

171 FERC ¶ 61,061
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

April 20, 2020

In Reply Refer To:
Diamond State Generation Partners, LLC
Docket No. ER14-1421-003

Akin Gump Strauss Hauer & Feld LLP
2001 K Street, NW
Washington, DC 20006

Attn: George D. (Chip) Cannon, Jr.
Attorney for Diamond State Generation Partners, LLC

Dear Mr. Cannon:

1. On January 23, 2020, Diamond State Generation Partners, LLC (Diamond State) filed an Offer of Settlement (Settlement) addressing the revenue requirement for the provision of reactive supply and voltage control service from Diamond State's natural-gas fired fuel cell generating facility located in New Castle, Delaware within the PJM Interconnection, L.L.C. footprint. On February 12, 2020, Commission Trial Staff filed comments supporting the Settlement. On March 19, 2020, the Settlement Judge certified the Settlement to the Commission as an uncontested settlement.¹

2. Paragraph 21 of the Settlement states that “[t]he standard of review the Commission shall apply when acting on proposed modifications to the Settlement under Sections 205 or 206 of the FPA, including by the Commission acting *sua sponte*, shall be the ‘just and reasonable’ standard of review rather than the ‘public interest’ standard of review.”

3. The Settlement addresses all issues in dispute in Docket Nos. ER14-1421 and EL19-74.² The Settlement appears to be fair and reasonable and in the public interest,

¹ *Diamond State Generation Partners, LLC*, 170 FERC ¶ 63,030 (2020).

² *Diamond State Generation Partners, LLC*, 167 FERC ¶ 61,262 (2019) (instituting section 206 proceeding and establishing hearing and settlement judge procedures).

and is hereby approved. Commission approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding.

4. Diamond State is directed to make a compliance filing with revised tariff records in eTariff format,³ within 30 days of this order, to reflect the Commission's action in this order.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

³ See *Electronic Tariff Filings*, Order No. 714, 124 FERC ¶ 61,270 (2008), *order on reh'g*, Order No. 714-A, 147 FERC ¶ 61,115 (2014).