

125 FERC ¶ 61,362  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

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

Midwest Independent Transmission  
System Operator, Inc.

Docket Nos. ER07-580-000  
ER07-580-001

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued December 23, 2008)

1. On September 19, 2008, the Midwest Independent Transmission System Operator, Inc. (Midwest ISO), on behalf of itself, Michigan Electric Transmission Company, LLC (Michigan Electric), and Entergy Services, Inc., agent for affiliates Entergy Nuclear Palisades (Entergy Palisades) and Entergy Power Marketing, Inc., filed an uncontested settlement agreement (Settlement) and accompanying explanatory statement. The Settlement resolves all issues in these proceedings regarding Entergy Palisades' eligibility for Network Resource Interconnection Service under the Large Generator Interconnection Agreement (LGIA) among it, Michigan Electric, and Midwest ISO that is currently on file with the Commission.<sup>1</sup> The Settlement provides that the standard of review applicable to non-parties and the Commission acting *sua sponte* to modify the Settlement will be the most stringent standard permissible under applicable law.
2. Comments in support of the Settlement were filed by Trial Staff and Consumers Energy Company. On October 23, 2008, the Settlement Judge certified the Settlement to the Commission as uncontested.<sup>2</sup>

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<sup>1</sup> The Commission accepted and suspended the LGIA and established hearing and settlement judge procedures on March 30, 2007. *Midwest Indep. Transmission Sys. Operator, Inc.*, 118 FERC ¶ 61,270 (2007). On May 13, 2008, while discussions continued under the supervision of the settlement judge, the Chief Administrative Law Judge designated a presiding judge to preside over a hearing and to issue an initial decision (Docket No. ER07-580-001).

<sup>2</sup> *Midwest Indep. Transmission Sys. Operator, Inc.*, 125 FERC ¶ 63,004 (2008).

3. The Settlement is fair, reasonable, and in the public interest, and is hereby approved. The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in these proceedings.

4. This order terminates Docket Nos. ER07-580-000 and ER07-580-001.

By the Commission.

( S E A L )

Nathaniel J. Davis, Sr.,  
Deputy Secretary.