

133 FERC ¶ 61,112
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

October 29, 2010

In Reply Refer To:
American Electric Power
Service Corporation
Docket No. ER09-1279-000

Attn: Monique Rowtham-Kennedy, Esq.
Attorney for American Electric Power Service Corporation
801 Pennsylvania Avenue, NW
Suite 320
Washington, DC 20004

Dear Ms. Rowtham-Kennedy:

1. On August 4, 2010, American Electric Power Service Corporation (AEPSC) filed a Settlement Agreement (Settlement) and Explanatory Statement in Support of Settlement Agreement on behalf of Appalachian Power Company, Columbus Southern Power Company, Indiana Michigan Power Company, Kentucky Power Company, Kingsport Power Company, Ohio Power Company, and Wheeling Power Company, the Public Utilities Commission of Ohio, East Tennessee Energy Consumers, Hoosier Energy Rural Electric Cooperative, and the Office of the Ohio Consumers' Counsel. The Settlement Agreement resolves disputed issues concerning proposed amendments to a previously-filed 1984 Transmission Agreement (Transmission Agreement).¹ By order issued August 3, 2009, the Commission accepted the proposed amendments for filing; suspended them for a nominal period, to become effective, subject to refund, on the first day

¹ *American Elec. Power Serv. Corp.*, 44 FERC ¶ 61,206 (1987), *reh'g denied*, 45 FERC ¶ 61,382 (1988).

of the month after a final Commission order in this proceeding; and established hearing and settlement judge procedures.²

2. All participants in the proceeding support, do not oppose, or take no position regarding the Settlement. On August 24, 2010, Commission Trial Staff filed initial comments in support of the Settlement. No reply comments were received. On September 10, 2010, the Settlement Judge certified the Settlement to the Commission as uncontested.

3. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved.

4. AEPSC included in its filing First Revised Rate Schedule FERC No. 34. However, AEPSC did not file the rate schedule in the eTariff format required by Order No. 714.³ Therefore, it is required to make a compliance filing in eTariff format to ensure that its electronic tariff provisions reflect the Commission's action in this order. If AEPSC continues to use designations and paginations in making its compliance filing in eTariff format, it needs to file the leading Agreement using the correct designation: Appalachian Power Company, Substitute First Revised Rate Schedule FERC No. 100. Further, when AEPSC makes its compliance filing, it should follow the instructions under Order No. 614.⁴

5. The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding. The Settlement, having been approved, resolves all issues in the above-captioned proceeding.

² *American Elec. Power Serv. Corp.*, 128 FERC ¶ 61,123 (2009). The Commission suspended the proposed amendments to the Transmission Agreement for a nominal period.

³ *See Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276, at P 96 (2008).

⁴ *Designation of Electric Rate Schedule Sheets*, Order No. 614, 65 Fed. Reg. 18,221 (Apr. 7, 2000), FERC Stats. & Regs., Regulations Preambles July 1996-December 2000 ¶ 31,096 (2000). *See also, Boston Edison Company*, 98 FERC ¶ 61,292 (2002).

6. This order terminates Docket No. ER09-1279-000.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

cc: All parties of record