



Control Number: 38775



Item Number: 2

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Barry T. Smitherman
Chairman

Donna L. Nelson
Commissioner


Kenneth W. Anderson, Jr.
Commissioner



Rick Perry
Governor

Public Utility Commission of Texas

TO: Central Records

FROM: Stephen Journey 
Commission Advising and Docket Management

DATE: 6 October 2010

RE: *Remand off Docket No. 33550 (Commission Staff's Application to Set 2007 Wholesale Transmission Service Charges for the Electric Reliability Council of Texas), Docket No. 38775, District Court Agreed Final Judgment*


Please file in the above referenced docket the attached copy of the district court's agreed final judgment in *Texas Municipal Power Agency v. Public Utility Commission of Texas*, No. D-1-GN-07-001422, 98th Dist. Ct., Travis County, Tex. June 2, 2010).

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LM JUN 03 2010

At 10:34A. M.
Amalia Rodriguez-Mendoza, Clerk

CAUSE NO. D-1-GN-07-001422 (Consolidated)

TEXAS MUNICIPAL POWER AGENCY, §
Plaintiff, §
v. §
PUBLIC UTILITY COMMISSION §
OF TEXAS, §
Defendant. §

IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS
98TH JUDICIAL DISTRICT

AGREED FINAL JUDGMENT

On this day, the Court considered the joint request of all parties to this suit that the case be remanded to the Public Utility Commission of Texas (Commission).

This is a suit for judicial review of the decision of the Commission in its Docket No. 33550. Texas Municipal Power Agency (TMPA) and the Cities of Denton, Garland, Greenville and Bryan (collectively "the Member Cities") state that they have reached a global compromise settlement regarding several disputes, including the controversy they had before the Commission in Docket No. 33550, which led to this suit. As part of that settlement, TMPA and the Member Cities agreed to submit a proposed final judgment to the district court remanding this case to the Commission in light of their settlement of the disputed issues.

Upon consideration of this joint request and all the pleadings filed in this case, the Court concludes that the request has merit and should be granted.

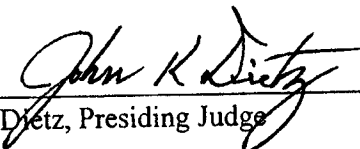
It is therefore ORDERED, ADJUDGED, and DECREED that the Commission's final order in Docket No. 33550 is remanded only with respect to the issues in dispute between Bryan and TMPA and is otherwise affirmed in all respects. Accordingly, this case is REMANDED to the Commission for the sole purpose of giving the Commission the opportunity to amend its final order in Docket No. 33550 to effectuate the settlement between TMPA and the Member

Cities. It is further ORDERED that all other claims and requests for relief in this case are DISMISSED.

Each party shall bear its own costs in this case.

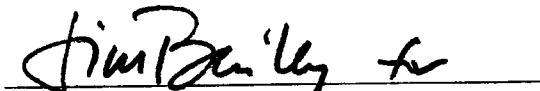
This is a final judgment that disposes of all issues as to all parties and is appealable.

Signed this 2 day of June, 2010.




John K. Dietz, Presiding Judge


AGREED AS TO FORM AND SUBSTANCE:



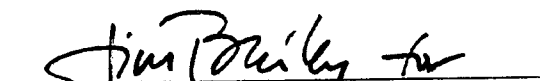
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Attorney for Texas Municipal Power Agency *by permission*



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Public Utility Commission of Texas
by permission



Brook Bennett Brown
Attorney for the City of Bryan, Texas



Dennis Donley
Attorney for Medina Electric Cooperative, Inc.
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