

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Entergy Services, Inc.)	
)	Docket No. ER08-572-000
)	

**MOTION TO INTERVENE OF
SOUTHWEST POWER POOL, INC.**

Pursuant to Rule 214 of the Federal Energy Regulatory Commission’s (“FERC” or “Commission”) Rules of Practice and Procedure, 18 C.F.R. § 385.214, Southwest Power Pool, Inc. (“SPP”), as the Independent Coordinator of Transmission (“ICT”) for the Entergy system, submits this Motion to Intervene in the captioned proceeding. In support thereof, SPP states as follows:

I. BACKGROUND

The ICT Agreement establishes the terms and conditions under which SPP acts as the ICT to oversee transmission and interconnection services for the Entergy Services, Inc. (“Entergy”) system and acts as the Reliability Coordinator for the system. The ICT Agreement was originally filed on January 16, 2007, in Docket No. ER05-1065-006 and accepted by the Commission on May 25, 2007. See Entergy Services, Inc., 119 FERC ¶ 61,187 (2007).

On February 15, 2008, Entergy filed to make certain amendments to the ICT Agreement. First, following the installation of SPP as the ICT, the Commission issued Orders 890 and 693.¹ Each of these orders added new obligations and expanded the

¹ Preventing Undue Discrimination and Preference in Transmission Service, Order No. 890, III FERC Stats. & Regs., Regs. Preambles ¶ 31,241, order on reh’g, Order No. 890-A, 121 FERC ¶ 61,297 (2007); Mandatory Reliability Standards for the Bulk-Power System, Order No. 693, III FERC Stats. & Regs., Regs. Preambles ¶ 31,242, order on reh’g, Order No. 693-A, 120 FERC ¶ 61,053 (2007).

scope of existing obligations for transmission providers. As a result, SPP and Entergy engaged in negotiations and agreed that SPP would be responsible for many of the new and expanded obligations under these orders. This expanded role for SPP, however, would require increased staffing that was not contemplated under the original ICT Agreement. Therefore, Entergy seeks to amend the ICT Agreement to permit SPP to hire and compensate up to thirteen (13) incremental full-time employees to meet the requirements of Order Nos. 890 and 693.

Second, SPP and Entergy agreed that the indemnification and standard of performance provisions in the ICT Agreement would need to be revised as a result of the new and expanded obligations assumed by SPP. Consequently, Entergy seeks to revise the ICT Agreement to ensure that Entergy and SPP are operating at the same standard of performance and to add new indemnification provisions to cover regulatory fines or penalties. Entergy further proposes to add the ICT to the indemnification provisions under section 10.2 of Entergy's Open Access Transmission Tariff ("OATT") in order to afford the ICT the same protections as those of other independent operators of transmission systems.

Finally, Entergy proposes to include the ICT Agreement as a new Attachment W to its OATT and has filed the revised ICT Agreement with the appropriate designations under Order No. 614. Entergy has requested an effective date of April 15, 2007.

II. MOTION TO INTERVENE

Intervention is appropriate where the movant has a direct interest in the proceeding that cannot be adequately represented by any other party. See 18 C.F.R. § 385.214(b)(2)(ii). SPP is an Arkansas non-profit corporation with its principle place of business in Little Rock, Arkansas. On April 24, 2006, the Commission approved SPP as

the ICT for the Entergy system.² In so doing, the Commission granted the ICT certain duties and responsibilities over the granting and denying of transmission service on Entergy's system. As such, SPP has a direct and substantial interest in the outcome of this proceeding that cannot be adequately represented by any other entity. The Commission, therefore, should grant SPP's Motion to Intervene.

III. COMMUNICATIONS

SPP requests that the Commission place on the official service list the individuals listed below.

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² See Entergy Servs., Inc., 115 FERC ¶ 61,095, order on reh'g, 116 FERC ¶ 61,275, order on compliance, 117 FERC ¶ 61,055 (2006), order on reh'g, 119 FERC ¶ 61,187 (2007).

IV. CONCLUSION

For the foregoing reasons, SPP respectfully requests that the Commission grant its Motion to Intervene in this proceeding.

Respectfully submitted,

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March 7, 2008

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, DC, this 7th day of March, 2008.

/s/ David S. Shaffer

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