



# CATEGORICAL EXCLUSION DETERMINATION

---

**Proposed Action Title:** Proposal to remove price caps and modify Open Access Transmission Tariff

**Customer Service Region:** Headquarters, Lakewood, CO

**Location:** WAPA-wide

---

**Proposed Action Description:**

Western Area Power Administration (WAPA) proposes the following modifications to its Open Access Transmission Service Tariff (OATT): 1) remove the price cap on transmission customer's current ability to resell the transmission service that they purchase from us, 2) incorporate a number of recent Federal Energy Commission (FERC) Orders requiring changes to the pro-forma OATT to maintain our safe harbor OATT with FERC, and 3) include a number of clean-ups such as removing WAPA Upper Great Plains Region outdated language since they joined the Southwest Power Pool.

---

**Number and Title of the Categorical Exclusion Being Applied:** (See text in 10 CFR 1021, Subpart D, Appendix B.)

*B4.8 Electricity transmission agreements* New electricity transmission agreements, and modifications to existing transmission arrangements, to use a transmission facility of one system to transfer power of and for another system, provided that no new generation projects would be involved and no physical changes in the transmission system would be made beyond the previously disturbed or developed facility area.

---

**Regulatory Requirements 10 CFR 1021.410 (b):** (See full text in regulation)

The proposed action fits within a class of actions that is listed in Appendix B to subpart D to 10 CFR 1021.

To fit within the classes of actions listed in Appendix B, a proposal must be one that would not: (1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) Have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR 1021 Appendix B; (5) Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal; and the proposal has not been improperly segmented and the proposal is not "connected" to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts, and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211.

Based on my review of information conveyed to me and in my possession concerning the proposed action, as NEPA Compliance Officer, I have determined that the proposed action fits within the specified class of actions, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

NEPA Compliance Officer

Date: