

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Nora Mead Brownell, and Suedeen G. Kelly.

Calpine Construction Finance Company, L.P.

Docket No. ER05-677-000

ORDER ACCEPTING SETTLEMENT

(Issued March 29, 2006)

1. On December 2, 2005, Calpine Construction Finance Company, L.P. (CCFC), on behalf of Osprey Energy Center, and Tampa Electric Company (Tampa Electric) filed a settlement agreement in the referenced docket. On December 22, 2005, Commission Trial Staff filed comments on the offer of settlement. No other comments were received. On January 5, 2006, the settlement judge certified the uncontested settlement to the Commission.

2. The subject settlement resolves all of the issues set for hearing in Docket No. ER05-677-000, including the rates paid to CCFC by Tampa Electric for the provision of Reactive Supply and Voltage Support from Generation Service ("Reactive Supply Service") from CCFC's Osprey facility, which is located within the Tampa Electric transmission system. It appears to be fair and reasonable and in the public interest and is hereby approved and the revised CCFC Rate Schedule FERC No. 3 is accepted for filing effective March 15, 2005. The Commission's approval of this settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding. In addition, 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). Refunds, if necessary, will be paid in accordance with the provisions in Paragraph 11 of the settlement agreement.

3. The rate schedule designations submitted as part of the settlement are in compliance with Order No. 614, and are accepted for filing and made effective as set forth in the settlement. *See* Designation of Electric Rate Schedule Sheets, Order No. 614, 65 Fed. Reg. 18,221, FERC Statutes & Regulations, Regulations Preambles July 1996-December 2000 ¶ 31,096 (2000).

4. This order terminates Docket No. ER05-677-000.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.