

148 FERC ¶ 61,118  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

August 12, 2014

In Reply Refer To:  
Midcontinent Independent System  
Operator, Inc.  
Docket Nos. ER13-2337-001  
ER13-2337-003

James W. Bixby, Esq.  
Attorney for ITC Midwest LLC  
1300 I Street NW  
Washington, DC 20005

Dear Mr. Bixby:

1. On May 15, 2014, in the above-captioned proceeding, you filed a Settlement Agreement (Settlement) among ITC Midwest LLC (ITC), Barton Windpower LLC (Barton), and Midcontinent Independent System Operator, Inc. (MISO). On June 4, 2014, Commission Trial Staff filed comments in support of the Settlement. No other comments were filed. On June 18, 2014, the Settlement Judge certified the Settlement to the Commission as uncontested.<sup>1</sup>

2. The Settlement addresses MISO's filing of an unexecuted Amended and Restated Generator Interconnection Agreement among MISO, ITC, and Barton (Second Revised GIA).<sup>2</sup> As a result of the Settlement, MISO filed an Amended and Restated Generator Interconnection Agreement (Third Revised GIA) in eTariff on the same date the Settlement was filed.

3. The Settlement provides that:

[t]his Settlement Agreement may only be amended by the agreement in writing of all the Settlement Parties hereto. The standard of review for any modifications to this Settlement Agreement proposed by any settling party shall solely be the

---

<sup>1</sup>*Midcontinent Indep. Sys. Operator, Inc.*, 147 FERC ¶ 63,016 (2014).

<sup>2</sup>*Midcontinent Indep. Sys. Operator, Inc.*, 145 FERC ¶ 61,118 (2013).

Public Interest presumption of justness and reasonableness, as set forth in *United Gas Pipe Line Co. v. Mobile Gas Service Corp.*, 350 U.S. 332 (1956) and *Federal Power Commission v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956) and clarified by *Morgan Stanley Capital Group, Inc. v. Public Util. Dist. No. 1 of Snohomish*, 554 U.S. 527, 128 S. Ct. 2733 (2008) and *NRG Power Marketing, LLC, et al. v. Maine Public Utilities Commission*, 558 U.S. 165 (2010). The standard of review for any modification to this Settlement Agreement proposed by any third party, or the Commission acting *sua sponte*, shall be the ordinary just and reasonable standard. Nothing in this paragraph is intended to limit or waive the rights of the Settlement Parties under, or affect the ordinary just and reasonable standard of review applicable to filings allowed under, the Second Revised GIA.<sup>3</sup>

4. The Settlement resolves all issues in dispute in this proceeding. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved. The filing of the Third Revised GIA is accepted effective August 1, 2014. The Commission's approval of this Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding.

5. This letter order terminates Docket Nos. ER13-2337-001 and ER13-2337-003.

By direction of the Commission.

Nathaniel J. Davis, Sr.,  
Deputy Secretary.

---

<sup>3</sup> Settlement, § 20.