

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

---

**No. 05-1372**

**September Term, 2007**

FILED ON: MAY 6, 2008

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.,  
PETITIONER

v.

FEDERAL ENERGY REGULATORY COMMISSION,  
RESPONDENT

ENTERGY NUCLEAR OPERATIONS INC., ET AL.,  
INTERVENORS

---

CONSOLIDATED WITH 06-1360

---

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

---

Before: RANDOLPH, TATEL, and GARLAND, *Circuit Judges*.

## **J U D G M E N T**

This case was considered on the record from the Federal Energy Regulatory Commission and on the briefs and arguments of the parties. It is

ORDERED AND ADJUDGED that the petitions are denied for the reasons stated in the FERC orders.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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 en banc. *See* FED. R. APP. P. 41(b); D.C. CIR. R. 41.

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Michael C. McGrail  
Deputy Clerk