

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

Cedar Creek Wind Energy, LLC

Docket Nos. RC11-1-000

Milford Wind Coordinator Phase I, LLC

RC11-2-000

**JOINT MOTION TO INTERVENE AND EXTEND THE COMMENT DEADLINE
OF THE AMERICAN WIND ENERGY ASSOCIATION, THE EDISON ELECTRIC
INSTITUTE AND ELECTRIC POWER SUPPLY ASSOCIATION**

Pursuant to Rules 211 and 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. §§ 385.211 and 385.214, the American Wind Energy Association ("AWEA"), the Edison Electric Institute ("EEI") and the Electric Power Supply Association ("EPSA") respectfully submit this motion to intervene and request an extension until December 7, 2010, to file comments concerning the appeals in the above-cited proceedings.¹ Both proceedings concern appeals filed with the Commission regarding October 6, 2010 decisions by the North American Electric Reliability Corporation ("NERC") Board of Trustees Compliance Committee ("BOTCC") denying the appeals by Cedar Creek Wind Energy LLC ("Cedar Creek") and Milford Wind Coordinator Phase I, LLC ("Milford") for inclusion on the NERC Compliance Registry as a Transmission Owners ("TO") and Transmission Operators ("TOP"). Both Milford and Cedar Creek accept their registration by NERC as Generator Owners ("GO") and Generator Operators ("GOP") but protest their registration as TO&TOPs.

¹ *FERC Notice of Filing on Milford Wind Coordinator Phase 1, LLC*, Docket No. RC11-2-000, and *Cedar Creek Wind Energy, LLC*, Docket No. RC11-1-000 (November 2, 2010).

I. MOTION TO INTERVENE & COMMUNICATIONS

AWEA is a national trade association representing a broad range of entities with a common interest in encouraging the expansion and facilitation of wind energy resources in the United States. AWEA members include wind turbine manufacturers, component suppliers, project developers, project owners and operators, financiers, researchers, renewable energy supporters, utilities, marketers, customers and their advocates.

EEl is the trade association of the shareholder-owned electric utilities in the United States. EEl member companies serve 95% of the ultimate customers in the shareholder-owned segment of the industry, and they represent approximately 70 percent of the U.S. electric power industry. Virtually all EEl members are required to comply with the mandatory reliability standards established and enforced by the Electric Reliability Organization and Regional Entities, pursuant to Federal Power Act section 215. EEl's diverse membership includes utilities operating in all NERC regions as well as entities registered as both TO/TOPs and GO/GOPs. The issues concerning registration criteria raised in this docket are of concern to many EEl members.

EPsA is the national trade association representing competitive power suppliers, including generators and marketers. These suppliers, who account for 40 percent of the installed generating capacity in the United States, provide reliable and competitively priced electricity from environmentally responsible

facilities serving power markets. EPSA seeks to bring the benefits of competition to all power customers.

EPSA's 21 member companies each operate in four or more NERC regions and represent over 700 registered entities in the NERC registry. EPSA members own or operate billions of dollars of generating assets and are significant participants in the North American wholesale electricity market, and therefore have a direct interest regarding the reliable operation of the Bulk Power System (BPS) and NERC Compliance Registry decisions.

The Milford and Cedar Creek decisions concern almost identical facilities and the decision criteria applied to them, if applied in every region, could impact generators across the nation. Therefore, competitive suppliers and wind supporters have a direct interest in the Milford and Cedar Creek registry decisions at issue in these appeals. As a result, AWEA and EPSA have a direct and substantial interest in the instant proceedings that cannot be adequately represented by any other party, and allowing AWEA and EPSA to actively participate in this proceeding would be in the public interest. Accordingly, AWEA and EPSA respectfully request that the Commission grant this timely motion to intervene. EEI has previously filed a doc-less motion to intervene in this docket and plans on submitting substantive comments.

All pleadings, correspondence and other communications concerning this proceeding should be directed to:

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II. Motion to Extend Comment Deadlines

Members of AWEA, EEI and EPSA are required to comply with NERC's enforceable standards approved by the Commission under Section 215 of Federal Power Act ("FPA") to ensure reliability. As providers of wholesale electricity supply, competitive, wind and investor-owned utility suppliers have typically been registered by NERC Regional Entities as GOs and/or GOPs. Consequently, when suppliers are registered by NERC as TO and TOPs it may impact generators across North America.

Past NERC decisions that have registered GO&GOPs as TO&TOPs have been based on the facts of the individual case. The Milford and Cedar Creek decisions denying their registration appeals, however, were issued by the NERC BOTCC on the same day using criteria that may suggest the development of a generic North American registration policy. Because the criteria and decisions used in the cases are essentially identical, AWEA, EEI and EPSA each plan to separately submit comments in both cases. Therefore AWEA, EEI and EPSA respectfully request that the Commission set the same comment due date for both the Milford and Cedar Creek appeals.

Due to the number of parties examining the potentially wide-reaching implications of both cases, there are ongoing discussions among the members of these organizations. It is likely that these ongoing discussions will be impacted by the various upcoming events and Commission deadlines in other proceedings, and the Thanksgiving holiday. Given the holidays and the robust nature of the discussions on these matters among their respective members and other groups, AWEA, EEI and EPSA respectfully request that the Commission extend the filing dates for both cases. The Commission Notice of Filings issued on November 2, 2010, set the Cedar Creek filing deadline for the day after Thanksgiving, November 26, 2010, and the Milford filing deadline for shortly thereafter on December 1, 2010.

Given the potential North American impact of each decision, AWEA, EEI and EPSA respectfully request that the filing due date, for both dockets be extended to Monday, December 7, 2010. Extending the filing date for both

proceedings will allow for the sufficient time needed to ensure that all AWEA, EEI and EPSA members can participate sufficiently in the development of their respective comments on the important issues raised in the Milford and Cedar Creek cases.

For the reasons set forth herein, AWEA, EEI and EPSA respectfully request that the Commission grant this motion for leave to intervene and extend the deadline for filing comments on both the Milford and Cedar Creek proceedings to December 7, 2010.

Respectfully submitted,

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November 16, 2010

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the comments via email upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C., November 16, 2010.



Nancy Bagot, EPSA VP of Reg. Affairs