

120 FERC ¶ 61,154  
UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;  
Sudeen G. Kelly, Marc Spitzer,  
Philip D. Moeller, and Jon Wellinghoff.

Xcel Energy Services Inc.

Docket Nos. ER06-301-000  
ER06-301-001

ORDER APPROVING UNCONTESTED SETTLEMENT

(Issued August 13, 2007)

1. On June 15, 2007, Xcel Energy Services Inc. submitted an offer of settlement, on behalf of itself, the Xcel Energy Operating Companies,<sup>1</sup> Golden Spread Electric Cooperative, Inc., Holy Cross Energy, and Occidental Permian Ltd. and Occidental Power Marketing in the above proceeding. On July 12, 2007, on behalf of those same parties, Xcel Energy Services Inc. filed revisions to the settlement. On June 28, 2007, Commission Trial Staff submitted initial comments in support of the settlement. No other initial comments or reply comments were filed. The settlement was certified to the Commission as uncontested on July 17, 2007.<sup>2</sup>

2. The subject settlement resolves all of the issues set for hearing and settlement judge procedures in Docket Nos. ER06-301-000 and ER06-301-001.<sup>3</sup> The settlement is fair and reasonable and in the public interest and is hereby approved. The revised tariff sheets are accepted for filing as designated and made effective consistent with such designations and the terms of the settlement. 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

---

<sup>1</sup> Xcel Energy Operating Companies include Northern States Power Company (Minnesota), Northern States Power Company (Wisconsin), Public Service Company of Colorado (PSCo), and Southwestern Public Service Company (SPS).

<sup>2</sup> *Xcel Energy Services Inc.*, 120 FERC ¶ 63,003.

<sup>3</sup> The Commission established hearing and settlement judge procedures by order dated November 2, 2006. *Xcel Energy Services Inc.*, 117 FERC ¶ 61,153.

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).<sup>4</sup> Refunds and adjustments shall be made pursuant to the settlement.

3. This order terminates Docket Nos. ER06-301-000 and ER06-301-001.

By the Commission.

( S E A L )

Kimberly D. Bose,  
Secretary.

---

<sup>4</sup> Modifications to the settlement proposed by a party thereto shall be the public interested standard under the *Mobile-Sierra* doctrine. *United Gas Pipe Line Co. v. Mobile Gas Service Corp.*, 350 U.S. 332 (1956), and *Federal Power Commission v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956).