

**WISCONSIN ELECTRIC POWER COMPANY**

**MARKET RATE POWER SALES  
TARIFF**

**FERC Electric Tariff Volume No. 8**

## MARKET RATE POWER SALES TARIFF

Wisconsin Electric Power Company (“Wisconsin Electric” or “Seller”) offers to sell electric capacity, energy and/or ancillary services pursuant to the following terms and conditions:

### I. COMPLIANCE, LIMITATIONS AND EXCEPTIONS

- A. Compliance with Commission regulations: Seller shall comply with the provisions of 18 CFR Part 35, Subpart H, as applicable, and with any conditions the Commission imposes in its orders concerning Seller’s market-based rate authority, including orders in which the Commission authorizes Seller to engage in affiliate sales under this tariff or otherwise restricts or limits the Seller’s market-based rate authority. Failure to comply with the applicable provisions of 18 CFR Part 35, Subpart H, and with any orders of the Commission concerning Seller’s market-based rate authority, will constitute a violation of this tariff.
- B. Pursuant to the Commission’s Director’s Letter Orders Accepting the Tariff Revisions (Docket No. ER08-1176), there are no Limitations or Exemptions regarding Wisconsin Electric’s Market-Based Rate Authority.
- C. Seller Category: Seller is a Category 2 seller, in the Central Region and a Category 1 seller, in all other regions, as defined in 18 CFR 35.35(a)(2).

### II. AVAILABILITY AND CHARACTER OF SERVICE

- A. Seller offers regulation and frequency response service and operating reserve service (which includes spinning, 10-minute, and 30-minute reserves) for sale into the market administered by PJM and, where the PJM Open Access Tariff permits, the self-supply of these services to purchasers for a bilateral sale that is used to satisfy the ancillary services requirements of the PJM Office of Interconnection.
- B. Third-party ancillary services Seller offers: regulation service, spinning reserves, and supplemental reserves. Sales will not include the following: (1) sales to an RTO or an ISO, i.e., where that entity has no ability to self-supply ancillary services but instead depends on third parties; (2) sales to a traditional, franchised public utility affiliated with the third-party supplier, or sales where the underlying transmission service is on the system of the public utility affiliated with the third-party supplier; and (3) sales to a public utility that is purchasing ancillary services to satisfy its own open access transmission tariff requirements to offer ancillary services to its own customers.

- C. Seller offers regulation service and operating reserve service (which include 10-minute spinning reserve and 10-minute supplemental reserve) for sale to the Midwest Independent Transmission System Operator, Inc. (Midwest ISO) and to others that are self-supplying ancillary services to Midwest ISO.

### III. RATES AND BILLING

- A. All sales of capacity, energy and/or ancillary services shall be made at rates established by agreement between Seller and an Eligible Customer. The Parties may agree to non-monetary compensation such as exchanges and payment in fuel or other commodities.