155 FERC ¶ 61,150
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

May 6, 2016

In Reply Refer To:
Midcontinent Independent System
Operator, Inc.
Docket Nos. ER15-1535-000
ER15-1876-000

Van Ness Feldman, LLP
1050 Thomas Jefferson St NW
Seventh Floor
Washington, DC 20007

Attention: Richard P. Bonnifield, Esq.

Dear Mr. Bonnifield:

1. On January 29, 2016, you filed, in the above-referenced proceedings, a Settlement on behalf of White Pine Electric Power, L.L.C. (White Pine) and the intervenors in these proceedings.[1] On February 18, 2016, Commission Trial Staff filed comments in support of the Settlement. No other comments were filed. On March 1, 2016, the Settlement Judge certified the Settlement to the Commission as an uncontested settlement.[2]

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[1] White Pine states that the following entities that have intervened in this proceeding either support or do not oppose the Settlement: Alliant Energy Corporate Services, Inc.; American Transmission Company LLC; the City of Escanaba, Michigan; Cloverland Electric Cooperative; Consumers Energy Company; Michigan Agency for Energy; Michigan Attorney General Bill Schuette; Michigan Public Service Commission; Upper Peninsula Power Company; Verso Corporation; Wisconsin Electric Power Company; Wisconsin Public Service Corporation; and WPPI Energy. Settlement at 1. In addition, White Pine states that Midcontinent Independent System Operator, Inc. (MISO) also supports the Settlement. *Id*.

[2] *Midcontinent Indep. Sys. Operator, Inc.*, 154 FERC ¶ 63,017 (2016).

2. The Settlement addresses costs and compensation in the White Pine Unit 1 System Support Resource (SSR) Agreement and the Amended White Pine Unit 1 SSR Agreement.

3. The Settlement provides that

> [t]he standard of review applicable to proposed modifications to the Settlement, either on the Commission's own motion or on behalf of a signatory or a non-signatory to this Settlement, shall be the "just and reasonable" standard of review rather than the "public interest" standard of review as set forth in *United Gas Pipe Line v. Mobile Gas Service Corp.*, 350 U.S. 332 (1956) and *Federal Power Commission v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956) (the *Mobile-Sierra* doctrine), as interpreted in *Morgan Stanley Capital Group, Inc. v. Public Utility Dist. No. 1*, 554 U.S. 527, 128 S. Ct. 2733 (2008).[3]

4. The Settlement resolves all issues in dispute in these proceedings. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved. The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in these proceedings.

5. MISO is directed to file revised tariff sheets in eTariff format,[4] within 30 days of the date of this order, to reflect the Commission's action in this order.

6. This letter order terminates Docket Nos. ER15-1535-000 and ER15-1876-000.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

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[3] Settlement at Art. 5.3.

[4] *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276 (2008).