

122 FERC ¶ 61,134
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

February 19, 2008

In Reply Refer To:
Mississippi Power Company
Docket Nos. ER08-91-000
ER08-91-001
EL08-16-000

Balch & Bingham, LLP
1310 Twenty Fifth Avenue
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Attention: Ben H. Stone
Counsel for Mississippi Power Company

Reference: Withdrawal of Depreciation Rate Change Filing and Termination of
Section 206 Proceeding

Dear Mr. Stone:

1. On December 21, 2007, on behalf of Mississippi Power Company (Mississippi Power) you filed for withdrawal of Mississippi Power's filing of amended depreciation rates in Docket No. ER08-91-000. The withdrawal is granted, effective December 31, 2007, as proposed. We also terminate the related Federal Power Act (FPA) section 206 proceeding and the hearing and settlement judge procedures that the Commission initiated in its December 20, 2007 Order.¹

2. On October 24, 2007, Mississippi Power had filed a request to update its depreciation rates in the calculation of charges for services provided under certain jurisdictional contracts and rate schedules. Mississippi Power requested authorization to implement the depreciation rates for billing purposes beginning January 1, 2008, in connection with rate and other matters filed after the date of the instant filing in which 2008 depreciation expense was a component. South Mississippi Electric Power Association (SMEPA) opposed Mississippi Power's application. The Commission

¹ *Mississippi Power Company*, 121 FERC ¶ 61,261 (2007).

accepted Mississippi Power's amended depreciation rates for filing, suspended them for a nominal period, made them effective January 1, 2008, subject to refund, and set them for hearing and settlement judge procedures. The Commission also instituted a section 206 proceeding in Docket No. EL08-16-000 into the reasonableness of Mississippi Power's existing depreciation rates.

3. On December 21, 2007, Mississippi Power filed for withdrawal of its filing in Docket No. ER08-91-000 and requested that the withdrawal become effective on or before December 31, 2007.

4. Notice of Mississippi Power's filing was published in the *Federal Register*, 73 Fed. Reg. 482 (2008), with interventions and protests due on or before January 11, 2008. None were filed.

5. The Commission accepts Mississippi Power's withdrawal, effective December 31, 2007, and further notes that no party has objected to the withdrawal or expressed interest in pursuing an investigation of Mississippi Power's existing depreciation rates. The Commission also terminates the FPA section 206 proceeding instituted in Docket No. EL08-16-000. This order terminates Docket Nos. ER08-91-000, ER08-91-001 and EL08-16-000.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.