

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

FILED
04 DEC -7 AM 9:55
FEDERAL ENERGY
REGULATORY COMMISSION

AES Ocean Express, LLC

Docket No. RP04-249-000

v.

and RP04-249-001

Florida Gas Transmission Company

REPORT OF SETTLEMENT STATUS

(Issued December 7, 2004)

TO THE COMMISSION AND THE CHIEF JUDGE:

1. On October 8, 2004, the Chief Administrative Law Judge consolidated the issues set for hearing by the Commission on June 18, 2004, 107 FERC ¶ 61,276, in Docket No. RP04-249-000, into the on-going proceeding in Docket No. RP04-249-001 for hearing and decision.¹ The Chief Administrative Law Judge also allowed settlement judge procedures in Docket No. RP04-249-000 to continue for an additional 60 days.² Accordingly, the undersigned respectfully submits this status report regarding settlement negotiations in Docket No. RP04-249-000.

2. Florida Gas Transmission Company (FGT) submitted a settlement agreement on October 1, 2004 concerning the issue of the 6% hourly flow rates in the interconnection agreement between it and AES Ocean Express, LLC (Ocean Express). Presiding Administrative Law Judge Herbert Grossman certified the uncontested partial settlement on November 23, 2004.³ FGT subsequently informed the undersigned that the parties expected shortly to file settlement documents addressing the gas quality specifications in

¹ "Order of Chief Judge Consolidating Proceedings for Hearing and Decision and Continuing Settlement Judge Procedures," at P 2, Docket Nos. RP04-249-000, *et al.* (issued Oct. 8, 2004), citing *AES Ocean Express LLC v. Fla. Gas Transmission Co.*, 107 FERC ¶ 61,276 (2004).

² *Id.*

³ *AES Ocean Express LLC v. Florida Gas Transmission Co.*, 109 FERC ¶ 63,037 (2004).

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the interconnection agreement between FGT and Ocean Express. Accordingly, the undersigned respectfully recommends that settlement judge procedures be allowed to continue in Docket No. RP04-249-000 to allow the parties to prepare and file settlement documents.


Bobbie J. McCartney
Settlement Judge