

142 FERC ¶ 61,004
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

January 2, 2013

In Reply Refer to:
Public Service Company of New Mexico
Docket Nos. ER11-1915-000, ER11-1915-001,
ER11-1915-002, ER11-1916-000, ER11-1916-
001, ER11-1916-002, ER11-1917-000, ER11-
1917-001, ER11-1917-002, and ER11-2838-001

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Dear Counsel:

1. On July 3, 2012, you filed, on behalf of Public Service Company of New Mexico (PNM), a Stipulation and Agreement (Settlement) in the above-referenced dockets.
2. On July 13, 2012, Commission Trial Staff filed initial comments in support of the Settlement. No adverse comments were filed, and on August 1, 2012, the Settlement was certified to the Commission as uncontested.¹
3. The Settlement resolves all issues set for hearing in the captioned proceedings, which concern transmission rate changes for transmission delivery services provided by PNM under its Open Access Transmission Tariff (OATT), its Electric Coordination Tariff, and two pre-OATT bilateral agreements. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved. The revised tariff and contract sections filed with the Settlement are accepted and made effective June 1, 2011.² Refunds and adjustments shall be made pursuant to the Settlement. The Commission's

¹ *Public Service Company of New Mexico*, 140 FERC ¶ 63,008 (2012).

² PNM shall fulfill all of the Commission's eTariff requirements with respect to the filing of the Settlement and revised tariff and contract sections.

approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue involved in this proceeding.

4. Section 6.8 of the Settlement states that the standard of review for any proposed changes sought by any party to the Settlement shall be the public interest standard of review,³ and the standard of review for any changes proposed by a non-party or the Commission acting *sua sponte* shall be the ordinary just and reasonable standard of review, not the public interest standard of review. The Commission retains the right to investigate the rates, terms, and conditions of the Settlement 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 order terminates Docket Nos. ER11-1915-000, ER11-1915-001, ER11-1915-002, ER11-1916-000, ER11-1916-001, ER11-1916-002, ER11-1917-000, ER11-1917-001, ER11-1917-002, and ER11-2838-001.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

³ See *United Gas Pipe Line Co. v. Mobile Gas Services Corp.*, 350 U.S. 332 (1956) and *Federal Power Comm'n. v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956).