

151 FERC ¶ 61,163  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Union Power Partners, L.P.  
Entergy Arkansas, Inc.  
Entergy Gulf States Louisiana, L.L.C.  
Entergy Texas, Inc.

Docket No. EC15-98-000

NOTICE OF PROPOSED COMMUNICATION  
WITH DEPARTMENT OF JUSTICE

(May 20, 2015)

1. On March 17, 2015, pursuant to section 203(a)(1) of the Federal Power Act (FPA),<sup>1</sup> and Part 33 of the Commission's Regulations,<sup>2</sup> Union Power Partners, L.P. (Union Power), Entergy Arkansas, Inc. (Entergy Arkansas), Entergy Gulf States Louisiana, L.L.C. (Entergy Gulf States), and Entergy Texas, Inc. (Entergy Texas) submitted an application for the approval of a transaction pursuant to which Union Power will sell to Entergy Arkansas, Entergy Gulf States, and Entergy Texas, and pursuant to which Entergy Arkansas, Entergy Gulf States, and Entergy Texas will acquire, the Union Power Station and associated facilities and equipment (Proposed Transaction).<sup>3</sup>
2. Notice of the March 17, 2015 filing was published in the *Federal Register*, 80 Fed. Reg. 15,779 (2015), with interventions and comments or protests due on or before May 18, 2015.

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<sup>1</sup> 16 U.S.C. § 824b (2012).

<sup>2</sup> 18 C.F.R. pt. 33 (2014).

<sup>3</sup> The Union Power Station is a natural gas-fired facility located near El Dorado, Arkansas with four power blocks, each of which has an identified generating capacity of 495 megawatts per power block. Joint Application for Transaction Authorization Pursuant to Section 203 of the Federal Power Act at 1, n.3, Docket No. EC15-98-000 (Mar. 17, 2015).

3. The purpose of this notice is to advise the applicants and intervenors that the Commission proposes to permit communications between staff from the Department of Justice, Antitrust Division (DOJ Antitrust Division Staff) and Commission Advisory Staff regarding the Proposed Transaction during the pendency of this proceeding. The Commission directs applicants and any intervenors who object to these communications to indicate their objection within seven days of the issuance of this notice.<sup>4</sup> Otherwise, the Commission will deem applicants and intervenors in this proceeding to have consented to communications between DOJ Antitrust Division Staff and Commission Advisory Staff during the pendency of the Proposed Transaction proceeding. The Commission notes that this proposal is limited in application and applies only to this proceeding and communications between Commission Advisory Staff and DOJ Antitrust Division Staff related to the Proposed Transaction.

By direction of the Commission. Commissioner Honorable is not participating.

( S E A L )

Nathaniel J. Davis, Sr.,  
Deputy Secretary.

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<sup>4</sup> The Commission directs any party seeking late intervention to indicate its objection, if any, in its late-filed motion to intervene.