

**BEFORE THE
U.S. DEPARTMENT OF ENERGY
WASHINGTON, D.C. 20585**

In the Matter of:

American Power Solutions, Inc.,
Respondent

)
)
) Case Number: 2010-CE-0911
)
)

ORDER

Issued: October 5, 2010

By the General Counsel, U.S. Department of Energy:

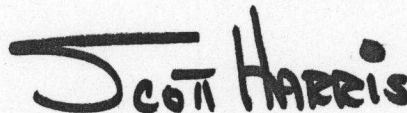
1. In this Order, I adopt the attached Compromise Agreement entered into between the U.S. Department of Energy ("DOE") and American Power Solutions, Inc. ("Respondent"). The Compromise Agreement resolves the case initiated to pursue a civil penalty for violations of the compliance certification requirements at 10 C.F.R. § 430.62.

2. The DOE and Respondent have negotiated the terms of the Compromise Agreement that resolve this matter. A copy of the Compromise Agreement is attached hereto and incorporated by reference.

3. After reviewing the terms of the Compromise Agreement and evaluating the facts before me, I find that the public interest would be served by adopting the Compromise Agreement which completes the adjudication of the case.

4. Accordingly, **IT IS ORDERED** that, pursuant to Section 333 of the Energy Policy and Conservation Act, of 1975, as amended,¹ the Compromise Agreement attached to this Order **IS ADOPTED**.

U.S. DEPARTMENT OF ENERGY



Scott Blake Harris
General Counsel

¹ 42 U.S.C. § 6303.