

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

Magalie R. Salas,
Secretary.

[FR Doc. E4-2437 Filed 9-29-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP04-432-001]

Guardian Pipeline, L.L.C.; Notice of Compliance Filing

September 23, 2004.

Take notice that on September 14, 2004, Guardian Pipeline, L.L.C. (Guardian) tendered for filing to become part of Guardian's FERC Gas Tariff, Original Volume No. 1, Substitute Third Revised Sheet No. 128 effective September 1, 2004.

Guardian states that this filing is made to comply with the Commission's Letter Order dated August 31, 2004, in Docket No. RP04-432.

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 Section 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, or call

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

Magalie R. Salas,
Secretary.

[FR Doc. E4-2433 Filed 9-29-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application for Transfer of Licenses and Soliciting Comments, Motions To Intervene, and Protests

September 23, 2004.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. *Application Type*: Transfer of licenses.
- b. *Project Nos.*: 2497-007, 2758-008, 2766-008, 2768-008, 2770-007, 2771-007, 2772-006, and 2775-006.
- c. *Date Filed*: September 21, 2004.
- d. *Applicants*: Harris Energy and Realty Corporation (Harris Energy, Transferor) City of Holyoke Gas & Electric Department (HG&E, Transferee).
- e. *Name and Location of Projects*: The Mt. Tom Mill, Crocker Mill (A and B Wheels), Albion Mill (D Wheel), Albion Mill (A Wheel), Crocker Mill (C Wheel), Nonotuck Mill, Gill Mill (A Wheel), and Gill Mill (D Wheel) Hydroelectric Projects (FERC Project Nos. 2497, 2758, 2766, 2768, 2770, 2771, 2772, and 2775, respectively), are located on the Holyoke Canal, a diversion of the Connecticut River in Hampden County, Massachusetts.
- f. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791a-825r.
- g. *Applicant Contacts*: For Transferor: Ira H. Belsky, Harris Energy and Realty Corporation, 10 Harris Drive, P.O. Box 1280, Holyoke, MA 01041 and Fred E. Springer, Troutman Sanders LLP, 401 9th St., NW., Suite 1000, Washington, DC 20004-2134, (202) 274-2836. For Transferee: James M. Lavelle, City of Holyoke Gas & Electric Department, 99 Suffolk Street, Holyoke, MA 01040 and Nancy J. Skancke, Law Offices of GKRSE, 1500 K St., NW., Suite 330, Washington, DC 20005, (202) 408-5400.
- h. *FERC Contact*: James Hunter, (202) 502-6086.

i. *Deadline for filing comments, protests, and motions to intervene*: October 25, 2004.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings. Please include the Project Number on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all interveners filing a document with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the documents on that resource agency.

j. *Description of Application*: The applicants seek Commission approval to transfer the licenses for the projects listed in item e. from Harris Energy to HG&E.

k. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number (P-2497 etc.) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov. For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the addresses in item g. above.

l. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

m. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

n. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named

documents must be filed by providing the original and eight copies to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

o. Agency Comments—Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Magalie R. Salas,

Secretary.

[FR Doc. E4-2429 Filed 9-29-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1971-079—Idaho]

Idaho Power Company; Notice of Designation of Certain Commission Personnel as Non-Decisional

September 23, 2004.

Commission staff members James Hastreiter (Office of Energy Projects 503-552-2760; james.hastreiter@ferc.gov) and Merrill Hathaway (Office of General Counsel; 202-502-8825; merrill.hathaway@ferc.gov) are assigned to help resolve environmental and other issues associated with development of a settlement agreement for the Hells Canyon Project.

As “non-decisional” staff, Messrs. Hastreiter and Hathaway will not participate in an advisory capacity in the Commission's review of any offer of settlement or settlement agreement, or deliberations concerning the disposition of the relicense application.

Different Commission “advisory staff” are assigned to review any offer of settlement or settlement agreement, and to process the relicense application, including providing advice to the Commission with respect to the agreement and the application. Non-decisional staff and advisory staff are prohibited from communicating with

one another concerning the settlement and the relicense application.

Magalie R. Salas,

Secretary.

[FR Doc. E4-2427 Filed 9-29-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL04-135-000]

Order Instituting Section 206 Proceeding

Issued September 27, 2004.

Before Commissioners: Pat Wood, III, Chairman; Nora Mead Brownell, Joseph T. Kelliher, and Suedeene G. Kelly.

Midwest Independent Transmission System Operator, Inc., PJM Interconnection, L.L.C., and all transmission owners providing access to their transmission facilities under Midwest Independent Transmission System Operator, Inc. or PJM Interconnection, L.L.C. Tariffs and all other public utility transmission owners in these regions (including the entities identified below): Alliant Energy Corporate Services, Inc. on behalf of:

Interstate Power and Light Company
Ameren Services Company on behalf of:
Union Electric Company and
Central Illinois Public Service Company
Central Illinois Light Company
Aquila, Inc. (formerly UtiliCorp United, Inc.)
Cinergy Services, Inc.
Cincinnati Gas & Electric Company
PSI Energy, Inc.
Union Light Heat & Power Company
City Water, Light & Power (Springfield, IL)
Dairyland Power Cooperative
FirstEnergy Corporation on behalf of:
American Transmission Systems, Inc.
Great River Energy
GridAmerica LLC
Illinois Power Company
Indiana Municipal Power Agency
Indianapolis Power & Light Company
International Transmission Company
Hoosier Energy Rural Electric Cooperative
Lincoln Electric (Neb.) System
LG&E Energy Corporation on behalf of:
Kentucky Utilities Company
Louisville Gas & Electric Company
Michigan Electric Transmission Company, LLC

Michigan Public Power Agency
Minnesota Power, Inc.
Montana-Dakota Utilities Company
Northern Indiana Public Service Company
Northwestern Wisconsin Electric Company
Otter Tail Power Company
Southern Illinois Power Cooperative
Southern Indiana Gas & Electric Cooperative
Southern Minnesota Municipal Power Agency
Superior Water, Light & Power Company
Sunflower Electric Power Corporation
Wabash Valley Power Association, Inc.
Wolverine Power Supply Cooperative

Xcel Energy Services, Inc. on behalf of:

Northern States Power Company
(Minnesota)

Northern States Power Company
(Wisconsin)

Allegheny Electric Cooperative, Inc.

Allegheny Power

American Electric Power Service Corporation on behalf of:

Appalachian Power Company
Columbus Southern Power Company
Indiana Michigan Power Company
Kentucky Power Company
Kingsport Power Company
Ohio Power Company
Wheeling Power Company

Atlantic City Electric Company

Baltimore Gas & Electric Company

Dayton Power and Light Company

Delmarva Power & Light Company

Dominion Virginia Power Company

Exelon Corporation on behalf of:

Commonwealth Edison Company
Commonwealth Edison Company of Indiana, Inc.

Jersey Central Power & Light Company

Metropolitan Edison Company

Old Dominion Electric Cooperative

PECO Energy Company

Pennsylvania Electric Company

Public Service Electric & Gas Company

PPL Electric Utilities Corporation

Potomac Electric Power Company

Rockland Electric Company

UGI Utilities, Inc.

1. In this order, we are instituting a Federal Power Act section 206¹ proceeding to implement a new long-term transmission pricing structure intended to eliminate seams in the PJM Interconnection, L.L.C. (PJM) and Midwest Independent Transmission System Operator System, Inc. (Midwest ISO) regions, and establish a refund effective date of December 1, 2004. This order will provide the mechanism by which the Commission will implement a new pricing structure to replace existing through and out rates. This order benefits customers by ensuring a smooth transition in eliminating seams.

I. Background

2. In earlier orders in this proceeding, the Commission ordered the elimination of regional through and out rates between PJM and Midwest ISO regions effective April 1, 2004,² and also found unjust and unreasonable the through and out rates of individual public utilities that had not yet become members of PJM or the Midwest ISO effective April 1, 2004.³ The Commission directed compliance filings to eliminate the through and out rates for new transactions, and allowed two-

¹ 16 U.S.C. 824e (2000).

² Midwest Independent Transmission System Operator, Inc., *et al.*, 104 FERC ¶ 61,105, *order on reh'g*, 105 FERC ¶ 61,212 (2003).

³ Ameren Services Company, *et al.*, 105 FERC ¶ 61,216 (2003).