

134 FERC ¶ 61,244
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

March 29, 2011

In Reply Refer to:
Black Hills Power, Inc.
Docket No. ER10-1464-000

Morgan, Lewis & Bockius, LLP
Attn: Michael C. Griffen, Esq.
Attorney for Black Hills Power, Inc.
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Reference: Uncontested Settlement

Dear Mr. Griffen:

1. On January 18, 2011, you filed a Settlement Agreement (Settlement) on behalf of Black Hills Power, Inc. (Black Hills) in the above-captioned proceeding. The Settlement reflects the parties' agreement to resolve all issues set for hearing in *Black Hills Power, Inc.*, 132 FERC ¶ 61,126 (2010).
2. On February 3, 2011, Commission Trial Staff filed comments in support of the Settlement. No other participant filed comments. On February 23, 2011, the Settlement Judge certified the Settlement to the Commission as uncontested.
3. The Settlement resolves all of the issues between the settling parties in Docket No. ER10-1464-000. Paragraph 23 of the Settlement provides that the applicable standard of review for the Settlement is the just and reasonable standard.
4. 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 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 (2006). The tariff sheets contained in the Settlement, as amended, are in compliance with Order No. 614 and are made effective as

set forth in the Settlement. *See Designation of Electric Rate Schedule Sheets*, Order No. 614, FERC Stats. & Regs., Regs. Preambles July 1996 – December 2000 ¶ 31,096 (2000).

5. This letter order terminates Docket No. ER10-1464-000.

By direction of the Commission.

Kimberly D. Bose,
Secretary.