UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

United States of America,

Court File No.: 10-2275 (PAM/JSM)

Plaintiff,

vs.

ORDER

Xcel Energy Inc., Northern States Power Minnesota, & Xcel Energy Services Inc.,

Defendants.

This matter is before the Court on the parties' Settlement Agreement and Agreed

Order, which has been filed at Clerk Doc. No. 43. Based on all the files, records and

proceedings herein, IT IS HEREBY ORDERED that:

1. The Settlement Agreement and Agreed Order [Clerk Doc. No. 43] is

incorporated as an Order of this Court;

- 2. The Complaint is **DISMISSED with prejudice;** and
- 3. This Order shall constitute the final judgment of this Court and there shall

be no appeal from the Court's September 27, 2010 Order.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 13, 2010

<u>s/Paul A. Magnuson</u> Paul A. Magnuson United States District Court Judge