UNITED STATES OF AMERICA

BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

Chief Conemaugh Power, LLC

Chief Keystone Power, LLC Docket No. EC20-101

Riverstone Holdings LLC

**Limited Protest of Public Citizen**

The September 11 Application is deficient because it fails to provide intervenors an opportunity to obtain the identities of the non-public owners of Riverstone Holdings LLC, a Buyer to the transaction. The Application must be amended to publicly identify the two owners of Riverstone Holdings LLC.

Established in 1971, Public Citizen is a national, not-for-profit, non-partisan, research and advocacy organization representing the interests of household consumers. We are active before FERC promoting just and reasonable rates, and supporting efforts for utilities to be accountable to the public interest. Our financial details are located at our web site.[[1]](#footnote-1) We intervened in this docket on September 17.

Riverstone Holdings LLC will own 14.6% of a shell company formed to acquire controlling equity of the Conemaugh and Keystone Electric Generating Stations from ArcLight Energy Partners. Conemaugh and Keystone each are 1,700 MW coal-fired power plants located in Pennsylvania.

The Application describes Riverstone Holdings LLC as “an energy- and power-focused private equity firm” owned “by two individuals whose identities have previously been provided, on a privileged, non-public basis” in a completely separate FERC proceeding five and a half years ago.[[2]](#footnote-2)

The September 11 Application provides no opportunity for Public Citizen, or any intervenor, to obtain the names of the non-public owners in this proceeding, contrary to Commission rules.[[3]](#footnote-3) The Application is therefore deficient.

Riverstone Holdings LLC claims that the names of the owners are “commercially sensitive, and, as a result, should be withheld from public disclosure.”[[4]](#footnote-4)

Public Citizen offers a simple solution to alleviate the Application’s deficiency: amend it to publicly name the two owners of Riverstone Holdings LLC. A cursory review suggests the names of the two owners are already widely reported to the public as Pierre F. Lapeyre Jr. and David M. Leuschen. The fact that these two names appear to be widely and publicly reported undermines the Application’s contention that they are “commercially sensitive”, and therefore are not entitled to be shielded from the public.

We provide this limited protest well in advance of the November 10 comment deadline. Amending the application to publicly identify the two owners of Riverstone Holdings LLC will resolve Public Citizen’s limited protest.

Respectfully submitted,

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1. [www.citizen.org/about/annual-report/](http://www.citizen.org/about/annual-report/) [↑](#footnote-ref-1)
2. Application, at pages 7-8. [↑](#footnote-ref-2)
3. Per 18 CFR § 33.2 and 18 CFR § 388.112(b). [↑](#footnote-ref-3)
4. April 14, 2015 submission in FERC Docket No. ER15-1019, at page 2. [↑](#footnote-ref-4)