

151 FERC ¶ 61,266
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Norman C. Bay, Chairman;
Philip D. Moeller, Cheryl A. LaFleur,
and Tony Clark.

ITC Holdings Corp.
Entergy Corporation

Docket Nos. EC12-145-001
EL12-107-001

(not consolidated)

ORDER TERMINATING PROCEEDINGS AND
DISMISSING REQUESTS FOR REHEARING AND CLARIFICATION

(Issued June 29, 2015)

1. On September 24, 2012, pursuant to sections 203(a)(1), 203(a)(2) and 205 of the Federal Power Act (FPA),¹ and Parts 33 and 35 of the regulations of the Commission,² ITC Holdings Corp. (ITC Holdings) and certain of its subsidiaries,³ and Entergy Corporation and certain of its subsidiaries,⁴ (collectively, Applicants) submitted a Joint Application for Authorization of Acquisition and Disposition of Jurisdictional Transmission Facilities, Approval of Transmission Service Formula Rate and Certain Jurisdictional Agreements, and Petition for Declaratory Order on Application of section 305(a) of the Federal Power Act (Application). In the Application, Applicants requested all necessary authorizations and approvals to enable the transfer of the jurisdictional assets of the Entergy Operating Companies into ITC Midsouth, a subsidiary of ITC Holdings (Proposed Transaction).

¹ 16 U.S.C. §§ 824b(a)(1), 824b(a)(2), and 824d (2012).

² 18 C.F.R. Parts 33 and 35 (2014).

³ ITC Midsouth LLC (ITC Midsouth).

⁴ Entergy Arkansas, Inc., Entergy Gulf States Louisiana, L.L.C., Entergy Louisiana, LLC, Entergy Mississippi, Inc., Entergy New Orleans, Inc., and Entergy Texas, Inc. (collectively, Entergy Operating Companies), and Mid South TransCo LLC.

2. On June 20, 2013, the Commission issued an order authorizing the Proposed Transaction and confirming that the Proposed Transaction would not violate FPA section 305(a).⁵ Requests for rehearing and clarification were filed by various parties.

3. On December 13, 2013, Applicants notified the Commission that “they terminated the [Proposed Transaction] approved by the Commission.”⁶

4. In light of the Notice of Termination, the Commission will terminate these proceedings and dismiss, as moot, the requests for rehearing and clarification filed in these proceedings.⁷

The Commission orders:

(A) The proceedings in Docket Nos. EC12-145 and EL12-107 are hereby terminated, as discussed in the body of this order.

(B) The requests for rehearing and clarification filed in these proceedings are hereby dismissed as moot, as discussed in the body of this order.

By the Commission. Commissioner Honorable is not participating.

(S E A L)

Nathaniel J. Davis, Sr.,
Deputy Secretary.

⁵ See *ITC Holdings Corp.*, 143 FERC ¶ 61,256 (2013).

⁶ Notice of Termination of Transaction, Docket No. EC12-145-000 (filed Dec. 13, 2013) (Notice of Termination).

⁷ See, e.g., *Exelon Corp.*, 130 FERC ¶ 61,095, at P 5 (2010) (dismissing requests for rehearing as moot since transaction would not be consummated).