



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

March 28, 2012

CBCA 2502-FEMA

In the Matter of SOUTH MISSISSIPPI ELECTRIC POWER ASSOCIATION

Ernest B. Abbott of FEMA Law Associates, PLLC, Washington, DC, appearing for Applicant.

Robert R. Latham, Jr., Director, Mississippi Emergency Management Agency, Pearl, MS, appearing for Grantee.

Linda D. Litke and Christie E. Rachal, Federal Emergency Management Agency, Department of Homeland Security, Biloxi, MS, counsel for Federal Emergency Management Agency.

Before the Arbitration Panel consisting of Board Judges **SOMERS**, **SHERIDAN**, and **McCANN**.

South Mississippi Electric Power Association (SMEPA) asked the Board to arbitrate a dispute between it and the Federal Emergency Management Agency (FEMA) arising out of FEMA's retroactive disallowance of funds previously approved under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5172 (2006), for permanent repair of SMEPA's transmission and distribution lines and the cost of removal of debris from the transmission/distribution rights of way in Mississippi in the aftermath of Hurricane Katrina.

The parties have filed a joint stipulation to dismiss this case with prejudice in accordance with the terms set forth in their arbitration agreement, with all parties to bear their own costs.

Accordingly, the above-captioned arbitration is dismissed.

JERI KAYLENE SOMERS
Board Judge/Panel Chair

PATRICIA J. SHERIDAN
Board Judge

R. ANTHONY McCANN
Board Judge