

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Central Power and Light Company,)
Public Service Company of Oklahoma,) Docket Nos. EL79-8
Southwestern Electric Power Company,) E-9558
West Texas Utilities Company)

ERRATA NOTICE

(November 5, 1981)

ORDER REQUIRING INTERCONNECTION AND
WHEELING, AND APPROVING SETTLEMENT

(Issued: October 28, 1981)

1. Add footnote 3 to page 2, paragraph 2, at the end of sentence 1:

3/ On October 9, 1981, the Oklahoma Municipal Power Authority filed a petition to intervene and a motion to file comments out of time. On October 22, 1981, the Authority, after negotiating an agreement with CSW for participation in joint generating projects, filed notice of withdrawal of its intervention and now supports the proposed settlement.

2. Substitute the following corrected ordering paragraphs on pages 4, 5 and 6 of the order beginning after "The Commission orders:"

(1) The Oklahoma Municipal Power Authority's request to withdraw its Petition to Intervene is granted.

(2) The settlement agreement is approved and adopted by the Commission. Pursuant to Sections 210 and 211 of the Federal Power Act, CSW and HLP are hereby required to construct or cause to be constructed the necessary facilities to effect the interconnections as described in or consistent with the settlement agreement; HLP, TUC and CSW are hereby required to interconnect with each other and to wheel, transmit, sell, coordinate, commingle and exchange electric power as set forth in or consistent with the settlement agreement; and CSW, HLP and TUC are hereby required to take all further actions necessary to implement the settlement agreement.

(3) Central Power and Light Co., Docket No. E-9558, is dismissed with prejudice.

(4)(a) Compliance with this order or any provisions hereof shall not make TUC, any of TUC's operating subsidiaries, HLP, or any other electric utility or other entity a "public

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utility", as that term is defined by section 201 of the Act, and subject to the jurisdiction of the Commission for any purpose other than for the purpose of carrying out the provisions of sections 210, 211, and 212 of the Act.

(b) Compliance with this order or any provisions hereof shall not make TUC, any of TUC's operating subsidiaries, or HLP subject to the jurisdiction of the Commission for any purpose other than the purposes specified in this order and in the settlement agreement.

(5) Since the parties have already agreed on the terms and conditions upon which this order is to be carried out, including the apportionment of costs between them and the compensation or reimbursement reasonably due to any of them, no proposed order pursuant to section 212(c) of the Act is necessary. The Commission approves the settlement agreement, and pursuant to section 212(c)(2)(A) of the Act, the terms and conditions of that agreement relating to apportionment of costs, compensation and reimbursement are hereby incorporated in this order.

(6) The Commission is advised that this settlement is part of an overall settlement which involves cases and controversies at other agencies and in various courts and that settlement of this case is contingent upon parallel resolution in the other forums, including, but not limited to, Securities and Exchange Commission Admin. Proc. File No. 3-4954. Therefore, in order to accommodate an overall settlement, the Commission will entertain applications for rehearing filed by HLP, TUC, CSW or any other party that challenges this order, and will grant rehearing for further consideration until such time as HLP, TUC, and CSW either file a withdrawal of their respective applications for rehearing or file a notice that the settlement is withdrawn; provided, that until such time as applications for rehearing or the settlement are withdrawn by HLP, TUC, and CSW, the Commission, on its own motion (or motion of any party), after reasonable notice and an opportunity to comment, may withdraw this order and remand the case to the administrative law judge to proceed with the case on the original or amended application filed by CSW.

(7) The agreement between CSW and DOJ attached to the second supplemental offer to settlement is hereby incorporated by reference and approved by the Commission; provided however that no acts undertaken pursuant to the agreement, or this Commission's approval thereof or the incorporation of such agreement herein shall affect in any way the non-judicial status of HLP or TUC provided in this order.

(8) CSW and HLP, and any other owners of the North or South Interconnections shall comply with the mitigation measures contained in the Commission staff's Environmental Analysis Report, dated October 29, 1980, to minimize the

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impact resulting from construction of the direct current transmission lines.

(9) CSW and HLP, and any other owners of the North or South Interconnections, shall consult with the United States Fish and Wildlife Service, the Texas Parks and Wildlife Department and the Texas State Historical Preservation Office in order to determine environmental guidelines appropriate to reasonably mitigate any potential adverse effect to the quality of the human environment that could arise from this order.

(10) No less than 90 days prior to the commencement of construction of each of the North and South Interconnections, the environmental guidelines determined for such interconnection pursuant to paragraph 8, supra, shall be submitted by the owner(s) to this Commission's Division of Environmental Analysis and to the Commission's Ft. Worth regional engineer. This report shall include the final right of way identified for the North and/or South Interconnections and shall identify the environmental guidelines adopted to reasonably mitigate any adverse effects to the quality of the human environment. Thereafter, until each interconnection is operational, annual reports shall be submitted by the owner(s) showing that the environmental guidelines have been observed.

Kenneth P. Plumb
Secretary

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426
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