

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****[Docket No. RP04-354-001]****Texas Gas Transmission, LLC; Notice of Compliance Filing**

August 12, 2004.

Take notice that, on August 9, 2004, Texas Gas Transmission, LLC (Texas Gas) submitted a compliance filing pursuant to a letter order issued July 28, 2004, in Docket No. RP04-354-000.

Texas Gas states that the purpose of this filing is to submit additional revised tariff sheets to remove all remaining references to the Gas Research Institute Surcharge from Texas Gas' tariff, as ordered by the Commission.

Texas Gas states that copies of this filing are being mailed to all parties on the service list in this docket, to Texas Gas's official service list, to Texas Gas's jurisdictional customers, and to interested State commissions.

Any person desiring to protest this filing must file in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). Protests to this filing will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Such protests must be filed in accordance with the provisions of § 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing a protest must serve a copy of that document on all the parties to the proceeding.

The Commission encourages electronic submission of protests in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call

(866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Linda Mitry,  
*Acting Secretary.*

[FR Doc. E4-1852 Filed 8-19-04; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****[Project No. 2816-030]****Vermont Electric Generation & Transmission Cooperative, Inc., North Hartland, LLC; Notice Rejecting Request for Rehearing**

August 13, 2004.

1. On June 22, 2004, the Director, Division of Hydropower Administration and Compliance, Office of Energy Projects, issued an order which granted an extension of time to North Hartland, LLC (North Hartland) to submit copies of the instruments of conveyance as required by the order approving transfer of the North Hartland Project No. 2816 to North Hartland. On July 15, 2004, the Vermont Department of Public Service (Vermont DPS) filed a request for rehearing of that order.

2. Pursuant to section 313(a) of the Federal Power Act, 16 U.S.C. 825l(a), a request for rehearing may be filed only by a party to the proceeding. In order for Vermont DPS to be a party to the proceeding, it must have filed a motion to intervene pursuant to Rule 214 of the Rules of Practice and Procedure, 18 CFR 385.214.<sup>1</sup> Vermont DPS has not filed a motion to intervene in this proceeding (the request for extension of time to file conveyance instruments). Since Vermont DPS is not a party to this proceeding, its request for rehearing is rejected.

3. Vermont DPS' rehearing request would have been rejected in any event. With regard to post-licensing proceedings, the Commission entertains motions to intervene only where the filing entails a material change in the plan of development or in the terms of the license; would adversely affect the rights of property holders in a manner not contemplated by the license; or involves an appeal by an agency or entity specifically given a consultation role.<sup>2</sup> The timing of a compliance filing is an administrative matter between the licensee and the Commission, and does not alter the substantive obligations of

the licensee.<sup>3</sup> It therefore does not give rise to an opportunity for intervention and rehearing.

4. This notice constitutes final agency action. Request for rehearing by the Commission of this rejection notice must be filed within 30 days of the date of issuance of this notice, pursuant to 18 CFR 385.713.

Magalie R. Salas,  
*Secretary.*

[FR Doc. E4-1878 Filed 8-19-04; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission****[Docket No. EL04-43-002, et al.]****Tenaska Power Services, Co., et al.; Electric Rate and Corporate Filings**

August 12, 2004.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

**1. Tenaska Power Services, Co. v. Midwest Independent Transmission System Operator, Inc.; Cargill Power Markets, LLC v. Midwest Independent Transmission System Operator, Inc.**

[Docket Nos. EL04-43-002, EL04-46-002 (Not Consolidated)]

Take notice that on August 9, 2004, Midwest Independent Transmission System Operator, Inc. submitted a compliance filing pursuant to the Commission's order issued June 23, 2004, in Docket Nos. EL04-43-001 and EL04-46-001, 107 FERC ¶ 61,308.

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

**2. Entergy Services, Inc.**

[Docket No. ER91-569-023]

Take notice that, on August 9, 2004, Entergy Services, Inc. (ESI), on behalf of Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., and Entergy New Orleans, Inc. (collectively, Entergy), submitted a compliance filing under protest pursuant to the Commission's orders issued on April 14, 2004, in Docket No. ER96-2495-016, *et al.*, 107 FERC ¶ 61,018 and July 8, 2004, in Docket No. ER96-2495-018, *et al.*, 1008 FERC ¶ 61,026.

<sup>1</sup> See Pacific Gas and Electric Company, 40 FERC ¶ 61,035 (1987).

<sup>2</sup> Kings River Conservation District, 36 FERC ¶ 61,365 (1986).

<sup>3</sup> City of Tacoma, Washington, 89 FERC ¶ 61,058 (1999). The only exception would be if the license articles specifically state that Vermont DPS must be consulted on extensions of deadlines set forth in the articles. *Id.* At 61,194 n. 9. Such is not the case here.

Entergy states that copies of the filing were served on parties on the official service list in Docket No. ER91-569, as well as the Louisiana Public Service Commission, the Arkansas Public Service Commission, the Mississippi Public Service Commission, the New Orleans City Council, and the Public Utility Commission of Texas.

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

**3. AEP Power Marketing, Inc.; AEP Service Corporation, CSW Power Marketing, Inc.; CSW Energy Services, Inc.; and Central and South West Services, Inc.**

[Docket Nos. ER96-2495-020, ER97-4143-008, ER97-1238-005, ER98-2075-014, ER9 8-542-010, (Not Consolidated)]

Take notice that, on August 9, 2004, as supplemented on August 10, 2004, American Electric Power Service Corporation (AEPSC), on behalf of the above-referenced AEP power marketers (collectively, AEP) submitted a market power analysis pursuant to the Commission's April 14, 2004, Order in Docket No. ER96-2495-016, *et al.*, 107 FERC ¶ 61,018 and its July 8, 2004, Order in Docket No. ER96-2495-018, *et al.*, 108 FERC ¶ 61,026.

AEP states that copies of the filing were served on parties on the official service list in the above-captioned proceeding.

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

**4. Southern Company Energy Marketing L.P.**

[Docket Nos. ER97-4166-015]

Take notice that on August 9, 2004, Southern Company Services, Inc., (SCS) acting as agent for Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, Savannah Electric and Power Company, and Southern Power Company (collectively, Southern Companies), submitted generation market power screens and other analysis performed for Southern Companies in compliance with the Commission orders issued on April 14, 2004, and July 8, 2004, in Docket No. ER96-2495-016, *et al.*, 107 FERC ¶ 61,018 in Docket No. ER96-2495-018, *et al.*, 108- FERC ¶ 61,026.

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

**5. Reliant Energy Aurora, LP, Liberty Electric Power, LLC; Reliant Energy Bighorn, LLC; Reliant Energy Choctaw County, LLC; Reliant Energy Electric Solutions, LLC; Reliant Energy Hunterstown, LLC; Reliant Energy Indian River, LLC; Reliant Energy Maryland Holdings, LLC; Reliant Energy Mid-Atlantic Power Holdings, LLC; Reliant Energy New Jersey Holdings, LLC; Reliant Energy Osceola, LLC; Reliant Energy Services, Inc.; Reliant Energy Seward, LLC; Reliant Energy Shelby County, LP; Reliant Energy Solutions East, LLC; Twelvepole Creek, LLC**

[Docket No. ER01-687-003, ER01-2398-007, ER03-745-002, ER03-618-002, ER03-382-002, ER01-3036-004, ER99-3143-001, ER00-1749-001, ER00-22-001, ER99-1801-006, ER01-3035-004, ER00-1717-001, ER02-1762-002, ER01-852-003]

Take notice that on August 9, 2004, the above-captioned subsidiaries of Reliant Energy, Inc. filed an updated market study and tendered for filing amendments to certain of their market-based rate tariffs to include the Commission's Market Behavior Rules in compliance with the Commission's November 17, 2003, order in Docket No. EL01-118-000.

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

**6. Peoples Energy Services Corporation**

[Docket No. ER01-2306-001]

Take notice that on August 9, 2004, Peoples Energy Services Corporation (PE Services) submitted for filing its triennial updated market analysis in compliance with the Commission's August 8, 2001, Letter Order in Docket No. ER01-2306-000. PE Services also submits certain revisions to its FERC Electric Tariff, Original Volume 1 to incorporate the Market Behavior Rules set forth in Investigation of Terms and Conditions of Public Utility Market-Based Authorizations, 105 FERC ¶ 61,218 (2003).

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

**7. PJM Interconnection, L.L.C.**

[Docket Nos. ER03-1086-004 and ER04-361-001]

Take notice that on August 9, 2004, in compliance with the Commission's order issued July 9, 2004, order in Docket No. ER03-1086-001, 002 and 003, 108 FERC ¶ 61,030 (2004), PJM Interconnection, L.L.C. (PJM) filed revisions to the PJM Open Access Transmission Tariff and the Amended and Restated Operating Agreement of PJM Interconnection, L.L.C. to change the rules on opportunity cost compensation to generators.

PJM states that copies of this filing have been served on all PJM members and utility regulatory commissions in the PJM region and on all persons listed on the official service list compiled by the Secretary in this proceeding.

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

**8. PJM Interconnection, L.L.C.**

[Docket No. ER04-457-002]

Take notice that, on August 9, 2004, PJM Interconnection, L.L.C. (PJM) submitted a compliance filing pursuant to the Commission's order issued July 8, 2004, in Docket No. ER04-457-000, 108 FERC ¶ 61,025 (2004).

PJM states that copies of the filing were served on parties on the official service list in the above-captioned proceeding, all members of PJM, and each state electric utility regulatory commissions in the PJM region.

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

**9. Entergy Services, Inc.**

[Docket No. ER04-763-002]

Take notice that on August 9, 2004, Entergy Services, Inc., (Entergy) on behalf of Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., and Entergy New Orleans, Inc., submitted a compliance filing concerning Entergy's proposed regional reliability variations to Entergy's Large Generator Interconnection Procedures. This compliance filing was made pursuant to the Commission's order issued July 8, 2004, in Docket No. ER04-763-000, and 001, 108 FERC ¶ 61,020 (2004).

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

**10. South Carolina Electric & Gas Company**

[Docket No. ER04-764-003]

Take notice that on August 9, 2004, South Carolina Electric & Gas Company filed revisions to its open access transmission-tariff (OATT) in order to incorporate certain revisions to the Large Generator Interconnection Procedures (LGIP) directed by the Commission an order issued July 18, 2004, in Docket No. ER04-764-000 and 001, 108 FERC ¶ 61,018 (2004).

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

**11. Entergy Services, Inc.**

[Docket No. ER04-830-001]

Take notice that on August 9, 2004, Entergy Services, Inc., (Entergy) on behalf of Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., and Entergy

New Orleans, Inc., submitted a compliance filing pursuant to the Commission's Order issued July 8, 2004, in Docket No. ER04-830-000, 108 FERC ¶ 61,029 (2004).

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

## 12. NorthWestern Energy

[Docket No. ER04-1106-000]

Take notice that on August 9, 2004, NorthWestern Corporation, doing business as NorthWestern Energy, (NorthWestern Energy) tendered for filing NorthWestern Energy's FERC Electric Tariff, Sixth Revised Volume No. 5, to include original and revised tariff sheets for which add (1) a new Schedule 9 containing the terms for the provision of a new service—Generation Imbalance Service and (2) a new Attachment J containing the *pro forma* Large Generator Interconnection Procedures and Large Generator Interconnection Agreement with minor modifications that have previously been accepted by the Commission. NorthWestern requests an effective date of October 1, 2004.

*Comment Date:* 5 p.m. eastern time on August 30, 2004.

## 13. Orlando Utilities Commission

[Docket No. NJ04-4-000]

Take notice that on July 28, 2004, Orlando Utilities Commission (OUC) submitted a supplement to its April 27, 2004, filing in Docket No. NJ04-4-000 to provide additional information regarding OUC's Guide for Interconnection, Control, and Protection of Producer-Owned Generation Interconnections.

*Comment Date:* 5 p.m. eastern time on August 20, 2004.

## Standard Paragraph

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Magalie R. Salas,  
Secretary.

[FR Doc. E4-1857 Filed 8-19-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER98-4512-003, et al.]

### Consolidated Water Power Company, et al.; Electric Rate and Corporate Filings

August 11, 2004.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

#### 1. Consolidated Water Power Company

[Docket No. ER98-4512-003]

Take notice that on August 5, 2004, Consolidated Water Power Company (Consolidated) tendered for filing proposed changes to its FERC Electric Rate Schedule No. 1. Consolidated states that the proposed changes to its FERC Rate Schedule add the new behavior rules adopted by the Commission in Docket No. EL01-118-000. See Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations, 105 FERC ¶ 61,218 (2003). Consolidated requests an effective date of October 4, 2004.

Consolidated states that copies of this filing were served upon all persons designated on the official service list compiled by the Secretary of the FERC in Docket No. ER98-4512.

*Comment Date:* 5 p.m. eastern time on August 26, 2004.

## 2. Tyr Energy, LLC

[Docket No. ER03-1182-001]

Take notice that on August 5, 2004, Tyr Energy, LLC (Tyr) tendered for filing an amendment to its FERC Electric Tariff, Original Volume No. 1 in compliance with the Commission's order issued November 17, 2003, Amending Market-Based Rate Tariffs and Authorizations, Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations, 105 FERC ¶ 61,218 (2003), the Commission's letter order accepting Tyr's market-based rate tariff for filing, issued on September 11, 2003, in Docket No. ER03-1182-000, and Order No. 614. Tyr's FERC Electric Tariff, Original Volume No. 1 incorporates the Market Behavior Rules set forth in the November 17 Order.

*Comment Date:* 5 p.m. eastern time on August 26, 2004.

## 3. PJM Interconnection, L.L.C.

[Docket No. ER04-653-002]

Take notice that on August 6, 2004, PJM Interconnection, L.L.C. submitted a response to the questions contained in the letter issued July 22, 2004, by the Commission's Office of Markets, Tariffs, and Rates in Docket No. ER04-653-002.

*Comment Date:* 5 p.m. eastern time on August 27, 2004.

## 4. Progress Energy, Inc., Florida Power Corporation, Carolina Power & Light Company

[Docket No. ER04-823-001]

Take notice that on August 6, 2004, Progress Energy, Inc. (Progress Energy), on behalf of Carolina Power & Light Company (CP&L) and Florida Power Corporation (FPC), tendered for filing in compliance with the Commission's letter order issued July 9, 2004, in Docket No. ER04-823-000 the *pro forma* LGIP and LGIA Table of Contents for CP&L's open-access transmission tariff, FERC Electric Tariff, Third Revised Volume No. 3 and FPC's open-access transmission tariff, FERC Electric Tariff, Second Revised Volume No. 6. Progress Energy requests an effective date of April 26, 2004.

*Comment Date:* 5 p.m. eastern time on August 27, 2004.

## 5. Southwest Power Pool, Inc.

[Docket No. ER04-833-001]

Take notice that on August 6, 2004, Southwest Power Pool, Inc. (SPP) submitted an amendment to its May 11, 2004, filing in Docket No. ER04-833-000. In response to the Commission's