

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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

United States Department of Energy

Docket Nos. ER03-246-000 and
ER03-246-001

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued June 4, 2004)

1. On December 6, 2002, the United States Department of Energy referred to this Commission, pursuant to 10 C.F.R. § 205.376, the matter of compensation to Cross-Sound Cable Company, LLC (CSC) for costs incurred providing transmission to Long Island Power Authority (LIPA) in compliance with DOE Order No. 202-02-1. On December 30, 2002, the Commission issued an order establishing procedures for the resolution of the compensation question.¹ Subsequently, at the request of the parties, the Commission suspended the procedural schedule and directed the parties to engage in mediation; this was undertaken using the Commission's Dispute Resolution Service.

2. On May 6, 2004, LIPA and CSC submitted to the Commission a letter jointly stipulating that they have resolved all issues regarding compensation. The parties state that they entered into "a comprehensive agreement establishing a price for the sale of transmission capacity" which provides for "full compensation" to CSC, and they note that "[a]ll price and transaction data" under the agreement are reported by CSC in quarterly reports to the Commission. The parties request that the Commission issue a final order resolving this matter and terminating the proceeding. No responsive pleadings were filed.

¹ United States Department of Energy, 101 FERC ¶ 61,389 (2002). The order also directed New York Independent System Operator, Inc. and ISO-New England, Inc. to provide information regarding operating and scheduling protocols.

3. 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.

4. This order terminates Docket Nos. ER03-246-000 and ER03-246-001.

By the Commission.

(S E A L)

Linda Mitry,
Acting Secretary.