA ISO

2022 Net Qualifying Capacity and Effective Flexible Capacity Values for Resource Adequacy Resources

The California ISO has posted the preliminary 2022 Resource Adequacy Net Qualifying Capacity (NQC) and Effective Flexible Capacity (EFC) lists. Scheduling coordinators are requested to review their information and submit comments by September 10, 2021, for EFC and NQC.

Additional Significant Event Capacity Procurement Mechanism (CPM) Designations

The ISO has designated 16 additional resources, totaling 361.77 MW, as CPM capacity to address the CPM Significant Event. The resources offered capacity to the ISO to use under CPM, and that capacity was not procured previously as Resource Adequacy capacity. The resources have a designation effective date of September 1, 2021 for 15 resources, and September 10 for one resource. The CPM term is 30 days, as provided under the tariff, subject to adjustment and the payment provisions set forth in Section 43A of the ISO tariff.

2021 Summer Readiness Update

The California ISO held its second-to-last 2021 Summer Readiness Update call on August 31, 2021. A summary of the call may be found on Stoel's Renewables + Law Blog, [here](#).

Stakeholder Initiatives: Upcoming Meetings and Deadlines

EIM Resource Sufficiency Evaluation Enhancements Straw Proposal. Written comments on the straw proposal for the EIM Resource Sufficiency Evaluation Enhancements initiative are due September 8, 2021.

Summer Market Performance Report for July 2021. The California ISO has scheduled an informational stakeholder call on September 7, 2021, to discuss the July 2021 Summer Market Performance Report.

External Load Forward Scheduling Rights Process Issue Paper. The California ISO has scheduled a stakeholder call on September 9, 2021, to discuss the issue paper for the External Load Forward Scheduling Rights Process initiative. Written comments on paper and meeting discussion are due by end of day September 30, 2021.

CALIFORNIA ENERGY COMMISSION

2021 IEPR. The CEC hosted two workshops last week as part of the 2021 Integrated Energy Policy Report (2021 IEPR) process. The first workshop discussed natural gas forecasting efforts and preliminary results as part of the state's long-term energy planning efforts (CEC Docket 21-IEPR-05). The second workshop examined the role of renewable natural gas (RNG) as an energy source for California's clean energy future. Topics included RNG supply, availability, and price in California, as well as policy approaches for RNG. To obtain workshop presentation materials and recordings of past workshops, as well as additional information regarding future IEPR events, please visit <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2021-integrated-energy-policy-report>.

CEC Business Meetings. The next CEC Business Meeting is scheduled for September 8, 2021. The meeting agenda and backup materials are available [here](#). Agenda item 2 indicates that the CEC will consider adoption of a [proposed order](#) establishing a process for expediting licenses for battery storage systems of 20 megawatts or more that the CEC determines are capable of discharging for at least two hours. Like the orders adopted during the August 17, 2021 CEC Business Meeting, this proposed order is also in response to the Governor's July 30, 2021 Emergency Proclamation.

Energy System Reliability (21-ESR-01). The CEC hosted a workshop on August 30, 2021 to provide an update on actions to support electric grid reliability, including the Midterm Reliability Analysis and incremental efficiency improvement potential for natural gas power plants. Stoel's Renewable + Law Blog provides a summary of the workshop [here](#).

Offshore Wind. On September 3, 2021, the CEC posted an informational item to the California Offshore Renewable Energy [docket](#) (Docket No. 17-MISC-01) regarding the California Coastal Commission's upcoming September 2021 informational briefing on offshore wind in California. The briefing will begin at 9:00 a.m. on September 9 and, according to the notice, will cover the federal consistency review process for potential wind energy lease areas in

federal waters offshore of California's north and central coasts. For more information, please visit the Offshore Wind [docket](#), item TN 239596.

CALIFORNIA AIR RESOURCES BOARD

On September 8, 2021, the California Air Resources Board (ARB) will hold a virtual workshop on short-lived climate pollutants, as part of the Assembly Bill (AB) 32 Scoping Plan Update. Also as part of the Scoping Plan Update, ARB is accepting comments on the technical workshop held on August 17, 2021 on development of modeled scenarios to achieve carbon neutrality by 2045. The workshop recording is available [here](#) and comments can be submitted until September 3, 2021, [here](#). Recordings of other past AB 32 Scoping Plan Update meetings and workshops are available [here](#).

On September 9, 2021, ARB will hold a virtual [workshop](#) on the proposed [Advanced Clean Fleets](#) regulation, which aims to achieve a zero-emissions truck and bus California fleet by 2045. ARB is accepting informal public comments on the proposed regulation, which may be submitted [here](#) on or before December 31, 2021.

The next ARB Board meeting will be held virtually on September 9, 2021. The full meeting agenda is available [here](#). At the meeting, ARB will consider the Community Emissions Reduction Program for Eastern Coachella Valley, developed under the AB 617 Community Air Protection Program. Details of the draft Community Emissions Reduction Program are available [here](#).

On September 10, 2021, ARB will hold a public workgroup meeting to discuss considerations related to the use of renewable diesel and proposed amendments to the In-Use Off-Road Diesel-Fueled Fleets Regulation. Details on the virtual meeting are available [here](#).

On September 21, 2021, ARB will host a virtual public meeting of the AB 617 Consultation Group. Details on the virtual meeting are available [here](#).

On September 23, 2021, ARB will hold a virtual Board meeting to consider approval of two components of the State Implementation Plan (SIP): the [Coso Junction PM10 Maintenance Plan](#) and the [Sacramento County PM10 Maintenance Plan](#). At the meeting, ARB will also hear an update on the 2018 PM2.5 SIP for the San Joaquin Valley and consider a SIP revision to the 15 $\mu\text{g}/\text{m}^3$ annual PM2.5 Standard. Notice of the San Joaquin Valley items is available [here](#). Comments on these Plans can be submitted [here](#) on or before September 13, 2021.

ARB held a virtual workshop on the draft [Fourth Investment Plan](#) for cap-and-trade auction proceeds on September 2, 2021. Comments can be submitted on the Plan [here](#) until September 17, 2021.

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

1. Northern States Power Company Petition for Transmission Cost Recovery, PUC Docket No. EL21-025

On September 1, 2021, Northern States Power dba Xcel Energy (“Xcel”) filed its 2022 Transmission Cost Recovery Rider (TCR) petition. Xcel seeks a 2022 TCR revenue requirement of \$7.0 million, utilizing a TCR adjustment factor of \$0.003245 per kWh to be implemented on January 1, 2022. The filing indicates that, if approved, the TCR will result in a \$2.43 surcharge per month for average residential customers. This matter remains open before the South Dakota Public Utilities Commission.

OREGON

OPUC Meeting this Week

On Tuesday, September 7 at 9:30 a.m. PDT, the Oregon Public Utility Commission (OPUC) held a public meeting to discuss a wide range of dockets including UM 1930 (related to certification extension requests filed by four solar facilities under the Oregon Community Solar Program). The staff report can be located [here](#).

WASHINGTON

Puget Sound Energy (PSE) Granted Extension for Clean Energy Implementation Plan (CEIP) Filing

Under WAC 480-100-640(1), each electric utility is required to submit a CEIP to fulfill certain objectives outlined in Washington’s Clean Energy Transformation Act. The CEIP is due by October 1, 2021 and every four years thereafter. Last Thursday, the Washington Utilities and Transportation Commission issued an order allowing PSE to file its draft CEIP by October 15, 2021 and its final CEIP by December 17, 2021 in order to provide stakeholder groups with more time to provide input.

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

FERC’s next monthly meeting is September 23, 2021.

FERC will hold a staff-led [technical conference](#) on September 14, 2021, addressing energy and ancillary services markets administered by the RTOs/ISOs. The technical conference will discuss potential energy and ancillary services market reforms, such as market reforms to increase operational flexibility, that may be needed as the resource fleet and load profiles change over time.

FERC’s annual Commissioner-led [reliability technical conference](#) will take place on September 30, 2021.

FERC will hold its [first Federal-State Transmission Task Force Meeting](#) on November 10, 2021, to coincide with the annual meeting of the National Association of Regulatory Utility Commissioners (NARUC) in Louisville, Kentucky. The Task Force, established by the FERC in June, is comprised of the FERC Commissioners and 10 state regulators representing the five NARUC regions. It will explore transmission-related issues to identify and realize the benefits of electricity transmission while ensuring that the costs are allocated efficiently and fairly. FERC also announced that the following state commission representatives will serve on the Task Force for a one-year term:

- Chair Gladys Brown Dutrieuille, Pennsylvania Public Utility Commission
- Chair Jason Stanek, Maryland Public Service Commission
- Chair Andrew French, Kansas Corporation Commission
- Chair Dan Scripps, Michigan Public Service Commission
- Commissioner Riley Allen, Vermont Public Utility Commission
- Chair Matthew Nelson, Massachusetts Department of Public Utilities
- Commissioner Kimberly Duffley, North Carolina Utilities Commission
- Chair Ted Thomas, Arkansas Public Service Commission
- Commissioner Kristine Raper, Idaho Public Utilities Commission
- Commissioner Clifford Rechtschaffen, California Public Utilities Commission

Interested persons are invited to file comments on agenda topics for the first public meeting of the Task Force, **due September 10, 2021**. The Commission specifically requested comments on identifying barriers that inhibit planning and development of more efficient and effective transmission necessary to achieve federal and state policy goals, both within FERC rules and regulations regarding planning and cost allocation of transmission projects and at the state level, as well as potential solutions to those barriers.

On August 31, 2021, FERC rejected an application by Cross-Sound Cable Company, LLC (Cross-Sound) to recover through an incentive rate mechanism expenses incurred between 2016 and 2021 to comply with NERC cybersecurity/reliability requirements. [Order Denying Application for Incentive Rate Treatment](#). FERC had previously held that the ISO-NE could only recover such NERC compliance costs incurred on and after the effective date of its filing, consistent with the filed rate doctrine and the rule against retroactive ratemaking. *See ISO New England Inc.*, 171 FERC ¶ 61,160, [order on reh'g](#), 172 FERC ¶ 61,251 (2020). Under the filed rate doctrine and the corollary rule against retroactive ratemaking, public utilities are required to file rate schedules with FERC to ensure that customers are only charged rates that have been properly filed and noticed, and FERC is barred from altering the filed rate to recover costs retroactively. *Id.*, 171 FERC ¶ 61,160 at ¶ 12. Cross-Sound apparently sought to avoid this legal doctrine by proposing under Sections 219 and 309 of the Federal Power Act to create a one-time regulatory asset that would allow it to defer, capitalize and amortize these costs over a five-year recovery period. But FERC rejected Cross-Sound's proposal on the ground that its recovery of costs incurred prior to the effective date of the filing would violate the prohibition against retroactive recovery of costs that were not previously noticed.

Also on August 31, 2021, FERC rejected in its entirety Texas Eastern Transmission, LP's ("Texas Eastern") NGA Section 4 rate case filing as patently violative of the FERC's filing requirements. 176 FERC ¶ 61,138, [Order Rejecting Tariff Records and Directing to Show Cause \(2021\)](#). Texas Eastern's rate filing included an adjustment to its income tax allowance for an anticipated increase from 21% to 25% in federal corporate income tax rates. Texas Eastern claimed that this increase was a "known and measurable" change that will become effective within the test period based on trade press articles, drafts of legislation and the testimony of its tax experts. FERC held that this was far too speculative, and certainly did not satisfy the "known and measurable with reasonable accuracy at the time of the filing" standard required by the regulations. FERC also found that Texas Eastern's proposed reservation charge crediting provisions failed to comply with FERC policy and ordered it to show cause within 30 days how its reservation charge credit provisions conform with FERC policy and, if not, file replacement provisions that do.