

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 05-1435

September Term, 2006

FILED ON: FEBRUARY 16, 2007

[1023394]

INDUSTRIAL ENERGY USERS-OHIO,
PETITIONER

v.

FEDERAL ENERGY REGULATORY COMMISSION,
RESPONDENT

AMERICAN ELECTRIC POWER SERVICE CORPORATION,
INTERVENOR

On Petition for Review of an Order of the
Federal Energy Regulatory Commission

Before: GINSBURG, *Chief Judge*, and GRIFFITH, *Circuit Judge* and SILBERMAN, *Senior Circuit Judge*.

J U D G M E N T

The petition for review of orders of the Federal Energy Regulatory Commission was considered on the briefs and the joint appendix filed by the parties. *See* Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED and ADJUDGED that the petition for review is denied for the reasons stated in paragraphs 23-25 of the Commission's Order Denying Rehearing, 112 F.E.R.C. ¶ 61,320, at 62,432-33 (2005), in which the Commission adequately considered and responded to petitioner's arguments.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. *See* Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

FOR THE COURT:
Mark J. Langer, Clerk

BY:

Deputy Clerk