



**Federal Energy Regulatory Commission
January 18, 2007
Open Commission Meeting
Statement of
Commissioner Marc Spitzer**

Item M-2: Standards of Conduct for Transmission Providers (RM07-1-000)

"Today's NOPR solicits comments on, among other things, whether the Commission should revise its regulations to eliminate the definition of "energy affiliate" as applied to the electric utility industry under Order No. 2004. In addition, the NOPR considers additional flexibility for electric utilities to perform integrated resource planning and competitive procurement without running afoul of Order No. 2004.

I support the issuance of today's NOPR. The purpose of this NOPR is to generate real debate on these important issues. As in all matters, I approach this NOPR with an open mind and I am not now wedded to any particular outcome. Indeed, being committed to a certain outcome at this point would defeat the purpose of issuing the NOPR in the first instance and, in my view, would render the issuance of this particular NOPR a meaningless exercise.

In this regard, I view today's NOPR as a strawman – a starting point on which I would encourage the public to focus comments. I envision an open and honest discussion among commenters, staff and my colleagues so that the Commission will ultimately reach an informed, equitable, and just and reasonable resolution of these issues."