

153 FERC ¶ 61,106
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

October 29, 2015

In Reply Refer To:
PJM Interconnection, L.L.C.
Docket No. ER15-303-000

Alston & Bird LLP
950 F Street, NW
Washington, DC 20004

Attention: Kenneth G. Jaffe

Dear Mr. Jaffe:

1. On July 20, 2015, you filed, in the above-referenced proceeding, a Settlement among American Transmissions Systems, Inc. (ATSI), American Municipal Power, Inc., Buckeye Power, Inc. and Industrial Energy Users-Ohio (collectively, Settling Parties). On August 10, 2015, as amended on August 11, 2015, Commission Trial Staff filed comments in support of the Settlement. No other comments were filed. On August 26, 2015, the Settlement Judge certified the Settlement to the Commission as an uncontested settlement.

2. The Settlement addresses ATSI's formula rate template¹ and ATSI's formula rate protocols² of the PJM Interconnection, L.L.C. Open Access Transmission Tariff. The Settlement also addresses the return on equity that ATSI will use to calculate its transmission revenue requirement.

3. The Settlement provides that

[t]he standard of review for any modification to this Settlement, whether
(i) set forth in written amendment executed by the Settling Parties, or

¹ PJM Interconnection, L.L.C., Intra-PJM Tariffs, [OATT Attachment H-21 - ATSI, 2.0.0](#), and [OATT Attachment H-21A - ATSI, 3.0.0](#).

² PJM Interconnection, L.L.C., Intra-PJM Tariffs, [OATT Attachment H-21B - ATSI Protocol, 1.0.0](#).

(ii) pursuant to the Commission's exercise of its authority under section 206 of the Federal Power Act, whether acting *sua sponte* or on a complaint filed by a Settling Party or by a non-Settling Party, shall be the "just and reasonable" standard.³

3. The Settlement resolves all issues in dispute in this proceeding. The Settlement appears to be fair, reasonable, and in the public interest, and is hereby approved. The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding. Finally, we note that the formula rate template filed as part of the Settlement contains references to certain costs that are the subject of a related, ongoing proceeding (i.e., ATSI's exit from the Midcontinent Independent System Operator, Inc. (MISO) and integration into PJM).⁴ Specifically, line 5a of ATSI's formula rate template has placeholders that refer to the costs of transmission projects previously identified in the MISO Transmission Expansion Plan and approved by the MISO Board of Directors prior to ATSI's integration into PJM. Therefore, our approval of the formula rate template in the Settlement is subject to the outcome of the ATSI integration proceeding.

4. ATSI and PJM⁵ are directed to file revised tariff records in eTariff format,⁶ within 30 days of the date of this order, to reflect the Commission's action in this order.

5. This letter order terminates Docket No. ER15-303-000.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

³ Settlement at § IV.B.

⁴ The ATSI integration proceeding spans across several pending filings in Docket Nos. ER11-2815 and ER11-2814.

⁵ See *id.* § II.E (noting that ATSI and PJM will make this compliance filing).

⁶ *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276 (2008).