

171 FERC ¶ 61,062  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

April 21, 2020

In Reply Refer To:  
Energy Center Dover LLC  
DB Energy Assets, LLC  
Docket No. EC19-142-000

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Attention: David G. Tewksbury, Gretchen Schott, and Daniel E. Frank

Dear Counsel:

1. Pursuant to 18 C.F.R. § 388.112(e) (2019), you are hereby notified that the Commission will place the October 11, 2019 supplement filed by Energy Center Dover LLC (Dover) and DB Energy Assets, LLC (Buyer) (together, Applicants) in the above-referenced docket into the public record in this proceeding.
2. On February 28, 2020, the Commission issued an order authorizing a transaction in which Buyer will acquire all of the membership interests of Dover from Clearway Thermal LLC.<sup>1</sup> In that order, the Commission provided notice that it intended to deny Applicants' claim of privilege with respect to the names of the individuals who own and

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<sup>1</sup> *Energy Center Dover LLC*, 170 FERC ¶ 61,174 (2020).

control the upstream owners of Buyer, contained in Applicants' October 11, 2019 supplement, and that it would place such information in the public record of the proceeding. Accordingly, under 18 C.F.R. § 388.112(d) (2019), Applicants were given five calendar days in which to comment in writing to further inform the Commission's decision regarding disclosure.<sup>2</sup> No such comments were submitted.

3. We conclude that Applicants have failed to explain or provide examples of how the disclosure of such information would cause Applicants harm; Applicants argue simply that because the information was not otherwise publicly available, it should remain non-public and privileged. We note that the Commission retains the right to make determinations regarding any claim of privileged status and the discretion to release information as necessary to carry out its jurisdictional responsibilities. We find that Applicants' justification lacks the specificity to warrant a finding that the ownership information should remain privileged and exempt from the Freedom of Information Act's mandatory disclosure requirements. Consequently, Applicants' October 11, 2019 supplement will be made publicly available no sooner than five calendar days from the date of this letter.<sup>3</sup>

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

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<sup>2</sup> *Id.*

<sup>3</sup> 18 C.F.R. § 388.112(e).