

127 FERC ¶ 61,081
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

April 24, 2009

In Reply Refer to:
Docket Nos. ER07-1383-000
ER07-1384-000
EL08-5-000

Duke Energy Corporation
Attn: Jeffrey M. Trepel
Associate General Counsel
526 South Church Street
Charlotte, NC 28202

Dear Mr. Trepel:

1. On January 28, 2009, you filed a Settlement Agreement (Settlement) in the above-referenced dockets, on behalf of Duke Energy Shared Services, Inc. (Duke) and Hoosier Energy Rural Electric Cooperative, Inc. The Settlement reflects the parties' agreement to reduce the rate charged for Reactive Supply, and adjusts the other weekly, daily and hourly rates accordingly. The Settlement resolves all issues set for hearing in the Commission's November 15, 2007 Order Accepting and Suspending Filing, Instituting Section 206 Investigation, Establishing Refund Effective Date and Hearing and Settlement Judge Procedures, and Consolidating Dockets (November 15, 2007 Order).¹
2. Commission Trial Staff filed initial comments in support of the Settlement on February 12, 2009. No further comments were filed. The presiding administrative law judge certified the Settlement to the Commission as uncontested on March 12, 2009.²
3. The tariff provisions set forth in the Settlement comply with *Designation of Electric Rate Schedule Sheets*, Order No. 614, FERC Stats. & Regs. ¶ 31,096 (2000). Article 2.1 of the Settlement provides that a just and reasonable standard of review shall be applied to this Settlement.
4. The subject Settlement is fair and reasonable and in the public interest, and is hereby approved. The Commission's approval of this Settlement does not constitute

¹ *Duke Energy Shared Services, Inc.*, 121 FERC ¶ 61,144 (2007).

² *Duke Energy Shared Services, Inc.*, 126 FERC ¶ 63,007 (2009).

approval of, or precedent regarding, any principle or issue involved in this proceeding. The Commission retains the right to investigate the rates, terms and conditions under the just and reasonable and not unduly discriminatory or preferential standard set forth in section 206 of the Federal Power Act, 16 U.S.C. § 824e (2006).

5. Within 30 days of the date of this approval, Duke will pay refunds, with interest at the Commission-approved rate specified in 18 C.F.R. 35.19a(a)(2)(iii)(A) (2008), for amounts collected in excess of the revised rates for service provided on or after November 1, 2008.

6. This letter order terminates Docket Nos. ER07-1383-000, ER07-1384-000, and EL08-5-000.

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

cc: All Participants