

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;
Nora Mead Brownell, Joseph T. Kelliher,
and Suedeem G. Kelly.

Midwest Independent Transmission System

Docket No. ER04-738-003

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued December 22, 2004)

1. On September 30, 2004, Archer-Daniels-Midland Company (ADM) and the Midwest Independent Transmission System Operator, Inc. (Midwest ISO) filed an offer of settlement entered into by and among ADM, the Midwest ISO, and Ameren Energy Marketing Company (Ameren). The settlement represents a partial resolution of the issues in the above-captioned docket, as the settlement does not resolve any of the issues raised by Westar Energy, Inc., which are discrete and are not related to the instant settlement. Comments in support of the settlement were filed by Commission Trial Staff on October 20, 2004. On November 8, 2004, the settlement judge certified the settlement to the Commission as uncontested.
2. The subject settlement is 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 Commission retains the right to investigate the rates, terms and conditions under the just and reasonable and not unduly discriminatory or preferential standard of section 206 of the Federal Power Act, 16 U.S.C. § 824e (2000).
3. This order terminates Docket No. ER04-738-003.

By the Commission.

(S E A L)

Linda Mitry,
Deputy Secretary.