

122 FERC ¶ 61,011
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

January 4, 2007

In Reply Refer To:
Entergy Services, Inc.
Docket No. EL04-20-000

Ms. Erin M. Murphy, Esq.
Attorney for Entergy Services, Inc.
101 Constitution Avenue, NW
Suite 200 East
Washington, D.C. 20001

Dear Ms. Murphy:

1. On October 5, 2007, you filed on behalf of Entergy Services, Inc. an Offer of Settlement in Docket No. EL04-20-000 (Settlement). The Settlement reflects the parties' agreement to resolve all issues pending in this docket, including the dispute over the cost assignment for upgrades to certain interconnection facilities by providing for a one-time, lump sum payment from Entergy Services, Inc. to Carville Energy LLC. No comments were filed in response to the Offer of Settlement. On November 6, 2007, the Presiding Judge certified the Settlement Agreement to the Commission as uncontested.
2. The Settlement resolves all of the issues between the Settling Parties in the above referenced docket. The Settlement is fair and reasonable and in the public interest and is hereby approved. The tariff sheets contained in the Settlement are in compliance with Order No. 614 and are made effective as set forth in the Settlement. *See Designation of Electric Rate Schedule Sheets*, Order No. 614, FERC Stats. & Regs., Regulations Preambles July 1996–December 2000, ¶ 31,096 (2000). The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding.
3. The applicable standard of review provided for in the Settlement for any changes to the Settlement proposed by the parties is the *Mobile-Sierra* public interest standard.¹ However, the Settlement provides that this Agreement is not intended to subject the Commission to the "public interest" standard of review in acting on its own motion with respect to this proceeding. Therefore, the Commission retains the right to investigate the

¹ *United Gas Pipe Line Co. v. Mobile Gas Service Corp.*, 350 U.S. 332 (1956); *FPC v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956).

rates, terms and conditions 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 (2000).

4. This order terminates Docket No. EL04-20-000.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

cc: All parties of record