

120 FERC ¶ 61,212
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

September 5, 2007

In Reply Refer To:
Docket No. EL05-65-000

Andrea J. Weinstein, Esq.
Attorney for Entergy Services, Inc.
101 Constitution Ave., N.W.
Suite 200 East
Washington, DC 20001

Dear Ms. Weinstein:

1. On January 11, 2007, you filed a Settlement Agreement and accompanying materials in the above-referenced docket on behalf of (1) Entergy Services, Inc., Entergy Operating Companies and Entergy Gulf States, Inc. (Entergy); and (2) ExxonMobil Chemical Company and ExxonMobil Refining & Supply Company (ExxonMobil). The proposed settlement agreement terminates a complaint and rehearing request by ExxonMobil concerning Entergy's provision of electrical service to an industrial facility and associated cogeneration facility that are operated by ExxonMobil.¹ The settlement agreement provides for Entergy to be ExxonMobil's sole provider of excess requirements service at the facility, provides for certain rate adjustments, and establishes procedures and standards for addressing modifications of transmission facilities. On January 31, 2007, Commission Trial Staff filed initial comments in support of the settlement. No other comments were filed. On February 15, 2007, the Chief Administrative Law Judge certified the settlement to the Commission as uncontested.

2. The settlement is fair, reasonable, and in the public interest and is hereby approved. 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, 16 U.S.C. § 824e (2000). Commission approval of this settlement does not constitute approval of, or precedent regarding, any principle or issue in this proceeding.

¹ See *ExxonMobil Chemical Co.*, 111 FERC ¶ 61,063 (2005); *ExxonMobil Chemical Co. v. Entergy Services, Inc.*, 112 FERC ¶ 61,255 (2005).

3. The rate schedule(s) submitted as part of the settlement is properly designated and is accepted for filing and made effective as set forth in the settlement. *See* Order No. 614, *Designation of Electric Rate Schedule Sheets*, FERC Stats. & Regs. Regulations Preambles July 1996 – December 2000 ¶ 31,096 (2000).

4. This order terminates Docket No. EL05-65-000.

By direction of the Commission.

Kimberly D. Bose,
Secretary.

cc: All parties