

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426  
November 25, 2005

In Reply Refer To:  
Midwest Independent Transmission System  
Operator, Inc.  
Docket Nos. ER04-106-010, ER04-106-011  
ER04-106-012, ER04-691-042  
ER04-691-044, ER04-691-049  
EL04-104-040, EL04-104-042  
and EL04-104-047

Midwest Independent Transmission System Operator, Inc.  
701 City Center Drive  
Carmel, IN 46032

Attention: Lori A. Spence, Esq.  
Associate General Counsel

Reference: Revisions to Attachment P

Dear Ms. Spence:

1. On May 16, 2005, as amended on May 27, 2005 and June 24, 2005, the Midwest Independent Transmission System Operator, Inc. (Midwest ISO) filed proposed revisions to Attachment P (List of Grandfathered Agreements (GFA)) pursuant to its Transmission and Energy Markets Tariff (TEMT) to comply with the Commission's April 15, 2005 Orders in Docket Nos. ER04-106-005<sup>1</sup> and ER04-691-001, *et al.*<sup>2</sup> The Midwest ISO also filed proposed revisions to certain GFAs to mirror the revisions to Appendix B of the TEMT stemming from the GFA II proceeding.<sup>3</sup> Further, the Midwest ISO filed proposed revisions to Appendix B to reflect the changes to the GFA Treatment Section.<sup>4</sup>

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<sup>1</sup> *Midwest Independent Transmission System Operator, Inc.*, 111 FERC ¶ 61,050 (2005) (Attachment P Order).

<sup>2</sup> *Midwest Independent Transmission System Operator, Inc.*, 111 FERC ¶ 61,042 (2005) (GFA II Order).

<sup>3</sup> GFA Nos. 273, 274, 289, 311, 320, 409, 410 and 415 mirror the revisions that the Commission directed the Midwest ISO to make in the GFA II Order.

2. Notices of the filing and the amendments were published in the Federal Register, 70 Fed. Reg. 30,099 (2005), 70 Fed. Reg. 33,468 (2005) and 70 Fed. Reg. 36,931 (2005), with interventions, comments and protests due on or before June 6, 2005, June 17, 2005 and July 6, 2005, respectively. Great River Energy filed comments stating that it had found inconsistencies between the revised Attachment P and the transmittal letter that accompanied the May 16, 2005 filing. The May 27, 2005, amendment by the Midwest ISO in Docket No. ER04-106-011 addressed the concerns raised by Great River Energy.

3. Upon review, the Commission finds that the Midwest ISO has complied with the Attachment P Order<sup>5</sup> and the GFA II Order directives. However, the Midwest ISO changed the effective date of Attachment P from April 1, 2005 to October 31, 2003. The Midwest ISO is hereby directed to resubmit Attachment P to reflect an effective date of April 1, 2005, the effective date of the TEMT.

By direction of the Commission.

Magalie R. Salas  
Secretary

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<sup>4</sup> In the GFA II Order the Commission directed the Midwest ISO to amend GFA No. 142 to recognize Wabash Valley Power Association's selection of Option B and its selection of Option A for GFA No. 144. To ensure consistency, given the duplicative nature of GFA Nos. 346 and 142, the Midwest ISO also revised GFA No. 346 to reflect its selection of Option B.

<sup>5</sup> The Attachment P Order directed the Midwest ISO, among other things, to: (1) add GFAs to Attachment P; (2) add comments to the "Comment Section" of Attachment P; and (3) add GFA treatment to the "GFA Treatment Section" of Attachment P.