

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

PJM Interconnection, L.L.C.

Docket No. ER05-1181-000

ORDER GRANTING MOTION
FOR APPOINTMENT OF SETTLEMENT JUDGE

(Issued December 1, 2005)

1. In this order, the Commission grants, pursuant to Rule 604 of the Commission's Rules of Practice and Procedure,¹ the motion that PJM Interconnection, L.L.C. (PJM) filed on November 22, 2005, and directs the Chief Administrative Law Judge to appoint an Administrative Law Judge to assist in settlement negotiations in accordance with the guidelines discussed below.
2. On July 2, 2005, PJM made a tariff filing to revise Schedule 9 of the PJM Tariff to change the rate design for the recovery of its administrative costs from formula rates to stated rates. On August 31, 2005, the Commission found PJM's proposal deficient and directed PJM to amend its filing. *See PJM Interconnection, L.L.C.*, 112 FERC ¶ 61,236 (2005). At PJM's request, on October 25, 2005, the Commission extended until November 30, 2005, the time by which PJM must respond to the August deficiency letter.
3. On November 22, 2005, PJM filed the instant motion requesting appointment of a settlement judge. In the motion, PJM states that it has been discussing the proposed tariff revisions with the PJM Finance Committee and requests that a settlement judge be appointed to assist the participants in reaching a resolution over the November 30 compliance filing. PJM states all parties acquiesce to the appointment that PJM requests.
4. In the interest of resolving the matters in dispute quickly, pursuant to Rule 385.604(d)(3) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.604(d)(3) (2005), the Commission will direct the Chief Administrative Law Judge to appoint an Administrative Law Judge to oversee this matter at the earliest date possible. In addition, the Chief Administrative Law Judge is to notify the Commission's Office of Administrative Litigation so that it may participate in these discussions.

¹ 18 C.F.R. § 385.604 (2005).

5. Within 30 days of the date of this order, and again within 45 days of the date of this order, the Administrative Law Judge shall file a report with the Commission and the Chief Administrative Law Judge on the status of the discussions. Further, PJM is directed to file with the Commission a statement as to whether it will extend the date on which Commission action is required under the Federal Power Act no later than twenty days prior to the date on which the filing would become effective absent Commission action.

The Commission orders:

(A) The Chief Administrative Law Judge is directed to appoint an Administrative Law Judge in accordance with this order.

(B) The Administrative Law Judge is directed to report to the Commission as described in the body of this order.

(C) PJM is directed to file with the Commission the statement described in the body of this order.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.