

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

Otter Tail Power Company

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Docket No. ER12-342-000

**NOTICE OF INTERVENTION OF
THE ORGANIZATION OF MISO STATES, INC.
AND SUGGESTION TO DEFER SUBSTANTIVE RULING**

Notice of Intervention

Pursuant to Rule 214(a)(2) of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214(a)(2), the Organization of MISO States ("OMS") files its Notice of Intervention in the above-captioned proceedings. Service of all pleadings, documents, and communications in this matter should be made on the following:

William H. Smith, Jr.
Executive Director
Organization of MISO States
100 Court Avenue, Suite 315
Des Moines, Iowa 50309
(515) 243-0742

Suggestion to Defer Substantive Ruling

In this docket, the applicants request certain transmission rate incentives pursuant to the Commission's regulations now in effect. The OMS takes no position with respect to the particular requested incentives.

In Docket No. RM11-26 the Commission has initiated a timely re-evaluation of its transmission incentives and regulations and sought input from interested parties by posing numerous questions. That Notice of Inquiry could well lead to revisions in the Commission's transmission incentive regulations and policies that would make them more responsive to current conditions in the power and financial markets.

The OMS suggests that the Commission defer substantive decisions in this docket until it has completed its re-evaluation of those regulations and policies. The OMS is making the same suggestion in other dockets requesting incentives in the Midwest Independent Transmission System Operator's region, which consists of the OMS's

member states.¹ The Commission should avoid decisions granting incentives while it is reviewing its policies because those incentives would reflect older policies that may no longer be consistent with current conditions in the electric industry and financial markets. Such incentive awards would not encourage the development of transmission infrastructure in the most cost-efficient manner. To avoid awarding potentially anachronistic incentives, the Commission dispose of the current incentive requests until it has completed its Inquiry in Docket No. RM11-26 and any resulting rulemaking. At that point, this application could be addressed in conformity with any policy changes the Commission might make.

The OMS recommends suspension of this filing pending the outcome of Docket No. RM11-26 and any rulemaking resulting from that inquiry. Alternatively, the Commission may prefer to reject this filing without prejudice to resubmission upon the completion of those proceedings.

Respectfully Submitted,

William H. Smith, Jr.
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Executive Director
Organization of MISO States
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Dated: November 21, 2011

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.
Dated at Des Moines, Iowa, this 21st day of November, 2011.

William H. Smith, Jr.

¹ Missouri River Energy Services, Docket No. ER12-352-000
MidAmerican Energy Company, Docket No. ER12-242-000