

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SOUTH CAROLINA PUBLIC
SERVICE AUTHORITY, *et al.*,

Petitioners

v.

FEDERAL ENERGY REGULATORY
COMMISSION,

Respondent

Case Nos. 12-1232, 12-1233, 12-1250
(Consolidated)

**MOTION TO INTERVENE OF
TRANSMISSION ACCESS POLICY STUDY
GROUP**

Pursuant to Rule 15(d) of the Federal Rules of Appellate Procedure and Local Rule 15(b) of the United States Court of Appeals for the District of Columbia Circuit, Transmission Access Policy Study Group (“TAPS”) hereby moves for leave to intervene in the above-captioned cases which were consolidated by Order dated June 12, 2012, and all other consolidated cases involving the same agency action. TAPS seeks to intervene as a non-aligned intervenor, but reserves the right to amend its position as the proceeding progresses. In support of this motion, TAPS states as follows:

Petitioners in these consolidated cases seek review of the following orders of the Federal Energy Regulatory Commission (“FERC” or “Commission”):

1. *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000, Docket No. RM10-23-000, 136 FERC ¶ 61,051 (July 21, 2011) (“Order No. 1000”);
and
2. *Transmission Planning and Cost Allocation by Transmission Owning and Operating Public Utilities*, Order No. 1000-A, Docket No. RM10-23-001, 139 FERC ¶ 61,132 (May 17, 2012) (“Order No. 1000-A”, and collectively, “FERC Orders”).

The FERC Orders impose new regional and interregional transmission planning and cost allocation requirements on public utility transmission providers, as well as other changes to Commission-approved Open Access Transmission Tariffs.

The most recent petition in the above-captioned consolidated cases was filed less than 30 days ago.

TAPS is a trade association of transmission-dependent utilities in more than 35 states, promoting open and non-discriminatory transmission access. TAPS members include municipal utilities, municipal joint action agencies, electric cooperatives, and an investor-owned utility that entirely or predominantly rely on transmission systems owned and controlled by others to gain access to wholesale power markets in which they are active participants.

TAPS members have a strong interest in assuring that regional and interregional planning processes and cost allocation methodologies are just, reasonable, and not unduly discriminatory; and they will be significantly affected by the FERC Orders. TAPS was party to the FERC proceedings below, and its request for rehearing and/or clarification of Order No. 1000 was denied in Order No. 1000-A.¹ TAPS members may be affected by actions taken by this Court, and thus have clear and substantial interests in this proceeding that cannot be represented by any other party, and their participation would be in the public interest.

¹ TAPS has sought rehearing of Order 1000-A.

Wherefore, TAPS respectfully requests leave to intervene in the above-captioned proceedings with rights as a party hereto.

Respectfully submitted,

/s/ William S. Huang

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June 26, 2012

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**CORPORATE DISCLOSURE STATEMENT OF
TRANSMISSION ACCESS POLICY STUDY
GROUP**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Local Rule 26.1 of the United States Court of Appeals for the District of Columbia Circuit, Transmission Access Policy Study Group (“TAPS”) hereby submits the required Disclosure Statement. TAPS is a trade association of transmission-dependent utilities in more than 35 states, promoting open and non-discriminatory transmission access. TAPS members include municipal utilities, municipal joint action agencies, electric cooperatives, and an investor-owned utility. TAPS does not have any parent companies, and no publicly-held company has a 10% or greater ownership interest in TAPS.

TAPS is a trade association within the meaning of Circuit Rule 26.1(b) and thus is exempt from the requirement to list the names of its members that have issued shares or debt securities to the public.

Respectfully submitted,

/s/ William S. Huang

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June 26, 2012

CERTIFICATE OF SERVICE

I hereby certify that I have on this 26th day of June, 2012, caused the foregoing documents to be electronically served through the Court's CM/ECF system on:

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