

132 FERC ¶ 61,263  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

September 24, 2010

In Reply Refer To:  
Power and Water Resources Pooling Authority  
v.  
Pacific Gas & Electric Company  
Docket No. EL10-7-000

Mr. Michael N. McCarty  
Brickfield, Burchette, Ritts & Stone, P.C.  
1025 Thomas Jefferson Street, NW  
Eighth Floor – West Tower  
Washington, DC 20007

Dear Mr. McCarty:

1. On June 16, 2010, you filed a Settlement Agreement (Settlement) on behalf of Power and Water Resources Pooling Authority (PWRPA) and Pacific Gas and Electric Company (PG&E). On June 25, 2010, Commission Trial Staff filed comments in support of the Settlement. No other comments were received. On July 1, 2010, the Settlement Judge certified the Settlement to the Commission as uncontested.<sup>1</sup>
2. The Settlement resolves all issues in the above-referenced docket. The Settlement appears to be fair and reasonable and in the public interest, and is hereby approved.
3. If PG&E has made its baseline electronic tariff filing pursuant to Order No. 714, and did not file the Settlement in the eTariff format required by Order No. 714, it is required to make a compliance filing in eTariff format to ensure that its electronic tariff provisions reflect the Commission actions in this order.<sup>2</sup> Such a compliance filing also is necessary for any Settlement filing containing pro forma tariff sheets, but is not necessary

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<sup>1</sup> *Power and Water Res. Pooling Auth. v. Pacific Gas & Electric Co.*, 132 FERC ¶ 63,001 (2010).

<sup>2</sup> *See Electronic Tariff Filings*, Order No. 714, FERC Stats. & Regs. ¶ 31,276, at P 96 (2008).

if the Settlement was filed in eTariff format with actual tariff records (as opposed to pro forma records).

4. The Commission's approval of the Settlement does not constitute approval of, or precedent regarding, any principle or issue in these proceedings. Article 13 of the Settlement provides that the applicable standard of review for the Settlement is the just and reasonable standard. The Commission retains the right to investigate the rates, terms, and conditions under the just and reasonable and not unduly discriminatory or preferential standards of section 206 of the Federal Power Act, 16 U.S.C. § 824e (2006).

5. This letter order terminates Docket No. EL10-7-000.

By direction of the Commission.

Kimberly D. Bose,  
Secretary.

cc: All Parties