

139 FERC ¶ 61,093  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Jon Wellinghoff, Chairman;  
Philip D. Moeller, John R. Norris,  
and Cheryl A. LaFleur.

Dynegy Danskammer, L.L.C.  
Dynegy Roseton, L.L.C.

Docket No. EC12-27-000

ORDER TOLLING TIME FOR ACTION ON APPLICATION UNDER FEDERAL  
POWER ACT SECTION 203

(Issued May 4, 2012)

1. On November 8, 2011, Dynegy Danskammer, L.L.C. and Dynegy Roseton, L.L.C. (collectively, Applicants) filed an application (Application) seeking authorization under section 203(a)(1) of the Federal Power Act (FPA)<sup>1</sup> to relinquish control over jurisdictional facilities and existing generation facilities through the rejection of two leases pursuant to section 365 of the United States Bankruptcy Code.<sup>2</sup> In the absence of Commission action within 180 days, the Application would be deemed granted.<sup>3</sup>
2. Applicants have requested that the Commission extend the time for consideration of the Application in light of the prospects for settlement of certain issues raised by intervenors, including the lessors under the two leases. The Commission finds, based on good cause, that further consideration is required to determine whether the proposed transaction meets the standards of section 203(a)(4) of the FPA. In order to afford

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<sup>1</sup> 16 U.S.C. § 824b(a)(1) (2006).

<sup>2</sup> 11 U.S.C. § 365 (2006). Under these leases, Applicants lease certain generating facilities and associated interconnecting transmission facilities from Danskammer OL LLC and Roseton OL LLC. Application at 1.

<sup>3</sup> Section 203(a)(5) requires the Commission to grant or deny any application for approval of a transaction under section 203 within 180 days after the application is filed, unless the Commission finds, based on good cause, that further consideration is required and issues an order tolling the time for acting for not more than 180 days. 16 U.S.C. § 824b(a)(5) (2006).

additional time for consideration of the Application, the Commission hereby tolls the time to act on the Application for an additional 180 days.

The Commission orders:

The time for acting on the Application is hereby tolled until October 31, 2012.

By the Commission.

( S E A L )

Nathaniel J. Davis, Sr.,  
Deputy Secretary.