

125 FERC ¶ 61,030  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

October 10, 2008

In Reply Refer To:  
Golden Spread Electric Cooperative, Inc.  
Lyntegar Electric Cooperative, Inc.  
Farmers' Electric Cooperative, Inc.  
Lea County Electric Cooperative, Inc.  
Central Valley Electric Cooperative, Inc.  
Roosevelt County Electric  
Cooperative, Inc.

v.

Southwestern Public Service Company  
Southwestern Public Service Company  
(consolidated)  
Southwestern Public Service Company  
Docket Nos. EL05-19-009  
ER05-168-008  
ER06-274-012

Jones Day  
51 Louisiana Avenue, NW  
Washington, DC 20001

Attention: Clark Evans Downs, Esq.  
Attorney for Southwestern Public Service Company

Reference: Settlement Amendment No. 3

Dear Mr. Downs:

1. On September 30, 2008, Southwestern Public Service Company (SPS), on behalf of itself and Golden Spread Electric Cooperative, Inc. and Lyntegar Electric Cooperative, Inc. (collectively Golden Spread), and Occidental Permian Ltd. and Occidental Power

Marketing, L.P. (collectively Occidental), filed Amendment No. 3<sup>1</sup> to the Offer of Settlement and Settlement Agreement that was filed on December 3, 2007 and approved by the Commission on April 21, 2008.<sup>2</sup> The Commission finds that the requested amendment is just and reasonable and will accept it for filing.

2. In Amendment No. 3, the parties extend the time to complete certain filing obligations set forth in the Settlement. The first of these is the obligation of SPS and Golden Spread to initiate action with the New Mexico Public Regulation Commission to obtain a determination that the Replacement Power Sales Agreement (RPSA) between SPS and Golden Spread is reasonable. The second is the obligation of SPS and Golden Spread to file with the Commission an amended RPSA to add Mustang Station Units 4 and 5, and the Ranger Units 1-4 to the list of Golden Spread resources from which replacement energy would be made available to SPS. Amendment No. 3 extends the time to complete these filing obligations to no later than October 15, 2008.

3. Comments on the amendment were due by October 6, 2008. No adverse comments were received.

4. The Commission's approval of this settlement amendment does not constitute precedent regarding any principle or issue in this proceeding.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

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<sup>1</sup> On July 18, 2008, on behalf of Golden Spread and Occidental, SPS filed Amendment No. 1 to the Settlement, seeking to extend the time to complete certain filing obligations set forth in the Settlement to August 31, 2008. Subsequently, on August 29, 2008, the parties filed Amendment No. 2 seeking to further extend the time to complete the same filing obligations addressed in Amendment No. 1, this time to September 30, 2008. On September 24, the Commission accepted Amendment No. 2 as superseding Amendment No. 1, and therefore rejected Amendment No. 1 as moot. *See Golden Spread Elec. Coop., Inc.*, 124 FERC ¶ 61,281 (2008).

<sup>2</sup> *See Golden Spread Elec. Coop., Inc.*, 123 FERC ¶ 61,054 (2008) (Settlement).