

130 FERC ¶ 61,012  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

January 5, 2010

In Reply Refer to:  
Southwest Power Pool, Inc.  
Docket Nos. ER09-342-000  
ER08-1206-000  
ER08-1206-001

Barry S. Spector  
Matthew K. Segers  
Wright & Talisman, P.C.  
1200 G Street, NW  
Suite 600  
Washington, DC 20005

Dear Mr. Spector and Mr. Segers:

1. On October 20, 2009, you filed a Settlement Agreement and Offer of Settlement Agreement (Settlement) in Docket Nos. ER09-342-000, ER08-1206-000, and ER08-1206-001, on behalf of the “Settling Parties” identified in the Settlement. The Settlement includes revised Service Agreements for Network Integration Transmission Service between Southwest Power Pool, Inc. as the Transmission Provider, and (1) American Electric Power Service Corporation (as Agent for Public Service Company of Oklahoma and Southwestern Electric Power Company), (2) Oklahoma Municipal Power Authority, and (3) Arkansas Electric Cooperative Corporation as the Network Customers. The revised Service Agreements resolve all issues in Docket Nos. ER09-342-000, ER08-1206-000, and ER08-1206-001. On November 9, 2009, Commission Staff filed comments in support of the Settlement. On November 25, 2009, the Settlement Judge certified the Settlement to the Commission as uncontested.

2. Article IV of the Settlement provides that the just and reasonable standard governs all future changes to the Settlement by the Settling Parties and the Commission. Article IV also provides that nothing in the Settlement is intended to impose the “public interest” standard of review<sup>1</sup> on either the Settling Parties or the Commission, or to prevent the Commission from acting on its own motion in this proceeding.

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<sup>1</sup> See *United Gas Pipe Line Co. v. Mobile Gas Serv. Corp.*, 350 U.S. 332 (1956); *Federal Power Comm. v. Sierra Pac. Power Co.*, 350 U.S. 348 (1956).

3. The Settlement is fair and reasonable and in the public interest, and is hereby approved. The tariff sheets contained in the Settlement comply with Order No. 614, and are made effective as noted in the Settlement. *Designation of Electric Rate Schedule Sheets*, Order No. 614, FERC Stats. & Regs., Regulations Preambles July 1996 - December 2000 ¶ 31,096 (2000). 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).

4. This letter terminates Docket Nos. ER09-342-000, ER08-1206-000, and ER08-1206-001.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

cc: All parties of record