

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

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

FPL Group, Inc. and  
Constellation Energy Group, Inc.

Docket No. EC06-77-000

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

(Issued July 21, 2006)

1. On February 8, 2006, FPL Group, Inc. (FPL) and Constellation Energy Group, Inc. (Constellation) filed an application under section 203 of the Federal Power Act (FPA)<sup>1</sup> requesting authorization for their proposed merger and disposition and acquisition of jurisdictional facilities (Application). In the absence of Commission action within 180 days, the Application would be deemed granted.<sup>2</sup>
2. 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 additional time for consideration of the Application, the Commission hereby tolls the time to act on the Application for an additional 180 days.

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<sup>1</sup> 16 U.S.C. § 824b (2000), *amended by* Energy Policy Act of 2005 § 1289, Pub. L. No. 109-58, 119 Stat. 594, 982-93 (2005). As revised, section 203 requires the Commission to grant or deny applications for disposition of jurisdictional facilities within 180 days after the application is filed. Based on a finding of good cause, the Commission may toll the time for acting on the application for one additional 180-day period, after which it must grant or deny the application. *Id.* § 1289(a)(5).

<sup>2</sup> *Id.* § 1289(a)(5).

The Commission orders:

The time for acting on the Application is hereby tolled until February 2, 2007.

By the Commission.

( S E A L )

Magalie R. Salas,  
Secretary.