

163 FERC ¶ 61,097
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

May 4, 2018

In Reply Refer To:
Emera Maine and
ISO New England, Inc.
Docket No. ER15-1434-002

Jeffrey M. Jakubiak, Esq.
Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, NY 10166-0193

Dear Mr. Jakubiak:

1. On March 6, 2018, ISO New England Inc. (ISO-NE) filed, on behalf of Emera Maine, filed a Joint Offer of Settlement (Settlement) between Emera Maine and the Maine Public Utilities Commission (Maine Commission) (individually, Party or collectively, Parties), resolving certain issues raised by the Maine Commission with regard to Emera Maine's 2017 annual charges update (2017 Annual Update) under Schedule 21-EM of ISO-NE's Transmission, Markets and Services Tariff (OATT) for the Bangor Hydro District.
2. Notice of Emera Maine's filing was published in the *Federal Register*, 83 Fed. Reg. 10,715 (2018), with interventions and protests due on or before March 27, 2018. No comments or interventions were filed.
3. Section 6.5 of the Settlement provides:

Unless the Parties agree to otherwise in writing, the standard of review for any proposed changes sought by either Party to the terms of this Stipulation 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) and *Federal Power Commission v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956), as clarified in *Morgan Stanley Capital Group Inc. v. Pub. Util. Dist. No. 1*, 554 U.S. 527 (2008). 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 NRG Power Marketing, LLC v. Me. Pub. Utilities Comm'n*, 558 U.S. 165, 174-75 (2010) and *Devon Power LLC*, 134 FERC ¶ 61,208 at P 10 (2011).¹

4. The Settlement appears to be fair and reasonable and in the public interest and it 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.
5. This order terminates Docket No. ER15-1434-002.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

¹ Settlement at Section 6.5.