

156 FERC ¶ 61,127  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

August 23, 2016

In Reply Refer To:

Entergy Services, Inc.

Docket No. ER13-948-005

Midcontinent Independent System  
Operator, Inc.

Docket No. EL14-19-003

Midcontinent Independent System  
Operator, Inc.

Entergy Services, Inc.

Docket No. ER14-649-002

Midcontinent Independent System  
Operator, Inc.

Docket No. ER14-1645-002

(consolidated)

Midcontinent Independent System  
Operator, Inc.

Entergy Services, Inc.

Docket No. ER14-649-004

Entergy Services, Inc.  
101 Constitution Ave, NW  
Suite 200 East  
Washington, DC 20002

Attn: Michael C. Griffen

Dear Mr. Griffen:

1. On July 31, 2015, you filed, on behalf of the Entergy Operating Companies<sup>1</sup> in the above-referenced proceedings, an Offer of Partial Settlement (Settlement)<sup>2</sup> among the Settlement Parties.<sup>3</sup> As discussed below, the Settlement Agreement appears to be fair and reasonable and in the public interest, and is hereby approved.

2. The Settlement addresses the proposed transmission formula rates for the Entergy Operating Companies under Attachment O of MISO's Open Access Transmission, Energy and Operating Reserve Markets Tariff (MISO Tariff) and MISO Tariff Schedules 41, 42-A, 42-B, and 47, with the exception of issues regarding MISO's

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<sup>1</sup> At the time of your filing, the Entergy Operating Companies were Entergy Arkansas, Inc. (Entergy Arkansas); Entergy Gulf States Louisiana, L.L.C. (EGSL); Entergy Louisiana, LLC (ELL); Entergy Mississippi, Inc.; Entergy New Orleans, Inc.; and Entergy Texas, Inc.

<sup>2</sup> The Settlement Parties made two errata filings to the Settlement. The first errata, filed on August 19, 2015, made documentation changes to correct inadvertent errors and omissions and other minor issues with the Entergy Operating Companies' transmission formula rate templates and associated materials submitted as part of the Settlement. The second errata, filed on October 16, 2015, made additional minor and non-substantive changes to the transmission formula rate templates such as: (1) changes to correct a few remaining inadvertent errors or omissions; (2) changes to standardize and conform the usage of terminology consistently across all the Entergy Operating Companies' transmission formula rate templates and to correct typographical errors; and (3) changes to "clean up" formatting issues.

<sup>3</sup> The Settlement Parties are Entergy Services, Inc. (Entergy Services) on behalf of the Entergy Operating Companies; Mississippi Delta Energy Agency and its members, Clarksdale Public Utilities Commission of the City of Clarksdale, Mississippi, and Public Service Commission of Yazoo City, Mississippi, South Mississippi Electric Power Association, and Arkansas Electric Cooperative Corporation (together, Joint Customers); and Midcontinent Independent System Operator, Inc. (MISO). Entergy Services notes that Trial Staff also has actively participated in the settlement discussions.

proposed Regional Through-and-Out Rate (RTOR) for MISO South.<sup>4</sup> The issues regarding MISO's RTOR for MISO South were addressed in the RTOR Proceeding.<sup>5</sup>

3. On August 7, 2015, Entergy Services filed a motion for authorization to implement the rates under the Settlement on an interim basis, and directed Entergy Services to make a compliance filing in eTariff format. On August 18, 2015, the Chief Judge accepted the revised transmission formula rate templates filed with the Settlement and authorized Entergy to institute the interim rates effective November 1, 2015, and remain in effect pending the Commission's consideration of the Settlement.<sup>6</sup> On August 20, 2015, Trial Staff filed initial comments in support of the Settlement. On September 9, 2015, MISO Transmission Owners<sup>7</sup> filed initial comments in support of the Settlement. On that same date, Kansas City Power & Light Company, KCP&L Greater Missouri Operations Company, and the Empire District Electric Company; and Southern

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<sup>4</sup> MISO South consists of the transmission systems owned by the Entergy Operating Companies, Central Louisiana Electric Company, South Mississippi Electric Power Association, Lafayette Utilities System, and East Texas Electric Cooperative.

<sup>5</sup> The RTOR Proceeding includes Docket Nos. ER13-948-004, ER14-649-001, ER14-1645-001, and EL14-19-002. On June 23, 2016, the Commission approved a settlement resolving all remaining issues in the RTOR Proceeding. *Entergy Servs., Inc.*, 155 FERC ¶ 61,298 (2016).

<sup>6</sup> *Entergy Servs., Inc.*, 152 FERC ¶ 63,018 (2015).

<sup>7</sup> MISO Transmission Owners for purposes of this filing are: Ameren Services Company, as agent for Union Electric Company; Ameren Illinois Company; American Transmission Company LLC; Big Rivers Electric Corporation; Central Minnesota Municipal Power Agency; City Water, Light & Power (Springfield, IL); Dairyland Power Cooperative; Duke Energy Corporation for Duke Energy Indiana, Inc.; Great River Energy; Hoosier Energy Rural Electric Cooperative, Inc.; International Transmission Company; ITC Midwest LLC; Indianapolis Power & Light Company; Michigan Public Power Agency; MidAmerican Energy Company; Minnesota Power (and its subsidiary Superior Water, L&P); Montana-Dakota Utilities Co.; Northern Indiana Public Service Company; Northern States Power Company, a Minnesota corporation; Northern States Power Company, a Wisconsin corporation; Northwestern Wisconsin Electric Company; Otter Tail Power Company; Prairie Power Inc.; Southern Illinois Power Cooperative; Southern Indiana Gas & Electric Company; Southern Minnesota Municipal Power Agency; Wabash Valley Power Association, Inc.; and Wolverine Power Supply Cooperative, Inc.

Company Services, Inc., on behalf of the Southern Companies<sup>8</sup> and Associated Electric (collectively, the Opposing Parties) filed comments opposing the Settlement.

4. On September 17, 2015, on behalf of the Entergy Operating Companies and to comply with the Chief Judge's order, you filed in eTariff revised versions of the Entergy Operating Companies' transmission formula rate templates and Schedules 41, 42-A, 42-B, and 47.<sup>9</sup> MISO, in its capacity as administrator for the MISO Tariff, submitted these documents in its eTariff database because each rate schedule at issue is part of the MISO Tariff. Notice of the Entergy Operating Companies' eTariff filing was published in the *Federal Register*, 80 Fed. Reg. 57,602 (2015), with interventions and protests due on or before October 8, 2015. None was filed.

5. On October 5, 2015, as amended on October 8, 2015, the Presiding Judge certified the Settlement as contested.<sup>10</sup> Subsequently, on February 25, 2016, the RTOR Settlement was filed by settling parties, including the Opposing Parties in this proceeding. The RTOR Settlement provided, in relevant part, that the Opposing Parties will withdraw their pleading in opposition to this Settlement within 15 days of the Commission's approval of the RTOR Settlement. The RTOR Settlement was approved by the Commission on June 23, 2016,<sup>11</sup> and the Opposing Parties' pleading in this proceeding was withdrawn on July 6, 2016. Therefore, we will consider this Settlement as uncontested.

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<sup>8</sup> The Southern Companies are: Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, and Southern Power Company.

<sup>9</sup> This filing was submitted in Docket No. ER14-649-004.

<sup>10</sup> *Entergy Servs., Inc.*, 153 FERC ¶ 63,001 (2015). In the errata to the certification of contested settlement, the Presiding Judge made the following corrections: deleted Docket No. EL14-19-002 from the caption; changed the reference in the title from "Settlement" to "Partial Settlement;" and removed the draft letter order and all references to it.

<sup>11</sup> *Entergy Servs., Inc.*, 155 FERC ¶ 61,298.

6. We note that section II.D, paragraph 7 of the Settlement provides that:

[t]he standard of review for any modifications to this [Settlement], whether offered by parties or non-parties, 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).

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

8. Additionally, we accept for filing Entergy Services' eTariff transmission formula rate templates for the Entergy Operating Companies and Schedules 41, 42-A, 42-B and 47, effective as of November 1, 2015.

9. This order terminates Docket Nos. ER13-948-005, EL14-19-003, ER14-649-002, ER14-1645-002, and ER14-649-004.

By direction of the Commission. Commissioner Honorable is not participating.

Kimberly D. Bose,  
Secretary.