

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

H.Q. Energy Services (U.S.), Inc.	Docket Nos. EL01-19-004
v.	EL01-19-005
New York Independent System Operator, Inc.	EL01-19-006
PSEG Energy Resources & Trade LLC	
v.	EL02-16-004
New York Independent System Operator, Inc.	EL02-16-005
	EL02-16-006

ORDER OF CHIEF JUDGE DESIGNATING SETTLEMENT JUDGE  
AND SCHEDULING SETTLEMENT CONFERENCE

(Issued November 30, 2005)

1. The Commission by order issued on November 21, 2005, 113 FERC ¶ 61,184, directed the Chief Judge to appoint a settlement judge to assist the parties in arriving at a settlement of the issues in this case. The Commission gave the parties the opportunity to request the Chief Judge to appoint a specific judge mutually agreed upon by all parties. The parties unanimously requested that Judge Birchman be appointed the Settlement Judge in this proceeding.
2. Accordingly, the Chief Judge hereby appoints Judge Bruce L. Birchman as the Settlement Judge in this case to convene a settlement conference, explore the possibility of settlement, discuss the differences between the parties, and in general conduct the settlement negotiations. Participants are directed to have persons present at the settlement negotiations with authority to negotiate and accept or approve settlement terms.
3. A settlement conference with Judge Birchman is hereby scheduled to convene at 10:00 a.m. on December 7, 2005, in a hearing room of the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. This conference may extend to December 8, 2005, if necessary.
4. Settlement Judge Birchman is available to talk with the parties individually or in groups on December 5 and 6, 2005. Any party wishing to meet with Judge Birchman may call Judge Birchman's law clerk, Mr. Andrew Johnson, at 202-502-8507 to arrange for a meeting. The complainants are directed to provide Judge Birchman with two paper copies of each complaint and, after consultation with the participants, an issues agenda which includes a preliminary stipulation of issues for resolution by 4:00 p.m. on December 2, 2005.

5. The Chief Judge strongly encourages electronic filings. See 18 C.F.R. § 385.2001(a)(1)(iii) and the instructions on the Commission's website under the "Documents & Filing" tab.

Curtis L. Wagner, Jr.  
Chief Administrative Law Judge