

136 FERC ¶ 61,111
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

August 17, 2011

In Reply Refer To:
Entergy Services, Inc.
Docket No. ER10-879-000

Entergy Arkansas, Inc.
101 Constitution Ave, NW
Suite 200 East
Washington, DC 20001

Attention: Erin M. Murphy, Attorney for Entergy Services, Inc.

Reference: Uncontested Settlement

Dear Ms. Murphy:

1. On December 10, 2010, you filed, on behalf of Entergy Arkansas, Inc. (Entergy) and Arkansas Electric Cooperative Corporation, a settlement agreement (Settlement) intended to resolve all issues set for hearing in Docket No. ER10-879-000. On December 30, 2010, the Commission Trial Staff filed initial comments in support of the Settlement. No other comments were filed. On January 11, 2011, the Chief Administrative Law Judge certified the Settlement to the Commission as uncontested.¹
2. 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 acceptance of, or precedent regarding, any principle or issue in this proceeding.
3. Paragraph 5 of the Settlement provides that the standard of review for any modifications to the Settlement not agreed to by all the parties, including any modifications proposed by non-parties or from the Commission acting *sua sponte*, shall be the just and reasonable standard of review. The Commission retains the right to

¹ *Entergy Arkansas, Inc.*, 134 FERC ¶ 63,003 (2011).

investigate 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).

4. Within 30 days of this letter, Entergy must refund with interest any amounts collected in excess of the Settlement rates and file a refund report with the Commission within 15 days after such refunds have been made, as described in the Settlement.

5. Entergy made its baseline electronic tariff filing pursuant to Order No. 714.² However, it did not file the Settlement Rate Schedules in the eTariff format required by Order No. 714. Therefore, within 30 days of the date of this order, Entergy is directed to make a compliance filing in eTariff format to reflect the Commission's action in this order.

6. This letter order terminates Docket No. ER10-879-000.

By direction of the Commission

Nathaniel J. Davis, Sr.,
Deputy Secretary.

² See *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276, at P 96 (2008).