

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

DTE East China, LLC
and DTE Energy Trading, Inc.

Docket No. ER03-1206-000

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued June 2, 2004)

1. On March 15, 2004, DTE East China, LLC, and DTE Energy Trading, Inc. (collectively DTE), filed an offer of settlement that resolves all issues in this proceeding. On April 5, 2004, the Commission's Trial Staff filed comments supporting the settlement offer. No reply comments were filed. On April 19, 2004, the Settlement Judge certified the settlement as uncontested to the Commission.
2. The subject settlement is in the public interest and is hereby approved. In addition, the rate schedules submitted as part of the settlement are in compliance with Order No. 614,¹ and are accepted for filing as designated. 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).
3. Within 30 days from the date of this order, any amount collected in excess of the settlement rates shall be refunded with interest computed under 18 C.F.R. § 35.19a of the Commission's regulations. Within fifteen (15) days after making such refunds, DTE shall file with this Commission a compliance report showing monthly billing determinants; revenue receipt dates; revenues under the prior, present, and settlement rates; the monthly revenue refund; and the monthly interest computed, together with a summary of such

¹ Designation of Electric Rate Schedule Sheets, Order No. 614, 65 Fed. Reg. 18,221, FERC Stats. & Regs. ¶ 31,096 (2000).

information for the total refund period. DTE shall furnish copies of the report to the affected wholesale customers and to each state commission that has jurisdiction over where the affected wholesale customers distribute and sell electric energy at retail.

4. This order terminates Docket No. ER03-1206-000. A new sub-docket will be assigned upon receipt of the required refund report.

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.