

121 FERC ¶ 61,015
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.

The People of the State of Illinois, *ex rel.* Illinois
Attorney General Lisa Madigan

Docket No. EL07-47-000

v.

Exelon Generation Co., LLC, *et al.*

ORDER DISMISSING COMPLAINT AND TERMINATING PROCEEDING

(Issued October 4, 2007)

1. On March 16, 2007, The People of the State of Illinois, *ex rel.* Illinois Attorney General Lisa Madigan (Illinois AG) filed a complaint with the Commission against sixteen wholesale suppliers of electric power (wholesale suppliers). These wholesale suppliers had bid in a September 2006 auction to supply electric power to four state-jurisdictional Illinois utilities. The complaint alleged that the contracts contain rates that are not just and reasonable.
2. On August 31, 2007, the Illinois AG filed a motion requesting that the Commission dismiss the complaint with prejudice. The Illinois AG states that the parties have entered into a settlement that requires the Illinois AG to seek an order dismissing the complaint, with prejudice. The settlement was contingent upon subsequent approval by the Illinois General Assembly and enactment by the Illinois Governor. The Illinois General Assembly approved legislation related to the settlement on July 26, 2007 and the Governor signed the legislation on August 28, 2007.
3. The Commission will grant the Illinois AG's motion to dismiss the complaint, with prejudice, and terminate the proceeding.

The Commission orders:

The complaint filed in Docket No. EL07-47-000 is hereby dismissed and the proceeding is terminated.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.