

170 FERC ¶ 61,004  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

January 8, 2020

In Reply Refer To:  
ISO New England, Inc.  
Emera Maine  
Docket No. ER15-1434-003

Gibson, Dunn & Crutcher LLP  
200 Park Avenue  
New York, NY 10166-0193

Attention: Jeffrey M. Jakubiak, Esq.  
Attorney for Emera Maine

Dear Mr. Jakubiak:

1. On May 24, 2019, pursuant to Rule 602 of the Commission's Rules of Practice and Procedure,<sup>1</sup> ISO New England Inc. (ISO-NE) filed, on behalf of Emera Maine, a Joint Offer of Settlement (Settlement) between Emera Maine and the Maine Public Utilities Commission (Maine Commission) (individually, Party, and collectively, Parties).
2. Notice of Emera Maine's filing was published in the *Federal Register*, 84 Fed. Reg. 25,254 (2019), with interventions and protests due on or before June 14, 2019. None was filed.
3. The Settlement resolves issues raised by the Maine Commission regarding Emera Maine's 2018 annual charges update (2018 Annual Update) under Schedule 21-EM of ISO-NE's Transmission, Markets and Services Tariff for the Bangor Hydro District.<sup>2</sup>

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<sup>1</sup> 18 C.F.R. § 385.602 (2019).

<sup>2</sup> On June 15, 2018, Emera Maine filed the 2018 Annual Update in Docket No. ER15-1434-000. *See* Transmittal at 1, n.3.

4. Section 6.5 of the Settlement provides that:

[u]nless 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).

5. 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.

6. This order terminates Docket No. ER15-1434-003.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.