

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

December 22, 2003

In Reply Refer To:
Docket Nos. EL03-47-003
QF83-278-009
QF83-316-010

Bingham McCutchen LLP
Attn: Mark C. Williams, Esq.
Attorneys for Elizabethtown Power, LLC
Lumberton Power, LLC, and
North Carolina Power Holdings, LLC
1120 20th Street, NW, Suite 800
Washington, DC 20036

Dear Mr. Williams:

1. On October 21, 2003, you filed in the above-referenced dockets, on behalf of Elizabethtown Power, LLC (Elizabethtown Power), Lumberton Power, LLC (Lumberton Power), and Commission Trial Staff, a Consent Agreement Affirming Qualifying Facilities' Status. The settlement resolves all issues related to Elizabethtown Power and Lumberton Power and their cogeneration facilities located in North Carolina. On November 12, 2003, the presiding judge certified the settlement to the Commission as uncontested.
2. The settlement is in the public interest and is hereby approved. The Commission's approval of this settlement does not constitute approval of, or precedent regarding any principle or issue in this proceeding.
3. This letter order terminates Docket Nos. QF83-278-009 and QF83-316-010 only.

By direction of the Commission

Linda Mitry,
Acting Secretary.

cc: All Parties
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4325