

Description: § 205(d) Rate Filing: Contribution in Aid of Construction Agreement to be effective 9/18/2016.

Filed Date: 9/22/16.

Accession Number: 20160922–5086.

Comments Due: 5 p.m. ET 10/13/16.

Docket Numbers: ER16–2646–000.

Applicants: El Paso Electric Company.

Description: § 205(d) Rate Filing: Concurrence of EPE to APS Service Agreement No. 284 to be effective 10/31/2016.

Filed Date: 9/22/16.

Accession Number: 20160922–5111.

Comments Due: 5 p.m. ET 10/13/16.

Docket Numbers: ER16–2647–000.

Applicants: Puget Sound Energy, Inc.

Description: Initial rate filing: BPA NITSA & NOA to be effective 9/1/2016.

Filed Date: 9/22/16.

Accession Number: 20160922–5121.

Comments Due: 5 p.m. ET 10/13/16.

Docket Numbers: ER16–2648–000.

Applicants: Niagara Mohawk Power Corporation, New York Independent System Operator, Inc.

Description: Tariff Cancellation: Notice of cancellation SA 1949 among NMPC and EDGE Corporation to be effective 11/22/2016.

Filed Date: 9/22/16.

Accession Number: 20160922–5160.

Comments Due: 5 p.m. ET 10/13/16.

Docket Numbers: ER16–2649–000.

Applicants: Duke Energy Progress, LLC, Duke Energy Carolinas, LLC.

Description: § 205(d) Rate Filing: Loss Factor Filing Amendment to be effective 8/1/2016.

Filed Date: 9/22/16.

Accession Number: 20160922–5165.

Comments Due: 5 p.m. ET 10/13/16.

Docket Numbers: ER16–2650–000.

Applicants: Niagara Mohawk Power Corporation, New York Independent System Operator, Inc.

Description: Tariff Cancellation: Notice of cancellation SA 1951 between NYISO, NMPC and NYPA to be effective 11/22/2016.

Filed Date: 9/22/16.

Accession Number: 20160922–5168.

Comments Due: 5 p.m. ET 10/13/16.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES16–55–000.

Applicants: Consolidated Edison Company of New York, Inc.

Description: Application of Consolidated Edison Company of New York, Inc. for an order pursuant to Section 204 of the Federal Power Act.

Filed Date: 9/21/16.

Accession Number: 20160921–5184.

Comments Due: 5 p.m. ET 10/12/16.

The filings are accessible in the Commission's eLibrary system by

clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at:

<http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: September 22, 2016.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2016–23444 Filed 9–27–16; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG16–155–000.

Applicants: FL Solar 1, LLC.

Description: FL Solar 1, LLC. submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 9/21/16.

Accession Number: 20160921–5127.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: EG16–156–000.

Applicants: AL Solar A, LLC.

Description: AL Solar A, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 9/21/16.

Accession Number: 20160921–5128.

Comments Due: 5 p.m. ET 10/12/16.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER16–2562–001.

Applicants: Nicolis, LLC.

Description: Tariff Amendment: Amendment to Co Tenancy Agreement to be effective 9/6/2016.

Filed Date: 9/21/16.

Accession Number: 20160921–5053.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: ER16–2563–001.

Applicants: Nicolis, LLC.

Description: Tariff Amendment: Amendment to Shared Use Agreement to be effective 9/6/2016.

Filed Date: 9/21/16.

Accession Number: 20160921–5052.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: ER16–2564–001.

Applicants: Tropico, LLC.

Description: Tariff Amendment: Amendment to Shared Use Agreement to be effective 9/6/2016.

Filed Date: 9/21/16.

Accession Number: 20160921–5055.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: ER16–2565–001.

Applicants: Tropico, LLC.

Description: Tariff Amendment: Amendment to Co Tenancy Agreement to be effective 9/6/2016.

Filed Date: 9/21/16.

Accession Number: 20160921–5058.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: ER16–2631–000.

Applicants: Sierra Pacific Power Company.

Description: § 205(d) Rate Filing: Rate Schedule No. 27—Annual BPA—GTA Update 2016 to be effective 10/31/2016.

Filed Date: 9/20/16.

Accession Number: 20160920–5139.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: ER16–2632–000.

Applicants: Trans Bay Cable LLC.

Description: § 205(d) Rate Filing: Revisions to Appendix I of TO Tariff to be effective 11/23/2016.

Filed Date: 9/20/16.

Accession Number: 20160920–5140.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: ER16–2633–000.

Applicants: Westar Energy, Inc.

Description: Tariff Cancellation: Notice of Cancellation of certain designated Rate Schedules to be effective 1/1/2014.

Filed Date: 9/21/16.

Accession Number: 20160921–5000.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: ER16–2634–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 3247 AEM Wind/SPS Facilities Construction Agreement to be effective 9/12/2016.

Filed Date: 9/21/16.

Accession Number: 20160921–5025.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: ER16–2635–000.

Applicants: Entergy Louisiana, LLC.

Description: Request for Waiver of Entergy Louisiana, LLC.

Filed Date: 9/20/16.

Accession Number: 20160920–5161.

Comments Due: 5 p.m. ET 10/11/16.

Docket Numbers: ER16–2636–000.

Applicants: Inland Empire Energy Center, LLC.

Description: § 205(d) Rate Filing: Request for Category 1 Seller Status to be effective 9/22/2016.

Filed Date: 9/21/16.

Accession Number: 20160921–5051.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: ER16–2637–000.

Applicants: Public Service Company of New Mexico.

Description: § 205(d) Rate Filing: Modifications to NITSA/NOA between PNM and Tri-State to be effective 9/1/2016.

Filed Date: 9/21/16.

Accession Number: 20160921–5086.

Comments Due: 5 p.m. ET 10/12/16.

Docket Numbers: ER16–2638–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original Service Agreement No. 4540, Queue Position NQ132 to be effective 8/22/2016.

Filed Date: 9/21/16.

Accession Number: 20160921–5136.

Comments Due: 5 p.m. ET 10/12/16.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

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Dated: September 21, 2016.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM16–21–000]

Modifications to Commission Requirements for Review of Transactions Under Section 203 of the Federal Power Act and Market-Based Rate Applications Under Section 205 of the Federal Power Act

AGENCY: Federal Energy Regulatory Commission, Department of Energy.

ACTION: Notice of inquiry.

SUMMARY: In this Notice of Inquiry, the Federal Energy Regulatory Commission (Commission) seeks to explore whether, and if so, how, the Commission should revise its current approach to identifying and assessing market power in the context of transactions under section 203 of the Federal Power Act (FPA) and applications under section 205 of the FPA for market-based rate authority for wholesale sales of electric energy, capacity and ancillary services by public utilities. In addition, the Commission seeks comment related to its scope of review under section 203 of the FPA, including revisions to blanket authorizations.

DATES: Comments are due November 28, 2016.

ADDRESSES: Comments, identified by docket number, may be filed in the following ways:

- *Electronic Filing through <http://www.ferc.gov>.* Documents created electronically using word processing software should be filed in native applications or print-to-PDF format and not in a scanned format.

- *Mail/Hand Delivery:* Those unable to file electronically may mail or hand-deliver comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: For detailed instructions on submitting comments and additional information on the rulemaking process, see the Comment Procedures Section of this document.

FOR FURTHER INFORMATION CONTACT:

Melissa Nimit (Legal Information),
Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426 (202) 502–6638

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SUPPLEMENTARY INFORMATION:

1. In this Notice of Inquiry (NOI), the Commission seeks to explore whether, and if so, how, the Commission should revise its current approach to identifying and assessing market power in the context of transactions under section 203 of the Federal Power Act (FPA)¹ and applications under section 205 of the FPA² for market-based rate authority for wholesale sales of electric energy, capacity and ancillary services by public utilities. In addition, the Commission seeks comment related to its scope of review under section 203 of the FPA, including revisions to blanket authorizations. Of particular interest is whether the Commission should: (1) Establish a simplified analysis for certain section 203 transactions that are unlikely to raise market power concerns; (2) add a supply curve analysis to section 203 evaluations; (3) improve the Commission's single pivotal supplier analysis in reviewing market-based rate applications, and add a similar pivotal supplier analysis to section 203 evaluations; (4) add a market share analysis to review of section 203 transactions; (5) modify how capacity associated with long-term power purchase agreements (PPAs) should be attributed in section 203 transactions; and (6) require submission of applicant merger-related documents. In addition, the Commission seeks comment related to its scope of review under section 203, including whether there are existing blanket authorizations that may be overly broad or otherwise no longer appropriate, and whether there are classes of transactions for which further blanket authorizations or form of expedited review would be appropriate.

I. Background

A. Section 203

2. Section 203(a)(4) of the FPA requires the Commission to approve a proposed disposition, consolidation, acquisition, or change in control if it finds that the proposed transaction will be consistent with the public interest.³ The Commission's analysis of whether a proposed transaction is consistent with the public interest generally involves consideration of three factors: (1) The effect on competition; (2) the effect on rates; and (3) the effect on regulation.⁴

¹ 16 U.S.C. 824b.

² 16 U.S.C. 824d.

³ 16 U.S.C. 824b(a)(4).

⁴ *Inquiry Concerning the Commission's Merger Policy Under the Federal Power Act: Policy Statement*, Order No. 592, FERC Stats. & Regs.

¶ 31,044 (1996) (1996 Merger Policy Statement),