

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

PJM Interconnection, LLC	Docket Nos. ER04-375-010
Midwest Independent Transmission System Operator	ER04-521-006

PJM Interconnection, LLC	Docket No. ER04-718-005
Commonwealth Edison Company	

Commonwealth Edison Company	Docket No. ER04-364-002
-----------------------------	-------------------------

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued November 26, 2004)

1. On September 15, 2004, International Transmission Company (ITC) and Exelon Corporation (Exelon) submitted a Stipulation and Agreement (Settlement) in Docket Nos. ER04-375-002, ER04-521-001, ER04-718-000, and ER04-364-000.
2. The Settlement would resolve all issues between ITC and Commonwealth Edison Company and Commonwealth Edison Company of Indiana, Inc. (ComEd) in the above dockets. On October 5, 2004, comments in support of the Settlement were filed by ITC and Exelon, the parent company of ComEd. No other comments were received. On October 22, 2004, the Presiding Judge certified the Settlement to the Commission as an Uncontested Partial Settlement. The Settlement is partial because other parties remain in this litigation; however, it is complete as to ITC and Exelon.
3. The Settlement is in the public interest and is hereby approved. The Commission's acceptance 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 of the Settlement 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. This order terminates Docket Nos. ER04-375-010, ER04-521-006, ER04-718-005, and ER04-364-002.

By the Commission.

(S E A L)

Linda Mitry,
Deputy Secretary.