

156 FERC ¶ 61,091
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

August 3, 2016

In Reply Refer To:
Entergy Services, Inc.
Docket No. ER15-1826-000

Entergy Services, Inc.
639 Loyola Avenue 70113-3125
P.O. Box 61000
New Orleans, LA 70161-1000

Attention: Kathryn Ann Washington

Dear Ms. Washington:

1. On March 28, 2016, as amended on March 30, 2016, you filed, in the above-referenced proceeding, a Settlement Agreement on behalf of Entergy Services, Inc., (Entergy) as agent for and on behalf of the participating Entergy Operating Companies.¹ On April 18, 2016, the Commission's Trial Staff filed comments in support of the Settlement Agreement. On April 29, 2016, the Louisiana Commission filed comments stating that it had approved the Settlement Agreement.² No other comments were filed. On April 29, 2016, the Settlement Judge certified the Settlement Agreement to the Commission as an uncontested settlement.³

¹ The participating Entergy Operating Companies are: Entergy Gulf States Louisiana, L.L.C.; Entergy Louisiana, LLC; Entergy Mississippi, Inc.; Entergy New Orleans, Inc.; and Entergy Texas, Inc. Entergy Arkansas, Inc. was not a party to the Entergy System Agreement for the test year 2014 bandwidth calculation and, therefore, is not a party to this Settlement Agreement.

² Entergy represents that it is authorized to convey that the Council for the City of New Orleans supports the Settlement Agreement and the Public Utility Commission of Texas does not oppose the Settlement Agreement. Entergy adds that the Louisiana Public Service Commission Special Counsel supports the Settlement Agreement, subject to the approval of the Louisiana Public Service Commission. Settlement Agreement at n.2.

³ *Entergy Servs., Inc.*, 155 FERC ¶ 63,012 (2016).

2. The Settlement Agreement addresses the ninth annual bandwidth filing under Service Schedule MSS-3 of the Entergy System Agreement. The ninth annual bandwidth filing contains the calculation of production costs for each of the participating Operating Companies based on calendar year 2014 data.

3. Article II, section 8 of the Settlement Agreement states that:

[i]t is the intent of the Parties that this Settlement Agreement may only be amended by the agreement in writing of all the Parties hereto. The standard of review for any modifications to this Settlement Agreement that are not agreed to by all the Parties, including any modifications resulting from the Commission acting *sua sponte*, will be the just and reasonable standard of review. See *Devon Power LLC*, 126 FERC ¶ 61,027 (2009), citing *Maine Pub. Util. Comm'n v. FERC*, 520 F.3d 464 (D.C. Cir. 2008).

4. The Settlement Agreement resolves all issues in dispute in this proceeding. The Settlement Agreement appears to be fair and reasonable and in the public interest, and is hereby approved. The Commission's approval of the Settlement Agreement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding.

By direction of the Commission.

Kimberly D. Bose,
Secretary.