

31. The parties acknowledge and agree that the Commission may publicize the terms of the Agreement and the Order.

32. Keurig represents that the Agreement: (i) is entered into freely and voluntarily, without any degree of duress or compulsion whatsoever; (ii) has been duly authorized; and (iii) constitutes the valid and binding obligation of Keurig, enforceable against Keurig in accordance with its terms. Keurig will not directly or indirectly receive any reimbursement, indemnification, insurance-related payment, or other payment in connection with the civil penalty to be paid by Keurig pursuant to the Agreement and Order. The individuals signing the Agreement on behalf of Keurig represent and warrant that they are duly authorized by Keurig to execute the Agreement.

33. The signatories represent that they are authorized to execute this Agreement.

34. The Agreement is governed by the laws of the United States.

35. The Agreement and the Order shall apply to, and be binding upon, Keurig and each of its successors, transferees, and assigns, and a violation of the Agreement or Order may subject Keurig, and each of its successors, transferees, and assigns, to appropriate legal action.

36. The Agreement and the Order constitute the complete agreement between the parties on the subject matter contained therein.

37. The Agreement may be used in interpreting the Order. Understandings, agreements, representations, or interpretations apart from those contained in the Agreement and the Order may not be used to vary or contradict their terms. For purposes of construction, the Agreement shall be deemed to have been drafted by both of the parties and shall not, therefore, be construed against any party, for that reason, in any subsequent dispute.

38. The Agreement may not be waived, amended, modified, or otherwise altered, except as in accordance with the provisions of 16 CFR 1118.20(h). The Agreement may be executed in counterparts.

39. If any provision of the Agreement or the Order is held to be illegal, invalid, or unenforceable under present or future laws effective during the terms of the Agreement and the Order, such provision shall be fully severable. The balance of the Agreement and the Order shall remain in full force and effect, unless the Commission and Keurig agree in writing that severing the provision

materially affects the purpose of the Agreement and the Order.

KEURIG GREEN MOUNTAIN, INC.

Dated: 2/2/17

By:

Michael J. Degnan,
Chief Legal Officer & Corporate General
Counsel, Keurig Green Mountain, Inc., 33
Coffee Lane, Waterbury, VT 05676.

Dated: 2/2/17

By:

Christie Grymes Thompson,
Kelley Drye & Warren LLP, Washington
Harbour, Suite 400, 3050 K Street NW.,
Washington, DC 20007, Counsel to Keurig
Green Mountain, Inc.

U.S. CONSUMER PRODUCT SAFETY
COMMISSION

Mary T. Boyle,
General Counsel.

Mary B. Murphy,
Assistant General Counsel.

Dated: January 31, 2017

By:

Daniel R. Vice,
Trial Attorney, Division of Compliance,
Office of the General Counsel.

United States of America

Consumer Product Safety Commission

In the Matter of: Keurig Green Mountain,
Inc.

CPSC Docket No.: 17-C0002

ORDER

Upon consideration of the Settlement Agreement entered into between Keurig Green Mountain, Inc. ("Keurig"), and the U.S. Consumer Product Safety Commission ("Commission"), and the Commission having jurisdiction over the subject matter and over Keurig, and it appearing that the Settlement Agreement and the Order are in the public interest, it is:

ORDERED that the Settlement Agreement be, and is, hereby, accepted; and it is

FURTHER ORDERED that Keurig shall comply with the terms of the Settlement Agreement and shall pay a civil penalty in the amount of five million, eight hundred thousand dollars (\$5,800,000) within thirty (30) days after service of the Commission's final Order accepting the Settlement Agreement. The payment shall be made by electronic wire transfer to the Commission via: <http://www.pay.gov>. Upon the failure of Keurig to make the foregoing payment when due, interest on the unpaid amount shall accrue and be paid by Keurig at the federal legal rate of interest set forth at 28 U.S.C. 1961(a) and (b). If Keurig fails to make such payment or to comply in full with any other provision of the Settlement Agreement, such conduct will be

considered a violation of the Settlement Agreement and Order.

Provisionally accepted and provisional Order issued on the 16th day of February, 2017.

By order of the Commission

Todd A. Stevenson,
Secretary, U.S. Consumer Product Safety
Commission.

[FR Doc. 2017-03409 Filed 2-21-17; 8:45 am]

BILLING CODE 6355-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL00-95-288]

San Diego Gas and Electric Company v. Sellers of Energy and Ancillary Services Into Markets Operated by the California Independent System Operator Corporation and the California Power Exchange; Notice of Compliance Filing

Take notice that on February 13, 2016, Merchant Energy Services, Inc. submitted its Compliance Filing to Order on Rehearing of Opinion No. 536-C.¹

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public

¹ *San Diego Gas & Elec. Co. v. Sellers of Energy & Ancillary Servs.*, 158 FERC ¶ 61,076 (2017) (Opinion No. 536-C).

Reference Room in Washington, DC. There is an “eSubscription” link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 p.m. Eastern Time on March 6, 2017.

Dated: February 15, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017-03415 Filed 2-21-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. TX17-2-000]

Tull Wind LLC; Notice of Filing

Take notice that on February 15, 2017, pursuant to section 211 of the Federal Power Act, 16 U.S.C. 824j, and Part 36 of the Federal Energy Regulatory Commission’s (Commission) Regulations, 18 CFR part 36, Tull Wind LLC submitted an application for an order directing the provision of interconnection and transmission service.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission’s Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the “eFiling” link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the “eLibrary” link and is available for

review in the Commission’s Public Reference Room in Washington, DC. There is an “eSubscription” link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 p.m. Eastern time on March 8, 2017.

Dated: February 15, 2017.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2017-03414 Filed 2-21-17; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 5000-072]

Ampersand Kayuta Lake Hydro, LLC; Notice of Application Accepted for Filing, Soliciting Comments, Protests and Motions To Intervene

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Type of Proceeding:* Extension of License Term.
- b. *Project No.:* P-5000-072.
- c. *Date Filed:* January 4, 2017.
- d. *Licensee:* Ampersand Kayuta Lake Hydro, LLC.
- e. *Name and Location of Project:* Kayuta Lake Hydroelectric Project, located on the Black River in Oneida County, New York.
- f. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.
- g. *Licensee Contact Information:* Mr. Ian Chow, Asset Manager, Ampersand Kayuta Lake Hydro, LLC, 717 Atlantic Avenue, Suite 1A, Boston, MA 02111, Phone: (416) 643-6616.

h. *FERC Contact:* Mr. Ashish Desai, (202) 502-8370, Ashish.Desai@ferc.gov.

i. Deadline for filing comments, motions to intervene and protests, is 30 days from the issuance date of this notice by the Commission. The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, and recommendations, using the Commission’s eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at [\[efiling.asp\]\(http://www.ferc.gov/docs-filing/efiling.asp\). You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at \[FERCOnlineSupport@ferc.gov\]\(mailto:FERCOnlineSupport@ferc.gov\), \(866\) 208-3676 \(toll free\), or \(202\) 502-8659 \(TTY\). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P-5000-072.](http://www.ferc.gov/docs-filing/</p>
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j. *Description of Proceeding:* The licensee, Ampersand Kayuta Lake Hydro, LLC, requests the Commission extend the term of the license, from August 31, 2024 to May 31, 2026. The licensee received a 40-year license for the project on September 12, 1984. The licensee states that in order to facilitate a basin-wide relicensing approach with several other nearby projects, it needs to extend the license term to synchronize the license expiration dates with those other projects. The licensee’s request includes letters from the U.S. Fish and Wildlife Service and the New York State Department of Environmental Conservation supporting the license extension.

k. This notice is available for review and reproduction at the Commission in the Public Reference Room, Room 2A, 888 First Street NE., Washington, DC 20426. The filing may also be viewed on the Commission’s Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the Docket number (P-5000-072) excluding the last three digits in the docket number field to access the notice. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call toll-free 1-866-208-3676 or email FERCOnlineSupport@ferc.gov. For TTY, call (202) 502-8659.

l. Individuals desiring to be included on the Commission’s mailing list should so indicate by writing to the Secretary of the Commission.

m. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission’s Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.