

124 FERC ¶ 61,281
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

September 24, 2008

In Reply Refer To:
Golden Spread Electric Cooperative, Inc.
Lyntegar Electric Cooperative, Inc.
Farmers' Electric Cooperative, Inc.
Lea County Electric Cooperative, Inc.
Central Valley Electric Cooperative, Inc.
Roosevelt County Electric
Cooperative, Inc.

v.

Southwestern Public Service Company
Southwestern Public Service Company
(consolidated)
Southwestern Public Service Company
Docket Nos. EL05-19-008
ER05-168-007
ER06-274-011

Jones Day
51 Louisiana Avenue, NW
Washington, DC 20001

Attention: Clark Evans Downs, Esq.
Attorney for Southwestern Public Service Company

Reference: Settlement Amendment No. 2

Dear Mr. Downs:

1. On August 29, 2008, Southwestern Public Service Company (SPS), on behalf of itself and Golden Spread Electric Cooperative, Inc. and Lyntegar Electric Cooperative, Inc. (collectively Golden Spread), and Occidental Permian Ltd. And Occidental Power

Marketing, L.P. (collectively Occidental), filed Amendment No. 2¹ to the Offer of Settlement and Settlement Agreement (Settlement) filed on December 3, 2007 and approved by the Commission on April 21, 2008.² The Commission finds that the requested amendment is just and reasonable and will accept it for filing.

2. In Amendment No. 2, the parties extend the time to complete certain filing obligations set forth in the Settlement. The first of these is SPS and Golden Spread's obligation to initiate action with the New Mexico Public Regulation Commission (NMPRC) to obtain a determination that the Replacement Power Sales Agreement (RPSA) between SPS and Golden Spread is reasonable. The second is SPS and Golden Spread's obligation to file with the Commission an amended RPSA to add Mustang Station Units 4 and 5, and the Ranger Units 1-4 to the list of Golden Spread resources from which replacement energy would be made available to SPS. Amendment No. 2 extends the time to complete these filing obligations to no later than September 30, 2008.

3. Initial comments on the amendment were due by September 10, 2008, and reply comments on or before September 17, 2008. No adverse comments were received.

4. The Commission's acceptance of this settlement amendment does not constitute precedent regarding any principle or issue in this proceeding.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

¹ On July 18, 2008, on behalf of Golden Spread and Occidental, SPS filed Amendment No. 1 to the Settlement, seeking to extend the time to complete certain filing obligations set forth in the Settlement to August 31, 2008. The Commission noticed Amendment No. 1 on July 23, 2008 and there were no motions to intervene or protests. In filing Amendment No. 2, the parties seek to further extend the time to complete the same filing obligations addressed in Amendment No. 1. Therefore, Amendment No. 2 supersedes Amendment No. 1 and the Commission rejects Amendment No. 1 as moot.

² See *Golden Spread Elec. Coop., Inc.*, 123 FERC ¶ 61,054 (2008).