

147 FERC ¶ 61,262
FEDERAL ENERGY REGULATORY COMMISSION,
WASHINGTON, DC 20426

June 30, 2014

In Reply Refer To:
Nevada Power Company
Docket Nos. ER13-1724-000
ER13-1724-001
ER13-1860-000
(Consolidated)

J. Ashley Cooper
Parker Poe Adams & Bernstein LLP
600 Meeting Street
Suite 301
Charleston, SC 29401

Dear Mr. Cooper:

1. On March 18, 2014, you filed, in the above-referenced proceeding, an Offer of Settlement and Settlement Agreement (Settlement) on behalf of Nevada Power Company (Nevada Power) and ORNI 47 LLC (ORNI 47). On April 7, 2014, Commission Trial Staff filed comments in support of the Settlement. On April 29, 2014, Ormat Nevada Inc. and ORNI 47 (collectively, Ormat) and Nevada Power separately filed comments in response to Commission Trial Staff's request for clarification regarding the standard of review.¹ No other comments were filed. On May 13, 2014, the Settlement Judge certified the Settlement to the Commission as an uncontested settlement.²

2. The Settlement provides that, effective January 1, 2014, Nevada Power agrees to provide and ORNI 47 agrees to take and pay for, Firm Point-to-Point Transmission Service in accordance with the provisions of Nevada Power's Open Access Transmission

¹ We will accept Ormat and Nevada Power's untimely reply comments because they have provided information that assisted us in our decision-making process. *See* 18 C.F.R. § 385.602(f)(2) (2013).

² *Nevada Power Co.*, 147 FERC ¶ 63,010 (2014).

Tariff and the revised Transmission Service Agreement between Nevada Power and ORNI 47.

3. The Settlement provides that:

[t]he standard of review for any proposed changes sought by any party to the terms of this Settlement shall be the “public interest” standard of review set forth in *United Gas Pipe Line Co. v. Mobile Gas Services Corp.*, 350 U.S. 332 (1956), *Federal Power Commission v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956), and *Morgan Stanley Capital Group Inc. v. Pub. Util. Dist. No. 1*, 554 U.S. 527 (2008), and the standard of review for any changes proposed by a non-party or the Commission acting *sua sponte* shall be the ordinary just and reasonable standard of review, not the public interest standard of review, *see Devon Power LLC*, 134 FERC ¶ 61,208, at P 10 (2011).³

4. The Settlement resolves all issues in dispute in Docket No. ER13-1724-000. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved. The Commission’s approval of this Settlement does not constitute approval of, or precedent regarding, any principle or issue in these proceedings.

5. This letter terminates Docket Nos. ER13-1724-000 and ER13-1724-001.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

³ Settlement, § 3.7. *See* Ormat Apr. 29, 2014 Reply Comments at 1-2; Nevada Power Apr. 29, 2014 Reply Comments at 2 (confirming only entities defined by the Settlement as a “Settling Party” should be held to the “public interest” standard of review and that any other entity, including the Commission acting on its own motion, would be subject to the ordinary just and reasonable standard in the event changes are sought to the Settlement).