

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

Midwest Independent Transmission System Operator, <i>et al.</i>	Docket Nos. ER05-6-066 EL04-135-068 EL02-111-086 EL03-212-082
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ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued June 21, 2006)

1. On May 10, 2006, LG&E Energy Marketing Inc. (LEM) and American Municipal Power-Ohio, Inc. (AMP-Ohio) filed an Offer of Settlement (settlement) that resolves all shift-to-shipper issues between LEM and AMP-Ohio in the captioned proceedings and before the court in *American Municipal Power-Ohio, Inc. v. LG&E Energy Marketing Inc.*, No. C2-05-1004 (S.D. Ohio, filed Nov. 4, 2005). However, the parties agree this settlement does not affect any other claim one party may have against another in these proceedings.
2. The presiding judge certified the settlement to the Commission as uncontested on June 7, 2006. The subject settlement is in the public interest and is hereby approved. The Commission's approval of this settlement 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 or preferential standard of section 206 of the Federal Power Act, 16 U.S.C. § 824(e) (2000).
3. This letter terminates Docket Nos. ER05-6-066, EL04-135-068, EL02-111-086, and EL03-212-082.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.