

129 FERC ¶ 61,097
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

November 2, 2009

In Reply Refer To:
Entergy Services, Inc.
Docket Nos. ER08-1057-000
ER08-1057-001

Entergy Services, Inc.
101 Constitution Ave., N.W.
Suite 200-East
Washington, DC 20001

Attn: Erin M. Murphy, Esq.
Attorney for Entergy Services, Inc.

Reference: Uncontested Settlement

Dear Ms. Murphy:

1. On May 27, 2009, Entergy Services, Inc. (ESI) filed a Settlement Agreement in the above-referenced docket.¹ On June 16, 2009, the Commission's Trial Staff submitted comments in support of the Settlement Agreement. No other comments were received. On June 30, 2009, the presiding Settlement Judge certified the

¹ The parties that participated in formal settlement discussions with ESI included Cleco Power, LLC, East Texas Electric Cooperative, Inc., Sam Rayburn G&T Electric Cooperative, Inc., Tex-La Electric Cooperative of Texas, Inc., Cities of Prescott, Arkansas, Conway Corporation, West Memphis Utilities Commission, Louisiana Energy and Power Authority, Lafayette Utilities System, Municipal Energy Agency of Mississippi, Mississippi Delta Energy Agency and its members (Public Service Commission of Yazoo City of the City of Yazoo City, Mississippi and Clarksdale Public Utilities Commission of the City of Clarksdale, Mississippi), South Mississippi Electric Power Association, Arkansas Electric Cooperative Corporation, the NRG Companies (including NRG Power Marketing Inc., Bayou Cove Peaking Power LLC, Big Cajun I Peaking Power LLC, Louisiana Generating LLC, and NRG Sterling Power LLC), Mississippi Public Service Commission, and the Arkansas Public Service Commission.

uncontested Settlement Agreement to the Commission.² This settlement resolves all the issues in this proceeding, including whether the rates proposed by ESI in its 2008 rate determination are just and reasonable.³

2. The subject settlement is fair and reasonable and in the public interest and is hereby approved.⁴ The Commission's approval of this settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding. The Settlement Agreement provides that the just and reasonable standard of review is applicable. The Commission retains the right to investigate the rates, terms and conditions under the just and reasonable and not unduly discriminatory or preferential standard of section 206 of the Federal Power Act.⁵

3. This letter terminates Docket No. ER08-1057-000 and Docket No. ER08-1057-001. Refunds are due as determined by the settlement.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

² *Entergy Services, Inc.*, 127 FERC ¶ 63,030 (2009).

³ *See Entergy Services, Inc.*, 126 FERC ¶ 61,101 (2009).

⁴ 18 C.F.R. § 385.602(g)(3)(2009).

⁵ 16 U.S.C. § 824e (2006).