

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Sudeen G. Kelly, Marc Spitzer,
and Jon Wellinghoff.

Midwest Independent Transmission System Operator, Inc.	Docket Nos. ER05-6-073
Midwest Independent Transmission System Operator, Inc. PJM Interconnection, LLC, <i>et al.</i>	EL04-135-076
Midwest Independent Transmission System Operator, Inc. PJM Interconnection, LLC, <i>et al.</i>	EL02-111-093
Ameren Services Company, <i>et al.</i>	EL03-212-089

ORDER APPROVING UNCONTESTED PARTIAL SETTLEMENT

(Issued October 27, 2006)

1. On July 11, 2006, Commonwealth Edison Company and Commonwealth Edison Company of Indiana, Inc. (collectively, ComEd) and the Multiple Transmission Dependent Utilities (MTDUs)¹ (collectively, Settling Parties) filed an Uncontested Partial Settlement (Settlement) resolving all Seams Elimination Cost Adjustment (SECA) issues between them set for hearing in the above-captioned dockets. Specifically, under the

¹ For the purposes of the instant settlement, the MTDUs are comprised of: Blue Ridge Power Agency (as agent for Bedford, Danville, Martinsville, Richlands, and Salem, Virginia), Central Virginia Electric Cooperative, Michigan Public Power Rate Payers Association (Cities of Chelsea, Eaton Rapids, Hart, Portland, and St. Louis, Michigan), Wayne-White Counties Electric Cooperative and Fairfield, and Bay City, Michigan. For purposes of this Settlement Agreement, each of the foregoing is referred to as a “TDU,” whereas they are collectively referred to as “MTDUs.”

proposed settlement, the MTDUs will pay the settlement amounts to ComEd specified in Article III, § 3.1 of the Settlement and receive refunds for amounts paid in excess of these settlement amounts.

2. On June 17, 2006, Commission Trial Staff filed initial comments supporting the Settlement. The Settling Parties filed reply comments urging settlement on July 21, 2006. The Presiding Administrative Law Judge certified the Settlement to the Commission as uncontested on August 28, 2006.²

3. The subject Settlement is fair and reasonable and in the public interest; it 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. § 824e (2000).

4. ComEd is directed to file a compliance report regarding any refunds pursuant to this Settlement within fifteen (15) days after making such refunds. ComEd shall furnish copies of the report to the affected wholesale customers and to each state Commission within whose jurisdiction the wholesale customers distribute and sell electric energy at retail.

5. This order terminates Docket Nos. ER05-6-073, EL04-135-076, EL02-111-093 and EL03-212-089. A new subdocket will be assigned upon the receipt of the required compliance filing.

By the Commission. Commissioner Moeller not participating.

(S E A L)

Magalie R. Salas,
Secretary.

² *Midwest Independent System Operator, Inc., et al.*, 116 FERC ¶ 63,039 (2006).