

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Midwest Independent Transmission System Operator, Inc.	Docket No. ER05-6-059
Midwest Independent Transmission System Operator, Inc. PJM Interconnection, LLC, <i>et al.</i>	Docket No. EL04-135-061
Midwest Independent Transmission System Operator, Inc. PJM Interconnection, LLC, <i>et al.</i>	Docket No. EL02-111-079
Ameren Services Company, <i>et al.</i>	Docket No. EL03-212-075

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued May 26, 2006)

1. On April 28, 2006, Consumers Energy Company (Consumers) and the PJM Interconnection, L.L.C. (PJM) Transmission Owners, acting through the Consolidated Transmission Owners Agreement (collectively, Settling Parties), filed a Stipulation and Agreement (settlement) that resolves all issues between the Settling Parties set for hearing in the captioned proceedings, which concern Consumers' monetary obligation to the PJM Transmission Owners under the transitional rate mechanism at issue in these proceedings.
2. American Municipal Power-Ohio, Inc and the Commission Trial Staff submitted comments in support of the settlement on May 3, 2006, and May 5, 2006, respectively. On May 9, 2006, the Settling Parties submitted reply comments. The presiding judge certified the settlement to the Commission as uncontested on May 12, 2006.¹
3. 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

¹ *Midwest Indep. Transmission Sys. Operator, Inc.*, 115 FERC ¶ 63,040 (2006).

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. § 824(e) (2000).

4. This letter terminates Docket Nos. ER05-6-059, EL04-135-061, EL02-111-079, and EL03-212-075.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.