

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;
Nora Mead Brownell, Joseph T. Kelliher,
and Suedeem G. Kelly.

Reliant Energy Wholesale Generation, LLC Docket Nos. ER04-1066-000
ER04-1066-001
ER04-1066-002

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued June 24, 2005)

1. On March 14, 2005, Reliant Energy Wholesale Generation, LLC (Reliant), on behalf of Reliant Energy Aurora, LP (Aurora), and Exelon Corporation, on behalf of itself and its subsidiary, Commonwealth Edison Company (collectively, the “Settling Parties”) filed a settlement agreement, which resolves all issues in the captioned proceedings between and among the Settling Parties. On April 4, 2005, the Commission’s Trial Staff filed comments in support of the settlement. No other comments were filed. On May 25, 2005, the settlement judge certified the settlement agreement to the Commission as uncontested.¹

2. The settlement involves issues related to Reliant’s revised Rate Schedule FERC No. 2 (the Revised Reliant Tariff) and supporting data under which it specified its revenue requirement for providing cost-based Reactive Supply and Voltage Control from Generation Sources Service (Reactive Supply Service) from the Aurora generating facility located in Aurora, Illinois, in the PJM region (the Aurora Facility). The settlement provides that Aurora will refund the difference between amounts paid for Reactive Supply Service under the Reliant tariff that went into effect October 1, 2004, and the amounts that would have been paid under the Revised Reliant Tariff for the period from October 1, 2004, until the last day of the month in which the Commission accepts the settlement agreement, together with interest. Also, the settlement addresses the impact on the Monthly Revenue Requirement if Aurora were to deactivate any of the ten electric generating units at the Aurora Facility.

¹ *Reliant Energy Wholesale Generation, LLC*, 111 FERC ¶ 63,045 (2005).

3. The settlement agreement is in the public interest and is hereby approved. The tariff sheets filed with the settlement comply with Order No. 614. *See Designation of Electric Rate Schedule Sheets*, Order No. 614, 65 Fed. Reg. 18,221 (FERC Statutes and Regulations, Regulations Preambles July 1996-December 2000, ¶ 31,096 (2000)).

4. The Commission's approval of this settlement agreement does not constitute approval of or precedent regarding any principle or issue in this proceeding. The Commission retains the right to investigate the rates, terms and conditions under the just and reasonable and not unduly discriminatory standard of section 206 of the Federal Power Act, 16 U.S.C. § 824e (2000).

5. This order terminates Docket Nos. ER04-1066-000, ER04-1066-001, and ER04-1066-002. A new subdocket will be assigned in Docket No. ER04-1066 upon receipt of the compliance refund report.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.