

incorporates a low, swept-wing design with winglets and a T-tail. The airplanes have two aft-fuselage-mounted Pratt & Whitney turbofan engines. Avionics include four primary display units and multiple touchscreen controllers. The flight-control system is a three-axis, fly-by-wire system using active control/coupled side sticks.

The GVII-G500 has a wingspan of 87 ft and a length of 91 ft. Maximum takeoff weight is 76,850 lbs. Maximum takeoff thrust is 15,135 lbs, maximum range is 5,000 nautical miles (nm), and maximum operating altitude is 51,000 ft.

The Model GVII series airplanes are equipped with two side-stick controllers instead of the conventional control columns and wheels. This side-stick controller is designed for one-hand operation. The requirement of Title 14, Code of Federal Regulations (14 CFR) 25.397(c), which defines limit pilot forces and torques for conventional wheel or stick controls, is not adequate for a side-stick controller. Special conditions are necessary to specify the appropriate loading conditions for this controller design.

Type-Certification Basis

Under 14 CFR 21.17, Gulfstream must show that the Model GVII-G500 airplanes meet the applicable provisions of 14 CFR part 25, as amended by Amendments 25-1 through 25-137.

The certification of the GVII-G500 airplane is 14 CFR part 25, effective February 1, 1965, including Amendments 25-1 through 25-137; 14 CFR part 34, as amended by Amendments 34-1 through the most current amendment at the time of design approval; and 14 CFR part 36, Amendment 36-29. In addition, the certification basis includes special conditions and equivalent-safety findings related to the flight-control system.

If the Administrator finds that the applicable airworthiness regulations (*i.e.*, 14 CFR part 25) do not contain adequate or appropriate safety standards for the Model GVII series airplanes because of a novel or unusual design feature, special conditions are prescribed under § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and proposed

special conditions, the Model GVII series airplanes must comply with the fuel-vent and exhaust-emission requirements of 14 CFR part 34, and the noise certification requirements of 14 CFR part 36. The FAA must issue a finding of regulatory adequacy under § 611 of Public Law 92-574, the "Noise Control Act of 1972."

The FAA issues special conditions, as defined in 14 CFR 11.19, under § 11.38, and they become part of the type-certification basis under § 21.17(a)(2) for new type certificates, and § 21.101 for amended type certificates.

Novel or Unusual Design Features

The Gulfstream Model GVII series airplanes will incorporate the following novel or unusual design feature:

A side-stick controller for one-hand operation requiring wrist motion only, not arms.

Discussion

Current regulations reference pilot-effort loads for the flight deck pitch-and-roll controls that are based on two-handed effort. Special conditions are being proposed for Gulfstream GVII series airplanes based on similar airplane programs that include side-stick controllers. These proposed special conditions are also appropriate for the Model GVII series airplane's side-stick controller.

These proposed special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Applicability

As discussed above, these proposed special conditions apply to Gulfstream Model GVII series airplanes. Should Gulfstream apply later for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these proposed special conditions would apply to that model as well.

Conclusion

This action affects only certain novel or unusual design features on the Gulfstream Model GVII series airplanes. It is not a rule of general applicability.

List of Subjects in 14 CFR part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

The authority citation for these proposed special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Proposed Special Conditions

Accordingly, the Federal Aviation Administration (FAA) proposes the following special conditions in lieu of § 25.397(c):

For the Gulfstream Model GVII series airplanes equipped with side-stick controls designed for forces to be applied by one wrist and not arms, the limit pilot forces are as follows.

1. For all components between and including the side-stick control-assembly handle and its control stops:

| Pitch | Roll |
|------------------------|----------------------|
| Nose up, 200 lbf | Nose left, 100 lbf. |
| Nose down, 200 lbf ... | Nose right, 100 lbf. |

2. For all other components of the side-stick control assembly, but excluding the internal components of the electrical sensor assemblies, to avoid damage to the control system as the result of an in-flight jam:

| Pitch | Roll |
|------------------------|---------------------|
| Nose up, 125 lbf | Nose left, 50 lbf. |
| Nose down, 125 lbf ... | Nose right, 50 lbf. |

Issued in Renton, Washington, on February 19, 2015.

John J. Piccola, Jr.,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015-03968 Filed 2-25-15; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2015-0415; Directorate Identifier 2015-CE-001-AD]

RIN 2120-AA64

Airworthiness Directives; GROB-WERKE Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain GROB-WERKE Models G115EG and G120A airplanes that would supersede AD 2014-26-04. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe

condition as a defective starter solenoid. We are issuing this proposed AD to require actions to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by April 13, 2015.

ADDRESSES: You may send comments by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Fax: (202) 493-2251.
- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- Hand Delivery: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Grob Aircraft AG, Customer Service, Lettenbachstrasse 9, D-86874 Tussenhausen-Mattsies, Germany, telephone: + 49 (0) 8268-998-105; fax: + 49 (0) 8268-998-200; email: productsupport@grob-aircraft.com; Internet: grob-aircraft.com. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-0415; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4123; fax: (816) 329-4090; email: karl.schletzbaum@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2015-0415; Directorate Identifier 2015-CE-001-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

On December 22, 2014, we issued AD 2014-26-04, Amendment 39-18055 (80 FR 155, January 5, 2015). That AD required actions intended to address an unsafe condition on certain GROB-WERKE Models G115EG and G120A airplanes and was based on mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country.

AD 2014-26-04, Amendment 39-18055 (80 FR 155, January 5, 2015), was considered an interim action. Since we issued AD 2014-26-04, GROB Aircraft developed a modification to avoid loss of electrical power in case of electrical shortage in the starter solenoid.

European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No. 2015-0010R1, dated February 4, 2015 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

An operator of a G 115E aeroplane experienced a total loss of electrical power in flight. The investigation found that a defective starter solenoid had caused an internal short circuit which resulted in breakdown of the system voltage.

This condition, if not detected and corrected, could result in reduced control of the aeroplane.

To address this potential unsafe condition, GROB Aircraft AG issued Mandatory Service Bulletin (MSB) MSB1078-196 for G 115 aeroplanes and MSB 1121-144 for G 120 aeroplanes to provide instructions for inspection and corrective action. Consequently, EASA issued AD 2014-0212 to require a one-time inspection of the starter solenoid and, depending on findings, replacement of the starter. In addition, for G

115E aeroplanes, installation of a placard was required.

More recently, GROB Aircraft AG developed a modification to avoid loss of electrical power in case of electrical shortage in the starter solenoid, which was published in revised GROB MSB1078-196/1 and MSB1121-144/1.

Prompted by this development, EASA issued AD 2015-0010, retaining the requirements of EASA AD 2014-0212, which was superseded, and required installation of a starter relay.

Since that AD was issued, operator comments have indicated the existence of a logistical problem, resulting in the unnecessary grounding of aeroplanes.

For the reason described above, this AD is revised to amend paragraph (3), extending the compliance time for modification.

You may examine the MCAI on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-0415.

Relevant Service Information Under 1 CFR Part 51

GROB Aircraft has issued Service Bulletin No. MSB1078-196/1, dated December 1, 2014, and Service Bulletin No. MSB1121-144/3, dated February 20, 2015. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI. The GROB Aircraft service bulletins describe procedures for inspecting the starter solenoid, replacing damaged starters, and installing a starter relay. This service information is reasonably available; see **ADDRESSES** for ways to access this service information.

FAA's Determination and Requirements of the Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

Costs of Compliance

We estimate that this proposed AD will affect 6 products of U.S. registry. We also estimate that it would take about 4 work-hours per product to comply with the basic starter inspection requirement of this proposed AD. The average labor rate is \$85 per work-hour.

Based on these figures, we estimate the cost of this proposed inspection on

U.S. operators to be \$2,040, or \$340 per product.

In addition, we estimate that any necessary starter replacements would take about 4 work-hours and require parts costing \$600, for a cost of \$940 per product. We have no way of determining the number of products that may need this replacement.

We also estimate that it would take about 20 work-hours per product to comply with the starter relay installation requirement of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$1,000 per product.

Based on these figures, we estimate the cost of this proposed installation on U.S. operators to be \$16,200, or \$2,700 per product

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),
- (3) Will not affect intrastate aviation in Alaska, and
- (4) Will not have a significant economic impact, positive or negative,

on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by removing Amendment 39–18055 (80 FR 155, January 5, 2015), and adding the following new AD:

GROB-WERKE: Docket No. FAA–2015–0415; Directorate Identifier 2015–CE–001–AD.

(a) Comments Due Date

We must receive comments by April 13, 2015.

(b) Affected ADs

This AD supersedes AD 2014–26–04, Amendment 39–18055 (80 FR 155, January 5, 2015) ("AD 2014–26–04").

(c) Applicability

This AD applies to GROB-WERKE Model G115EG airplanes, all serial numbers through 82323/E, and Model G120A airplanes, all serial numbers through 85063, certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 80: Starting.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. We are issuing this AD to detect and correct defective starter solenoids, which could cause an internal short circuit and could result in reduced control. We are superseding AD 2014–26–04 requiring installation of a starter relay that will prevent loss of electrical power in case of electrical shortage in the starter solenoid.

(f) Actions and Compliance

Unless already done, do the actions in paragraphs (f)(1) through (f)(3) of this AD:

- (1) Within the next 30 days after February 9, 2015 (the effective date retained from AD 2014–26–04), inspect the starter following Part A of the Accomplishment Instructions in GROB Aircraft Service Bulletin No. MSB1078–196, dated July 14, 2014; GROB

Aircraft Service Bulletin No. MSB1078–196/1, dated December 1, 2014; GROB Aircraft Service Bulletin No. MSB1121–144, dated July 14, 2014; GROB Aircraft Service Bulletin No. MSB1121–144/1, dated January 12, 2015; GROB Aircraft Service Bulletin No. MSB1121–144/2, dated February 5, 2015; or GROB Aircraft Service Bulletin No. MSB1121–144/3, dated February 20, 2015, as applicable.

(2) If any damage is found on the starter during the inspection required in paragraph (f)(1) of this AD, before further flight, replace the starter with a serviceable part. Do the replacement following Part A of the Accomplishment Instructions in GROB Aircraft Service Bulletin No. MSB1078–196, dated July 14, 2014; GROB Aircraft Service Bulletin No. MSB1078–196/1, dated December 1, 2014; GROB Aircraft Service Bulletin No. MSB1121–144, dated July 14, 2014; GROB Aircraft Service Bulletin No. MSB1121–144/1, dated January 12, 2015; GROB Aircraft Service Bulletin No. MSB1121–144/2, dated February 5, 2015; or GROB Aircraft Service Bulletin No. MSB1121–144/3, dated February 20, 2015, as applicable.

(3) Within the next 100 hours time-in-service after the effective date of this AD, install a starter relay following Part B of the Accomplishment Instructions in GROB Aircraft Service Bulletin No. MSB1078–196/1, dated December 1, 2014, or GROB Aircraft Service Bulletin No. MSB1121–144/3, dated February 20, 2015, as applicable.

(g) Credit for Actions Done in Accordance With Previous Service Information

Actions done before the effective date of this AD following the Accomplishment Instructions specified in GROB Aircraft Service Bulletin No. MSB1121–144/1, dated January 12, 2015; or GROB Aircraft Service Bulletin No. MSB1121–144/2, dated February 5, 2015, as applicable, are considered acceptable for compliance with the corresponding actions specified in paragraphs (f)(1) through (f)(2) of this AD.

(h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4146; fax: (816) 329–4090; email: karl.schletzbaum@faa.gov. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(i) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2015-0010R1, dated February 4, 2015, for related information. You may examine the MCAI on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-0415. For service information related to this AD, contact Grob Aircraft AG, Customer Service, Lettenbachstrasse 9, D-86874 Tussenhausen-Mattsies, Germany, telephone: + 49 (0) 8268-998-105; fax: + 49 (0) 8268-998-200; email: productsupport@grob-aircraft.com; Internet: grob-aircraft.com. You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

Issued in Kansas City, Missouri, on February 19, 2015.

Pat Mullen,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2015-03979 Filed 2-25-15; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****18 CFR Part 35**

[Docket No. RM15-2-000]

Third-Party Provision of Primary Frequency Response Service

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Energy Regulatory Commission (Commission) proposes to revise its regulations to foster competition in the sale of primary frequency response service. Specifically, the Commission proposes to amend its regulations to revise the regulations governing market-based rates for public utilities pursuant to the Federal Power Act (FPA) to permit the sale of primary frequency response service at market-based rates by sellers with market-based rate authority for energy and capacity.

DATES: Comments are due April 27, 2015.

ADDRESSES: Comments, identified by docket number, may be filed in the following ways:

- Electronic Filing through <http://www.ferc.gov>. Documents created electronically using word processing software should be filed in native applications or print-to-PDF format and not in a scanned format.
- Mail/Hand Delivery: Those unable to file electronically may mail or hand-

deliver comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see the Comment Procedures Section of this document.

FOR FURTHER INFORMATION CONTACT:

Rahim Amerkhail (General Information), Federal Energy Regulatory Commission, Office of Energy Policy and Innovation, 888 First Street NE., Washington, DC 20426, (202) 502-8266.

Gregory Basheda (Market Power Screening Information), Federal Energy Regulatory Commission, Office of Energy Market Regulation, 888 First Street NE., Washington, DC 20426, (202) 502-6479.

Lina Naik (Legal Information), Federal Energy Regulatory Commission, Office of the General Counsel, 888 First Street NE., Washington, DC 20426, (202) 502-8882.

SUPPLEMENTARY INFORMATION:

1. In this Notice of Proposed Rulemaking (NOPR), the Federal Energy Regulatory Commission (Commission) proposes to revise its regulations to foster competition in the sale of primary frequency response service.¹

Specifically, the Commission proposes to amend its regulations to revise Subpart H to Part 35 of Title 18 of the Code of Federal Regulations governing market-based rates for public utilities pursuant to the Federal Power Act (FPA)² to permit the sale of primary frequency response service at market-based rates by sellers with market-based rate authority for energy and capacity.

2. This NOPR is an extension of the policy reforms the Commission started with Order No. 784,³ in which, among other things, the Commission revised Part 35 of its regulations to reflect reforms to its policy governing the sale of ancillary services at market-based rates to public utility transmission providers. As discussed in more detail below, the reforms proposed herein are in anticipation of the potential interest in purchase of primary frequency

¹ As envisioned in this NOPR, primary frequency response service would be a reserve product that involves dedicating capacity on a generator or other resource for autonomous, automatic, and rapid action to change its output (within seconds) to rapidly dampen large changes in frequency.

² 16 U.S.C. 824d, 824e (2012).

³ *Third-Party Provision of Ancillary Services; Accounting and Financial Reporting for New Electric Storage Technologies*, Order No. 784, 78 FR 46,178 (July 30, 2013), FERC Stats. & Regs. ¶ 31,349, at PP 6-7 (2013), *order on clarification*, Order No. 784-A, 146 FERC ¶ 61,114 (2014).

response service from third-parties as a result of a new reliability standard that requires a Balancing Authority to maintain a minimum frequency response obligation.

I. Background

3. The Commission in Order No. 888⁴ delineated two categories of ancillary services: those that the transmission provider is required to provide to all of its basic transmission customers⁵ and those that the transmission provider is only required to offer to provide to transmission customers serving load in the transmission provider's control area.⁶ With respect to the second category, the Commission reasoned that the transmission provider is not always uniquely qualified to provide the services, and customers may be able to more cost-effectively self-supply them or procure them from other entities. The Commission contemplated that third parties (*i.e.*, parties other than a transmission provider supplying ancillary services pursuant to its Open Access Transmission Tariff (OATT) obligation) could provide these ancillary services on other than a cost-of-service basis if such pricing was supported, on a case-by-case basis, by analyses that demonstrated that the seller lacks market power in the relevant product market.⁷

4. Subsequently, in *Avista*,⁸ the Commission adopted a policy allowing

⁴ See *Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities; Recovery of Stranded Costs by Public Utilities and Transmitting Utilities*, Order No. 888, FERC Stats. & Regs. ¶ 31,036 (1996), *order on reh'g*, Order No. 888-A, FERC Stats. & Regs. ¶ 31,048, *order on reh'g*, Order No. 888-B, 81 FERC ¶ 61,248 (1997), *order on reh'g*, Order No. 888-C, 82 FERC ¶ 61,046 (1998), *aff'd in relevant part sub nom. Transmission Access Policy Study Group v. FERC*, 225 F.3d 667 (D.C. Cir. 2000), *aff'd sub nom. New York v. FERC*, 535 U.S. 1 (2002).

⁵ The first category consists of Scheduling, System Control and Dispatch service and Reactive Supply and Voltage Control from Generation Sources service.

⁶ The second category consists of Regulation and Frequency Response service, Energy Imbalance service, Operating Reserve-Spinning service, and Operating Reserve-Supplemental service. Order No. 890 later added an additional ancillary service to this category: Generator Imbalance service. See *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, FERC Stats. & Regs. ¶ 31,241, at P 85, *order on reh'g*, Order No. 890-A, FERC Stats. & Regs. ¶ 31,261 (2007), *order on reh'g*, Order No. 890-B, 123 FERC ¶ 61,299 (2008), *order on reh'g*, Order No. 890-C, 126 FERC ¶ 61,228 (2009), *order on clarification*, Order No. 890-D, 129 FERC ¶ 61,126 (2009).

⁷ Order No. 888, FERC Stats. & Regs. ¶ 31,036 at 31,720-21.

⁸ *Avista Corp.*, 87 FERC ¶ 61,223, at 61,882, *order on reh'g*, 89 FERC ¶ 61,136 (1999) (*Avista*). Outside the markets operated by regional transmission organizations and independent system operators, *Avista* authorizes suppliers who cannot show a lack of market power with respect to certain ancillary