

Berlin, Maryland, jointly requested that the Commission clarify that, due to the informal nature of the proceeding, the ALJ's findings of facts will not be binding on the parties and will be used by the Commission solely for the purpose of determining whether to convene a formal evidentiary proceeding.

4. On October 10, 2003, the ALJ submitted her proposed findings of fact and recommendations.⁵ In a presentation at the December 17, 2003 Commission meeting, Commission Staff discussed the ALJ's proposed findings of fact and recommendations. Subsequently, a number of issues raised in this proceeding have been addressed in separate dockets.⁶

5. The Commission will not take any further action in this proceeding. Accordingly, the request for rehearing and motion for clarification are now moot and the Commission will terminate the proceeding.

The Commission orders:

The proceeding is hereby terminated.

By the Commission.

(S E A L)

Linda Mitry,
Deputy Secretary.

⁵ *Transmission Congestion on the Delmarva Peninsula*, 105 FERC ¶ 63,004 (2003).

⁶ *See, e.g., PJM Interconnection, L.L.C.*, 108 FERC ¶ 61,196 (2004) (PJM post-contingency dispatch); *PJM Interconnection, L.L.C.*, 107 FERC ¶ 61,053 (2004), *order on reh'g*, 110 FERC ¶ 61,053 (2005) (PJM proposal to establish a competitive auction to address long-term scarcity); *PJM Interconnection, L.L.C.*, 103 FERC ¶ 61,167 (2003) (PJM load response program).