

145 FERC ¶ 61,169
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

November 25, 2013

In Reply Refer To:
Southwest Power Pool, Inc.
Docket No. ER13-1872-000

Jennings, Strouss & Salmon, P.L.C.
Attn: Debra D. Roby
Alan J. Rukin
Counsel to the City of Eudora, Kansas
1350 I Street NW, Suite 810
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Dear Ms. Roby and Mr. Rukin:

1. On September 30, 2013, you filed on behalf of the City of Eudora, Kansas (Eudora) and Westar Energy, Inc. (Westar) (collectively, the Settling Parties) an Offer of Settlement (Settlement) in the above captioned proceeding. The Settlement resolves issues arising from the filing by Southwest Power Pool, Inc. (SPP)¹ of an unexecuted Network Integration Transmission Service Agreement between SPP and Eudora's agent Kansas Municipal Energy Agency (KMEA), and an unexecuted Network Operating Agreement among SPP, KMEA, and Westar (together the SPP-KMEA Agreements), which the Commission set for hearing and settlement judge procedures.² On October 9, 2013, the Commission's Trial Staff filed comments supporting the Settlement. No other comments were filed. On October 23, 2013, the Chief Administrative Law Judge certified the Settlement to the Commission as uncontested.³

¹ SPP is not a signatory to the Settlement, but authorized the Settling Parties to state that SPP does not oppose the Settlement, and will assist in implementing the Settlement once it is approved.

² *Southwest Power Pool, Inc.*, 144 FERC ¶ 61,168 (2013).

³ *Southwest Power Pool, Inc.*, 145 FERC ¶ 63,004 (2013).

2. The Settlement resolves all the issues set for hearing in the above captioned proceeding, including the wholesale distribution service charge that Eudora will pay for service over Westar's facilities. The Settlement appears to be fair and reasonable and in the public interest and is hereby approved. The Commission's approval of this Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding. Consistent with the Settlement, within 30 days of date of this letter order SPP shall make a compliance filing with the Commission via eTariff⁴ to incorporate into its currently effective eTariff the revised SPP-KMEA Agreements.

3. As provided in Section 2.2 of the Settlement, the applicable standard of review for proposed changes to the Settlement shall be the just and reasonable standard under sections 205 and 206 of the Federal Power Act, whether the change is proposed by a settling party, a non-party, or by the Commission acting *sua sponte*. The Commission retains the right to investigate the rates, terms, and conditions under the just and reasonable standard of section 206 of the Federal Power Act, 16 U.S.C. § 824e (2012).

4. This letter order terminates Docket No. ER13-1872-000.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

⁴ See *Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276 (2008).