

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

July 23, 2003

In Reply Refer to:  
Docket Nos. EL02-47-000  
EL02-52-000

Morgan, Lewis & Bockius, LLP  
Attn: Michael C. Griffen, Esq.  
Attorney for Wisconsin Power & Light Company  
111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Dear Sirs:

1. On October 2, 2002, you filed, on behalf of Wisconsin Power & Light Company (WPL), Wisconsin Public Power, Inc. (WPPI), and the Municipal Wholesale Power Group (MWPG) (collectively, the "Parties"), a Settlement Agreement (Settlement) that resolves the disputes that resulted from the use of mismatched monthly figures to calculate fuel cost credits for application of the wholesale fuel adjustment clause under WPL's wholesale tariffs filed with the Commission ("Mismatch Issue"). The Settlement resolves the "Mismatch Issue" in its entirety as to both WPPI and MWPG. The Settlement does not affect WPL's pending request for rehearing of the Commission's order in Wisconsin Public Power, Inc. v. Wisconsin Power & Light Co., et al., 98 FERC ¶ 61,293 (2002), reh'g pending. No comments were filed.
2. The Settlement is 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 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. Your request for a temporary waiver of the requirement to submit conforming amendments to Rate Schedules W-3A and PR-1 of WPL's tariff, that would involve amending the fuel adjustment clause provisions of those rate schedules, pending the settlement of Docket No. ER02-977-000, is moot. On January 16, 2003, the Commission

issued a letter order approving a settlement in that proceeding.<sup>1</sup> Therefore, you must file tariff sheets reflecting conforming amendments to Rate Schedules W-3A and PR-1 of WPL's tariff, as required by the Commission's regulations.

4. This letter order terminates Docket Nos. EL02-47-000 and ER02-52-000, with respect to the "Mismatch Issue."

By direction of the Commission.

Linda Mitry  
Acting Secretary

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<sup>1</sup>Wisconsin Power & Light Company, 102 FERC ¶ 61,035 (2003).