

141 FERC ¶ 61,018
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

October 5, 2012

In Reply Refer To:
Entergy Services, Inc.
Docket Nos. ER10-1676-000
AC10-139-000

Entergy Services, Inc.
101 Constitution Avenue, NW
Suite 200 East
Washington, DC 20001

Attn: Andrea J. Weinstein, Esq.
Attorney for Entergy Services, Inc.

Reference: Uncontested Settlement

Dear Ms. Weinstein:

1. On September 29, 2011, you filed, in the above-referenced dockets, a Settlement Agreement (Settlement) on behalf of Entergy Services, Inc. (Entergy) and the Settling Parties.¹ On October 19, 2011, Commission Trial Staff submitted initial comments that did not oppose the Settlement. No other comments were received. On November 15, 2011, the Settlement Judge certified the uncontested Settlement to the Commission.²
2. The Settling Parties agreed to include under Service Schedules MSS-3 and MSS-4 of the Entergy System Agreement a positive acquisition adjustment, and the associated amortization expenses, associated with the purchase of Power Block Two, a generating facility.

¹ The Settling Parties are Entergy, the Arkansas Public Service Commission, the Louisiana Public Service Commission and the Mississippi Public Service Commission. The Settlement notes that the Council for the City of New Orleans participated in this proceeding and does not oppose the Settlement.

² *Entergy Services, Inc.*, 137 FERC ¶ 63,010 (2011).

3. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved. The Settlement resolves all issues set for hearing in this matter. We note that neither Entergy nor the other Settling Parties have made any representation that the tariff language conditionally accepted by the Commission in its initial order in this proceeding is being amended as a result of this Settlement. We therefore accept those tariff sheets for filing, subject to the compliance requirement noted below. Our acceptance is predicated upon the understanding that the tariff language is the same language submitted with Entergy's original filing in this proceeding.

4. The Settlement does not require the payment of any refunds. The Commission retains the right to investigate the rates, terms and conditions under the just and reasonable and not unduly discriminatory or preferential standard as set forth in section 206 of the Federal Power Act, 16 U.S.C. § 842e (2006).

5. Lastly, within 30 days of the date of this order, Entergy is required to submit a compliance filing through eTariff to ensure that its electronic tariff data base reflects the Commission's action in this proceeding.³ In its compliance filing, Entergy should request an April 29, 2011 effective date (i.e., the closing date of the Power Block Two acquisition), in accordance with the Commission's initial order in this proceeding.⁴

6. The Commission's approval of this Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding. This letter order terminates Docket Nos. ER10-1676-000 and AC10-139-000.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

³ See *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276, at P 96 (2008).

⁴ *Entergy Services, Inc.*, 133 FERC ¶ 61,099, at P 20, Ordering Paragraph (A) (2010).