

156 FERC ¶ 61,082
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

August 1, 2016

In Reply Refer To:
Newark Energy Center, LLC
Docket Nos. ER15-1706-000
ER15-1706-001
EL15-97-000

Van Ness Feldman, LLP
1050 Thomas Jefferson Street, NW
Washington, D.C. 20007

Attn: Margaret H. Claybour, Esq.
Attorney for Newark Energy Center, LLC

Dear Ms. Claybour:

1. On May 13, 2015, as amended on July 15, 2015, Newark Energy Center, LLC (NEC) filed a new baseline Reactive Power Tariff, pursuant to Schedule 2 of the PJM Interconnection, L.L.C. (PJM) Open Access Transmission Tariff.¹ On September 11, 2015, the Commission issued an order that accepted NEC's proposed Reactive Power Tariff, instituted a proceeding pursuant to section 206 of the Federal Power Act in Docket No. EL15-97-000,² established a refund effective date, and set the filing for hearing and settlement judge procedures.³

2. On April 25, 2016, you filed on behalf of NEC a Unilateral Offer of Settlement (Settlement) in Docket No. EL15-97-000, to resolve all issues in dispute in the proceeding.

¹ The May 13, 2015 filing generated Docket No. ER15-1706-000. On July 2, 2015, Commission staff issued a letter informing NEC that its rate schedule was deficient and requesting additional information. NEC's July 15, 2015 response generated Docket No. ER15-1706-001.

² 16 U.S.C. § 824e (2012).

³ *Newark Energy Center, LLC*, 152 FERC ¶ 61,188 (2015).

On May 16, 2016, Commission Trial Staff filed comments supporting the Settlement. No other comments were filed. On June 14, 2016, the settlement judge certified the Settlement to the Commission as an uncontested settlement.⁴

3. Paragraph 15 of the Settlement provides that “[t]he standard of review the Commission shall apply when acting on proposed modifications to this Settlement under section 205 or 206 of the FPA, including by the Commission acting *sua sponte*, shall be the ‘just and reasonable’ standard of review.”⁵

4. 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 this proceeding.

5. NEC is directed to file revised tariff records in eTariff format,⁶ within 30 days of this order, to reflect the Commission’s action in this order.

6. This letter terminates Docket Nos. EL15-97-000, ER15-1706-000, and ER15-1706-001.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

⁴ *Newark Energy Center, LLC*, 155 FERC ¶ 63,025 (2016).

⁵ Settlement, P 15.

⁶ *See Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276 (2008).