

156 FERC ¶ 61,243
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

September 30, 2016

In Reply Refer To:
Startrans IO, LLC
Docket Nos. ER16-194-000
EL16-25-000
ER16-2192-000

Stinson Leonard Street
1775 Pennsylvania Avenue, NW
Suite 800
Washington, DC 20006

Attention: Jonathan W. Gottlieb, Esq.
Attorney for Startrans IO, LLC

Dear Mr. Gottlieb:

1. On July 14, 2016, you filed an Offer of Settlement (Settlement) in the above-referenced proceedings on behalf of Startrans IO, LLC (Startrans). Startrans states that the Settlement resolves all issues that the Commission set for hearing and settlement judge procedures in Docket Nos. ER16-194-000 and EL16-25-000.¹
2. In accordance with Rule 602(d) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.602(d) (2016), the Settlement was served on all parties on the Commission's official service list for the above-captioned proceedings, and all such parties had an opportunity to comment on the Settlement. On August 3, 2016, Commission Trial Staff filed initial comments in support of the Settlement. No other comments were filed. On August 17, 2016, the Settlement Judge certified the Settlement to the Commission as uncontested.²

¹ *Startrans IO, LLC*, 153 FERC ¶ 61,360 (2015) (December 30 Order).

² *Startrans IO, L.L.C.*, 156 FERC ¶ 63,028 (2016).

3. The Settlement addresses Startrans' proposed tariff changes reflecting a reduction in its base transmission revenue requirement (TRR) for the Mead-Adelanto Project (MAP) and Mead-Phoenix Project (MPP) (collectively, Mead Transmission Interests), submitted on October 30, 2015 in Docket No. ER16-194-000.³ The MAP is a 1,296 MW transmission line extending 202 miles from the Marketplace Switching Station in southern Nevada to the Adelanto Switching Station in southern California. The MPP is a 1,923 MW transmission line extending 256 miles from the Perkins Switchyard near Sun City, Arizona to the Marketplace Switching Station.⁴ On December 30, 2015, the Commission issued an order accepting and suspending the proposed tariff changes and establishing hearing and settlement judge procedures.⁵ The December 30 Order also instituted an investigation under section 206 of the Federal Power Act in Docket No. EL16-25-000 to determine whether Startrans' proposed TRR reduction was just and reasonable and to establish a refund effective date of January 1, 2016. As part of the Settlement, Startrans included the applicable tariff record, which was assigned Docket No. ER16-2192-000, that includes the revised rates.

4. The Settlement provides that:

The standard of review applicable to changes proposed by a Party is the "public interest" standard of review set forth in *United Gas Pipe Line Co. v. Mobile Gas Service Corp.*, 350 U.S. 332 (1956) and *Federal Power Commission v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956) as interpreted and applied by the Supreme Court of the United States in subsequent cases. The standard of review for any changes proposed by a non-party or FERC acting *sua sponte*, will be the just and reasonable standard of review.⁶

5. The Settlement resolves all issues set for hearing in Docket Nos. ER16-194-000 and EL16-25-000. 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 this proceeding.

³ See *Startrans IO, L.L.C.*, 122 FERC ¶ 61,307 (2008) (authorizing Startrans to acquire the Mead Transmission Interests from the City of Vernon, California).

⁴ December 30 Order, 153 FERC ¶ 61,360 at P 2.

⁵ *Id.* P 22.

⁶ Settlement, Article 5.8.

6. Additionally, because the Settlement was filed through eTariff, Startrans has complied with the requirements of Order No. 714.⁷ Accordingly, the tariff record submitted in Docket No. ER16-2192-000 is hereby accepted, effective January 6, 2016, as requested.⁸

7. Refunds resulting from the revised TRR, with interest as required under 18 C.F.R. § 35.19a (2016), shall be effectuated pursuant to the terms of the Settlement. Within 30 days after making such refunds, Startrans must file with the Commission a compliance report confirming that it has provided refunds in accordance with the terms of the Settlement.

8. This order terminates Docket Nos. ER16-194-000, EL16-25-000, and ER16-2192-000.

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

Nathaniel J. Davis, Sr.,
Deputy Secretary.

Enclosure

cc: All Parties

⁷ *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276 (2008).

⁸ Startrans IO, LLC, FERC FPA Electric Tariff, Startrans IO, LLC, [TRBAA, Appendix I, 6.0.0.](#)