

131 FERC ¶ 61,204
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

June 1, 2010

In Reply Refer To:
Southern Company Services, Inc.
Docket Nos. ER09-568-000
ER09-568-001

Balch & Bingham, LLP
1710 Sixth Avenue North
Birmingham, AL 35203

Attn: Kevin A. McNamee, Esq.
Attorney for Southern Company Services, Inc.

Dear Mr. McNamee:

1. On June 23, 2009, Southern Company Services, Inc. (Southern), acting as agent for Alabama Power Company, Georgia Power Company, Gulf Power Company and Mississippi Power Company, filed an Offer of Settlement (Settlement) to resolve all issues set for hearing in the March 27, 2009 Commission order in Docket No. ER09-568-000.¹ Comments in support of the Settlement were filed by Commission Trial Staff on July 13, 2009. No reply comments were filed. On August 4, 2009, the Settlement was certified to the Commission as uncontested.²

2. The Settlement resolves all issues set for hearing arising from Southern's proposed Service Agreement with Topaz Energy Associates, LLC and corresponding notice of cancellation.

¹ *Southern Company Services, Inc.*, 126 FERC ¶ 61,279 (2009).

² *Southern Company Services, Inc.*, 128 FERC ¶ 63,006 (2009).

3. The Settlement is fair and reasonable and in the public interest and is hereby approved, as conditioned above. The Commission's approval of this Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding.
4. This order terminates Docket Nos. ER09-568-000 and ER09-568-001.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

cc. All Parties