

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

June 1, 2006

In Reply Refer To:
Southern Company Services, Inc.
Docket Nos. ER06-576-000 and
ER06-576-001

Balch & Bingham, LLP
Attn: William A. Graham, Esq.
Attorney for Southern Company Services, Inc.
1901 Sixth Avenue North, Suite 2600
Birmingham, AL 35203-2628

Dear Mr. Graham:

1. On January 30, 2006, Southern Company Services, Inc. (Southern)¹ filed a proposed Network Integration Transmission Service Agreement (NITSA) along with a corresponding Network Operating Agreement (NOA) (Agreements) between Southern Companies and the Alabama Municipal Electricity Authority (AMEA). Southern requests that the Commission waive its 60-day prior notice requirement to allow the Agreements to become effective on January 1, 2006, the day that service commenced. In this order, the Commission conditionally accepts the Agreements for filing effective January 1, 2006, as requested, subject to Southern filing a revised section 2.0 of the NOA, as discussed below, within 30 days of the date this order issues.

Background

2. As noted above, on January 30, 2006, Southern filed a NITSA and NOA between Southern Companies and AMEA. On April 7, 2006, in response to a deficiency letter, Southern filed, among other things, a redlined version of the NOA illustrating changes from Southern's *pro forma* NOA as agreed upon by Southern and AMEA.

¹ Southern Company Services, Inc. acts as agent for Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, and Savannah Electric and Power Company (collectively, Southern Companies).

Notice

3. Notices of Southern's two filings were published in the *Federal Register*, 71 Fed. Reg. 7553 (2006) and 71 Fed. Reg. 21,008 (2006), with interventions and protests due on or before February 21, 2006 and April 28, 2006, respectively. On April 21, 2006, AMEA filed a motion to intervene.

Discussion

4. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2005), AMEA's timely, unopposed motion to intervene serves to make it a party to this proceeding. The Commission conditionally accepts the Agreements, and also grants waiver of the Commission's 60-day prior notice requirement and makes the Agreements effective January 1, 2006,² subject to the modification of the NOA described hereunder.

5. In section 2.0 of the revised NOA (Redispatch Procedures) Southern deleted from its *pro forma* NOA language requiring its bulk power operations personnel to keep confidential any data received from the customer regarding the customer's cost of changing the generation output of its network resources and prohibiting the disclosure of that data to Southern's marketing personnel. The Commission is concerned that, if new network resources that (unlike the current network resources) are not under Southern's operational control are later added to the Agreements, section 2.0 would not provide appropriate confidential treatment of redispatch cost data for network resources. Thus, the Commission directs Southern to revise, within 30 days, section 2.0 of the NOA similar to the language used in the NOA that was accepted in Docket No. ER06-561-000³ and consistent with the Commission's Standards of Conduct.⁴

By direction of the Commission.

Magalie R. Salas,
Secretary.

² See *Prior Notice and Filing Requirements under Part II of the Federal Power Act*, 64 FERC ¶ 61,139 at 61,984, *order on reh'g*, 65 FERC ¶ 61,081 (1993) (providing for certain agreements to be filed up to 30 days after service commences).

³ *Southern Co. Servs., Inc.*, Docket No. ER06-561-000 (May 10, 2006 delegated letter order).

⁴ 18 C.F.R. Part 358 (2005).