

155 FERC ¶ 61,298
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

June 23, 2016

In Reply Refer To:
Entergy Services, Inc.
Docket Nos. ER13-948-004
EL14-19-002
ER14-649-001
ER14-1645-001

Baker Botts L.L.P.
1299 Pennsylvania Avenue NW
Washington, DC 20004-2400

Attn: Brooksany Barrowes, Esq.

Dear Ms. Barrowes:

1. On February 25, 2016, you filed, in the above-referenced proceedings, a settlement agreement (Settlement) between the Midcontinent Independent System Operator, Inc. (MISO); the MISO Transmission Owners;¹ Entergy Services, Inc., as agent

¹ For purposes of the Settlement, the MISO Transmission Owners are American Transmission Company LLC; Big Rivers Electric Corporation; City Water, Light & Power (Springfield, IL); Dairyland Power Cooperative; Great River Energy; Hoosier Energy Rural Electric Cooperative, Inc.; Indianapolis Power & Light Company; MidAmerican Energy Company; Minnesota Power (and its subsidiary Superior Water, L&P); Missouri River Energy Services; Montana-Dakota Utilities Co.; Northern States Power Company, a Minnesota corporation, and Northern States Power Company, a Wisconsin corporation, subsidiaries of Xcel Energy Inc.; Northwestern Wisconsin Electric Company; Otter Tail Power Company; Prairie Power, Inc.; Southern Illinois Power Cooperative; Southern Indiana Gas & Electric Company; Southern Minnesota Municipal Power Agency; and Wabash Valley Power Association, Inc.

for the Entergy Operating Companies² (Entergy); Associated Electric Cooperative; The Empire District Electric Company; Kansas City Power & Light Company (KCP&L) and KCP&L Greater Missouri Operations Company; Missouri Joint Municipal Electric Utility Commission; the City of Carthage, Missouri; the City of Malden, Missouri; the City of Piggott, Arkansas; East Texas Electric Cooperative, Inc.; the NRG Companies;³ the City of Poplar Bluff, Missouri; and Southern Company Services, Inc., by and on behalf of Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, and Southern Power Company (collectively, the Settling Parties).

2. On March 16, 2016, Commission Trial Staff submitted comments in support of the Settlement. On April 5, 2016, the MISO Transmission Owners and Entergy submitted comments in support of the Settlement. On April 29, 2016, the Settlement Judge certified the Settlement to the Commission as an uncontested settlement.⁴

3. The Settlement addresses issues regarding MISO's regional through and out rates in the MISO South region. The Settlement provides for the withdrawal of all rehearing requests filed in Docket No. EL15-66-001 within 15 days of the Commission's order approving the Settlement.⁵

4. Section II.C(9) of the Settlement states that

[t]he standard of review for any modifications to this [Settlement], whether offered by Settling Parties, Additional Settling Parties or nonparties, will be the just and reasonable standard of review. *See Devon Power LLC*, 126 FERC ¶ 61,027 (2009), *citing Me. Pub. Util. Comm'n v. FERC*, 520 F.3d 464 (D.C. Cir. 2008).

² The Entergy Operating Companies are Entergy Arkansas, Inc.; Entergy Louisiana, LLC; Entergy Mississippi, Inc.; Entergy New Orleans Inc.; and Entergy Texas, Inc.

³ For purposes of the Settlement, the NRG Companies are Bayou Cove Peaking Power LLC; Big Cajun I Peaking Power LLC; Cottonwood Energy Company LP; Louisiana Generating LLC; NRG Power Marketing LLC; NRG Sterlington Power LLC; NRG Wholesale Generation LP; and GenOn Energy Management, LLC.

⁴ *Midcontinent Indep. Sys. Operator, Inc.*, 155 FERC ¶ 63,010 (2016).

⁵ Settlement, § II.C(1).

5. The Settlement resolves all issues in dispute in these proceedings. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved. The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in these proceedings.

6. Consistent with the terms of the Settlement, MISO is directed to file revised tariff sheets, consistent with the *pro forma* sheets appended to the Settlement, in eTariff format⁶ within 30 days of this order, to reflect the Commission's action in this order.

7. This letter terminates Docket Nos. ER13-948-004, EL14-19-002, ER14-649-001, and ER14-1645-001.

By direction of the Commission. Commissioner Honorable is not participating.

Kimberly D. Bose,
Secretary.

⁶ See *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276 (2008).

Document Content(s)

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