

168 FERC ¶ 61,026  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

July 18, 2019

In Reply Refer To:  
Invenergy Nelson LLC  
Docket No. ER19-266-001

Crowell & Moring LLP  
1001 Pennsylvania Avenue, NW  
Washington, DC 20004

Attention: Larry F. Eisenstat, Esq.  
Counsel for Invenergy Nelson LLC

Dear Mr. Eisenstat:

1. On April 25, 2019, Invenergy Nelson LLC (Nelson) filed an Offer of Settlement and Settlement Agreement (Settlement) regarding Nelson's rate schedule for providing Reactive Supply and Voltage Control from Generation Sources Service as defined in Schedule 2 of the PJM Interconnection, L.L.C. Open Access Transmission Tariff. The Settlement resolves all issues in dispute in the captioned proceeding.<sup>1</sup> On May 15, 2019, Commission Trial Staff filed comments in support of the Settlement. On May 30, 2019, the Settlement Judge certified the Settlement to the Commission as an uncontested settlement.<sup>2</sup>

2. Paragraph 12 of the Settlement states that:

[n]othing in this Offer of Settlement is intended to affect the Commission's authority, pursuant to Section 206 of the FPA or otherwise, to review, accept (with or without conditions or modifications) or reject this Offer of Settlement, or the legal standard applicable to the exercise of such authority. Once

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<sup>1</sup> See *Invenergy Nelson LLC*, 165 FERC ¶ 61,282 (2018) (accepting and suspending proposed rate schedule and establishing hearing and settlement judge procedures).

<sup>2</sup> *Invenergy Nelson LLC*, 167 FERC ¶ 63,027 (2019).

(continued ...)

approved, any modification of the Settlement Rate Schedule would be governed by the “just and reasonable” standard of review.”

3. The Settlement resolves all issues in dispute in these proceedings.<sup>3</sup> The Settlement appears to be fair and reasonable and in the public interest, 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. Nelson is directed to make a compliance filing with revised tariff records in eTariff format,<sup>4</sup> with an effective date of December 1, 2018 as provided in the Settlement, within 30 days of this order, to reflect the Commission’s action in this order.<sup>5</sup>

By direction of the Commission.

Nathaniel J. Davis, Sr.,  
Deputy Secretary.

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<sup>3</sup> See *Invenergy Nelson LLC*, 165 FERC ¶ 61,282 (2018).

<sup>4</sup> See *Electronic Tariff Filings*, Order No. 714, 124 FERC ¶ 61,270 (2008).

<sup>5</sup> Nelson included *pro forma* tariff records as an attachment to its offer of settlement. We note that, when submitting a *pro forma* filing, as an eTariff filing, parties should include a tariff record in eTariff format using Record Change Type *Pro Forma*. The tariff record should reflect the effective date of the settlement, if known. If the effective date of the settlement is not known, the filing should use as the Tariff Record Proposed Effective Date 12/31/9998.