

132 FERC ¶ 61,114
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

August 9, 2010

In Reply Refer to:
Tallgrass Transmission, LLC and Prairie
Wind Transmission, LLC
Docket Nos. ER09-35-000
and ER09-36-000

Mr. Gary A. Morgans
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036

Dear Mr. Morgans:

1. On May 10, 2010, Tallgrass Transmission, LLC (Tallgrass) and Prairie Wind Transmission, LLC (Prairie Wind), acting under Rule 602 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.602 (2010), filed Settlement Agreements (Settlements) in the captioned dockets. Tallgrass and Prairie Wind filed the Settlements on behalf of themselves and the Kansas Corporation Commission, Golden Spread Electric Cooperative, Inc., Arkansas Electric Cooperative Corporation, East Texas Electric Cooperative, Inc., Northeast Texas Electric Cooperative, Inc., and Tex-La Electric Cooperative of Texas, Inc. On June 1, 2010, Commission Trial Staff filed initial comments in support of the Settlements. On June 14, 2010, the Settlement Judge certified the Settlements to the Commission as uncontested.

2. The Settlements resolve all issues in the above-captioned proceedings, except for issues raised in pending requests for rehearing and/or clarification, pursuant to Article 1 of the Settlements. The Settlements appear to be fair and reasonable and in the public interest and are hereby approved.

3. If Prairie Wind and Tallgrass have made their baseline electric tariff filing pursuant to Order No. 714, and did not file the Settlements in the eTariff format required by Order No. 714, they are required to make a compliance filing in eTariff format to ensure that its electronic tariff provisions reflect the Commission action in this order.¹

¹ See *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276 at P 96 (2008).

Such a compliance filing also is necessary for any settlement containing pro forma tariff sheets, but is not necessary if the settlement was filed in eTariff format with actual tariff records (as opposed to pro forma records).

4. The Commission's acceptance of the Settlements does not constitute approval of, or precedent regarding, any principle or issue in this proceeding. Article 5.2 of the Settlements provides that the "just and reasonable" standard of review governs any future modifications to the Settlements by the parties and the Commission. 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).

5. This letter terminates Docket Nos. ER09-35-000 and ER09-36-000, but not the rehearing Docket Nos. ER09-35-001 and ER09-36-001.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

cc: All parties of record