

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

May 28, 2020

In Reply Refer To:
Wisconsin Electric Power
Company
Docket Nos. ER19-1172-001
ER19-1172-002

Troutman Sanders LLP
401 9th Street, NW
Suite 1000
Washington, D.C. 20004

Attention: Amie V. Colby

Dear Ms. Colby:

1. On January 31, 2020, you filed an Offer of Settlement (Original Settlement) on behalf of Wisconsin Electric Power Company (Wisconsin Electric) regarding certain revisions to its Formula Rate Wholesale Sales Tariff (Formula Rate Tariff) to implement the federal corporate income tax rate reduction resulting from the Tax Cuts and Jobs Act of 2017.¹ On March 30, 2020, you filed an Amended Offer of Settlement (Amended Settlement) that included minor modifications to clarify certain provisions of the Original Settlement. On February 20, 2020, Commission Trial Staff filed comments supporting the Original Settlement. No other comments were filed. On April 8, 2020, the Settlement Judge certified both the Original Settlement and the Amended Settlement as uncontested settlements.²

2. Article 4.1 of the Amended Settlement states that:

The standard of review the Commission shall apply when acting on proposed modifications to this Amended Settlement under section 205 or section 206 of the Federal Power Act (“FPA”), including by the Commission acting *sua sponte*,

¹ Tax Cuts and Jobs Act, Pub. L. No. 115-97, 131 Stat. 2054 (2017).

² *Wis. Elec. Power Co.*, 171 FERC ¶ 63,005 (2020).

shall be the ordinary “just and reasonable” standard of review.

3. The Amended Settlement resolves all issues set for hearing in Docket No. ER19-1172.³ The Amended Settlement appears to be fair and reasonable and in the public interest, and is hereby approved. The Commission’s approval of the Amended Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding.

4. Wisconsin Electric is directed to make a compliance filing with revised tariff records in eTariff format,⁴ 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 *Wis. Elec. Power Co.*, 167 FERC ¶ 61,087 (2019).

⁴ *See Electronic Tariff Filings*, Order No. 714, 124 FERC ¶ 61,270 (2008), *clarified*, Order No. 714-A, 147 FERC ¶ 61,115 (2014).