

Law Offices

One Logan Square, Ste. 2000
Philadelphia, PA
19103-6996

215-988-2700 phone
215-988-2757 fax
www.drinkerbiddle.com

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June 11, 2014

Via Electronic Mail

Acting Chairman Cheryl A. LaFleur
Commissioner Philip D. Moeller
Commissioner John R. Norris
Commissioner Tony Clark
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: Enforcement Staff's Investigation of Up To Congestion Transactions by Dr. Houlian Chen on Behalf of Himself and the Principals of Huntrise Energy Fund LLC and Powhatan Energy Fund, LLC, Docket No. IN10-5-000

Dear Acting Chairman LaFleur and Commissioners:

I represent Powhatan Energy Fund LLC and Huntrise Energy Fund LLC in the above matter. As you know, Norman Bay has been nominated to be a FERC Commissioner and the White House has indicated that the President plans to designate him as the next FERC Chairman. After testifying at his nomination hearing on May 20, 2014, before the Committee on Energy and Natural Resources, Mr. Bay responded on June 4, 2014, to written Questions for the Record posed by members of the Committee. In response to Question 3 from Senator Lisa Murkowski regarding the above investigation, Mr. Bay explained that he had to remain silent about Powhatan and Huntrise unless the Commission authorized him to speak about them. On behalf of Powhatan and Huntrise, I respectfully ask that you please give him that authorization immediately.

More specifically, pursuant to 18 CFR § 1b.9, you may direct or authorize the public disclosure of Powhatan and Huntrise's involvement in the above investigation. Powhatan and Huntrise waive all rights to keep the investigation non-public and ask that you direct Mr. Bay to discuss Powhatan and Huntrise with the Committee and therefore answer any questions that Senator Murkowski or other Senators on the Committee have about the investigation. Moreover, Powhatan and Huntrise have already publicly released all the materials that they have submitted to FERC by including them on their website, FERCLitigation.com. Thus, the materials are in the public domain and FERC does not need to give Powhatan and Huntrise any prior notice before releasing or commenting upon the materials. We further request that you direct Mr. Bay to publicly release all information from the investigation regarding Powhatan and Huntrise.

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We are making these requests because we are committed to transparency in this process, which we think makes the energy markets better and more efficient, thereby serving the public interest. And, of course, we want the Senators on the Committee to make a fully-informed decision about Mr. Bay's candidacy.

I also want to let you know that I have provided a copy of this letter to Senator Murkowski's staff, inasmuch as it was Senator Murkowski's question to Mr. Bay regarding Powhatan and Huntrise that prompted Powhatan and Huntrise to ask you now to authorize and direct him to discuss the investigation publicly.

Thank you for your time and attention.

Sincerely yours,



William M. McSwain

cc: Legal and Technical Advisors to Acting Chairman and Commissioners (via email)
David Morenoff (via email)
Norman C. Bay (via email)
Larry D. Gasteiger (via email)
Larry R. Parkinson (via email)
Lee Ann Watson (via email)
Lauren Rosenblatt (via email)
Steven Tabackman (via email)
James Owens (via email)
Cathleen Colbert (via email)
Janel Burdick (via email)
John N. Estes III (via email)