

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

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

Reliant Energy Etiwanda, Inc

Docket Nos. ER05-138-000  
ER05-138-001  
ER05-138-002

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued June 24, 2005)

1. On April 20, 2005, Reliant Energy Etiwanda, Inc. (Etiwanda), the California Electricity Oversight Board, the California Independent System Operator Corporation (CAISO) and Southern California Edison Company filed an offer of settlement in the referenced dockets. On May 10, 2005, Commission Trial Staff filed comments in support of the settlement. No other comments were filed. On June 2, 2005, the presiding judge certified the settlement to the Commission as an uncontested settlement.

2. The subject settlement resolves all the issues set for hearing in the above dockets.<sup>1</sup> The settling parties state that the issues underlying the settlement relate to the terms and conditions upon which Etiwanda will provide reliability must run (RMR) service to the CAISO from Etiwanda Units 3 and/or 4 during the contract year 2005.

3. The Settlement is in the public interest and is hereby approved. The tariff sheets filed with the Settlement comply with Order 614.<sup>2</sup> The Commission's acceptance of the settlement does not constitute approval of, or precedent regarding, any principle or issue

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<sup>1</sup> See *Reliant Energy Etiwanda, Inc.*, 110 FERC ¶61,018 (2005).

<sup>2</sup> *FERC Stats. and Regs.*, Regulations Preambles July 1996-December 2000, ¶ 31,096 (2000).

in this proceeding. The Commission retains the right to investigate the rates, terms and conditions of the Settlement under the just and reasonable and not unduly discriminatory or preferential standard of section 206 of the Federal Power Act, 16 U.S.C. § 824(e) (2000).

4. This order terminates Docket Nos. ER05-138-000, ER05-138-001, and ER05-138-002.

By the Commission.

( S E A L )

Linda Mitry,  
Deputy Secretary.