

119 FERC ¶ 61,113
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Sudeen G. Kelly, Marc Spitzer,
Philip D. Moeller, and Jon Wellinghoff.

Indiana Municipal Power Agency

Docket Nos. EL05-153-000
EL05-153-001
EL05-153-002

ORDER APPROVING UNCONTESTED SETTLEMENT AGREEMENT

(Issued May 3, 2007)

1. On December 6, 2006, Indiana Municipal Power Agency (IMPA) and E.ON U.S. LLC (collectively, Settling parties) filed a Joint Settlement Agreement in the above-referenced proceedings. The Settlement resolves all of the issues set for hearing in this proceeding regarding IMPA's filing to recover the costs of Reactive Supply and Voltage Control from its share of the Trimble County Unit generation plant. On December 21, 2006, the Commission's Trial Staff submitted comments in support of the Settlement Agreement. No other comments were received. On January 11, 2007, the Presiding Administrative Law Judge certified the uncontested Settlement Agreement to the Commission.¹
2. The tariff designations contained on the Settlement tariff sheets do not comply with Designation of Electric Rate Schedule Sheets, Order No. 614, FERC Stats. & Regs., Regulations Preambles July 1996 – December 2000 ¶ 31,096 (2000). IMPA is required to file rate schedule sheets in conformance with Order No. 614 within 30 days of this order approving the settlement. The reason the subject tariff sheets do not comply with Order No. 614 is that Attachment A, the revised tariff sheet that reflects whether the settlement is in compliance with Order No. 614, has been omitted from these settlements.
3. The settlement is fair and reasonable and in the public interest and is hereby approved. The Commission's approval of this settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding. The applicable standard

¹ *Indiana Municipal Power Agency*, 118 FERC ¶ 63,005 (2007).

of review for any unilateral changes to the settlement by the parties is the *Mobile-Sierra* public interest standard.²

4. This order terminates Docket Nos. EL05-153-000, EL05-153-001, and EL05-153-002.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

² *United Gas Pipe Line Co. v. Mobile Gas Service Corp.*, 350 U.S. 332 (1956); *FPC v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956).