



## FERC Alleges Numerous Federal Power Act Section 203 and 205 Violations by Subsidiaries of ITC Holdings Corp.

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The Notice is among the first, if not the first, notice of alleged violations of Section 203, or of such extensive alleged violations of Section 205, since FERC began issuing notices of alleged violations arising from non-public investigations in 2011. It is unclear from the Notice whether the alleged violations harmed third parties. How FERC approaches the alleged violations under these unique circumstances, including in applying its Penalty Guidelines and exercising its civil penalty authority, which is capped at \$1 million per day per violation, will be of interest to FERC-jurisdictional entities subject to Sections 203 and 205. In addition, while several other recent FERC enforcement actions highlight FERC's focus on market manipulation and reliability matters—as we reported [here](#), [here](#), and [here](#)—this Notice serves as a reminder of FERC's commitment to compliance with statutes and regulations governing matters across its jurisdiction.

### Categories

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