

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;
Nora Mead Brownell, and Suedeen G. Kelly.

Xcel Energy Services Inc.	Docket Nos. ER04-1174-000 ER04-1174-001 ER04-1174-002
Xcel Energy Services Inc. and Southwest Power Pool, Inc.	EL05-41-000
Southwest Power Pool, Inc.	ER04-1232-000

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued April 5, 2006)

1. On February 7, 2006, Xcel Energy Services Inc. (“XES”), on behalf of its utility operating company affiliates, Public Service Company of Colorado (“PSCo”) and Southwestern Public Service Company (“SPS”), filed a settlement in the above-captioned proceedings to resolve all issues raised in XES’ wholesale transmission and ancillary services rate filings in these dockets.
2. On February 27, 2006, Trial Staff and Aquila, Inc. (separately) filed comments in support of the settlement. On March 9, 2006 XES filed reply comments. No other comments were received. On March 17, 2006 the settlement was certified to the Commission as uncontested.¹
3. The settlement is fair and reasonable and in the public interest and is hereby approved. The revised tariff pages to the Xcel Energy Operating Companies Joint Open Access Transmission Tariff and the revised rate schedules submitted as a part of the settlement are accepted for filing effective June 1, 2005. The Commission’s approval of this settlement does not constitute approval of, or precedent regarding any principle or issue in this proceeding. The Commission retains the right to investigate the rates, terms and conditions under the just and reasonable and not unduly discriminatory or preferential standard of section 206 of the Federal Power Act, 16 U.S.C. § 824e (2000).

¹ *Xcel Energy Services Inc.*, 114 FERC ¶ 63,044 (2006).

4. Upon receipt of this order, Xcel Energy shall request that the Southwest Power Pool (“SPP”) make a filing in Docket No. ER04-1232-000 to incorporate the settlement rates for transmission and ancillary services for use of the SPS transmission system under the SPP Regional Open Access Transmission Tariff (“OATT”), to be effective as of June 1, 2005. The SPP shall make the requested filing as soon as reasonably practicable. Commission approval of the settlement constitutes authorization for the SPS settlement rates to be incorporated in the SPP OATT for the SPS rate zone effective as of June 1, 2005.

5. Within thirty (30) days from the date of this order, refunds with interest shall be made to affected customers pursuant to the settlement.

6. This order terminates Docket Nos. ER04-1174-000, ER04-1174-001, ER04-1174-002, EL05-41-000 and ER04-1232-000.²

By the Commission.

(S E A L)

Magalie R. Salas,
Secretary.

² Docket No. ER04-1232 remains open for SPP to submit the compliance filing as discussed in this order.