

4. This order terminates Docket Nos. ER05-6-090, EL04-135-093, EL02-111-110, and EL03-212-106.

By the Commission. Commissioner Moeller concurring in part with a separate statement attached.

(S E A L)

Kimberly D. Bose,
Secretary.

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

American Electric Power Service Corporation

Docket Nos. ER05-6-090
EL04-135-093
EL02-111-110
EL03-212-106

(Issued July 31, 2007)

MOELLER, Commissioner *concurring in part*:

While the settlement agreement does not state the applicable standard of review for changes, the explanatory statement clearly indicates that changes to the settlement agreement shall be subject to the “just and reasonable” standard. I remind the parties that the standard of review they intend to apply to changes to a settlement agreement must match the standard set forth in the explanatory statement. An explanatory statement does not control the terms of a settlement agreement and, in the event of a conflict, I will rely on the terms of the settlement agreement, not the explanatory statement, in determining the applicable standard of review.

Philip D. Moeller
Commissioner