

144 FERC ¶ 61,240
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

September 27, 2013

In Reply Refer To:
PJM Interconnection, L.L.C.
American Transmission Systems, Inc.
Docket Nos. ER12-2399-001
ER12-2399-002

Alston & Bird LLP
Attn: Richard P. Sparling, Esq.
Attorney for FirstEnergy Service Company
950 F Street, NW
Washington, DC 20004

Dear Mr. Sparling:

1. On June 24, 2013, you filed a Partial Settlement on behalf of FirstEnergy Service Company and its affiliated Electric Distribution Companies¹ (FirstEnergy), and on behalf of the other settling parties² (each, a Settling Party, and collectively, the Settling Parties). On July 15, 2013, Commission Trial Staff filed initial comments on the Partial Settlement. On the same date, Old Dominion Electric Cooperative (ODEC) also submitted initial comments on the Partial Settlement. On July 24, 2013, FirstEnergy submitted reply comments. No other parties filed comments. On July 26, 2013, the Settlement Judge certified the Partial Settlement to the Commission as uncontested.

¹ The FirstEnergy Electric Distribution Companies are: Ohio Edison Company, Toledo Edison Company, Cleveland Electric Illuminating Company, Pennsylvania Power Company, Metropolitan Edison Company, Pennsylvania Electric Company, Jersey Central Power & Light Company, Monongahela Power Company, West Penn Power Company, and Potomac Edison Company.

² The other settling parties are: Allegheny Electric Cooperative, Inc.; American Municipal Power, Inc., on behalf of itself and its individual members; Buckeye Power, Inc.; and the Met-Ed Industrial Users Group, Penelec Industrial Customer Alliance, and West Penn Power Industrial Intervenors (collectively, the Industrial Groups).

2. The Partial Settlement resolves certain issues in dispute in these proceedings. The Partial Settlement appears to be fair and reasonable and in the public interest, and is hereby approved. The Commission's approval of this Partial Settlement does not constitute approval of, or precedent regarding, any principle or issue in these proceedings. 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 (2006).

3. The Partial Settlement states that, pursuant to *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276 (2008), FirstEnergy, in conjunction with PJM Interconnection, L.L.C. (PJM), shall make a compliance filing to enter the tariff records into the eTariff database after the Partial Settlement takes effect.³ FirstEnergy and PJM are directed to submit this compliance filing within 30 days of the date of this order.

4. On November 1, 2012, the Industrial Groups filed in Docket No. ER12-2399-001 a Request for Clarification or, Alternatively, Request for Rehearing of the Commission's October 2, 2012 order in this proceeding. Consistent with the Partial Settlement, this clarification or rehearing request is deemed withdrawn.

5. This letter order does not terminate Docket No. ER12-2399-000, as the Partial Settlement does not resolve all the issues in this docket.⁴ Docket Nos. ER12-2399-001 and ER12-2399-002 are hereby terminated.

By the direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

³ Partial Settlement, Section II.A.2.

⁴ ODEC is the only non-settling party. Its issues are reserved for hearing in the ongoing proceeding established by the Chief Administrative Law Judge in Docket No. ER12-2399-003.