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Magalie R. Salas,  
Secretary.

[FR Doc. E5-3948 Filed 7-25-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

July 20, 2005.

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

*Docket Numbers:* ER05-1221-000.

*Applicants:* Commonwealth Edison Company.

*Description:* Commonwealth Edison Company submits a transmission interconnection agreement with Ameren Services Company, as designated agent for AmerenCILCO, Midwest Independent Transmission System Operator, Inc. and PJM Interconnection, LLC.

*Filed Date:* 7/15/2005.

*Accession Number:* 20050719-0063.

*Comment Date:* 5 p.m. Eastern Time on Friday, August 5, 2005.

*Docket Numbers:* ER05-1222-000.

*Applicants:* Niagara Mohawk Power Corporation.

*Description:* Flat Rock Windpower, LLC submits Exhibits B & C to the interconnection agreement between Niagara Mohawk Power Corporation and Flat Rock Windpower, LLC filed on 1/16/04 by Niagara Mohawk Power Corporation and accepted by the Commission by a 3/15/04 letter order in Docket Nos. ER04-423-000 and 001.

*Filed Date:* 7/15/2005.

*Accession Number:* 20050719-0065.

*Comment Date:* 5 p.m. Eastern Time on Friday, August 5, 2005.

*Docket Numbers:* ER05-113-001; ER05-125-001.

*Applicants:* Pacific Gas & Electric Company.

*Description:* Compliance Electric Refund Report of Pacific Gas and Electric Company pursuant to the Commission's order issued March 23, 2005, 110 FERC 61,308.

*Filed Date:* 6/2/2005.

*Accession Number:* 20050602-5039.

*Comment Date:* 5 p.m. Eastern Time on Thursday, August 1, 2005.

*Docket Numbers:* ER99-3571-003.

*Applicants:* Legacy Energy Group, LLC.

*Description:* The Legacy Energy Group, LLC submits updated market power analysis report and revised market-based rate tariff.

*Filed Date:* 7/13/2005.

*Accession Number:* 20050719-0062.

*Comment Date:* 5 p.m. Eastern Time on Monday, August 1, 2005.

Any person desiring to intervene or to protest in any of the above proceedings 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) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St. NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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,

Deputy Secretary.

[FR Doc. E5-3965 Filed 7-25-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM01-12-000]

#### Order Terminating Proceeding

Issued July 19, 2005.

Before Commissioners: Joseph T. Kelliher, Chairman; Nora Mead Brownell, and Suedeen G. Kelly. Remedying Undue Discrimination through Open Access Transmission Service and Standard Electricity Market Design; Order Terminating Proceeding.

1. In 2002, the Commission issued the Standard Market Design (SMD) Notice of Proposed Rulemaking (NOPR) in this proceeding.<sup>1</sup> For the reasons given below, we are exercising our discretion to terminate this proceeding.

#### Background

2. On July 31, 2002, the Commission issued a NOPR proposing to remedy remaining undue discrimination and establish a standardized transmission service and wholesale electric market design to provide a level playing field for all entities seeking to participate in wholesale electric markets, while recognizing certain regional variations. The Commission explained that it was proposing to provide new choices through a flexible transmission service and an open and transparent spot market design that would provide the right pricing signals for investment in transmission and generation facilities. The Commission also explained that it was proposing regulatory backstops to protect customers against the exercise of market power when structures do not support a competitive market, *i.e.*, market monitoring and market power mitigation. The Commission further proposed to exercise jurisdiction over the transmission component of bundled retail transactions and to require all transmission owners and operators that had not yet joined a regional transmission organization (RTO) to contract with an independent entity to operate their transmission facilities.

<sup>1</sup> Remedying Undue Discrimination through Open Access Transmission Service and Standard Electricity Market Design, Notice of Proposed Rulemaking, 67 Fed. Reg. 55,452 (Aug. 29, 2002), FERC Stats. & Regs. ¶ 32,563 (2002).

3. The Commission received extensive comments on its proposed rule raising a variety of concerns, including the following: (1) The Commission's proposed assertion of jurisdiction over transmission used to provide retail service to native load customers infringed on state jurisdiction; (2) other specific features of the proposed rule also would infringe on state jurisdiction; (3) the transition process to the new proposed transmission service would not provide sufficient protection for existing customers; (4) the proposed rule was too prescriptive in substance and implementation and did not sufficiently accommodate regional differences; and (5) the proposed rule did not provide sufficient clarity on cost recovery for investment in new transmission facilities.

4. On April 28, 2003, in response to the comments it received on its proposed rule, the Commission issued a Wholesale Power Market Platform White Paper laying out a revised proposal for building a wholesale electric market. The Commission reiterated its overall goals, proposed a more flexible approach to regional needs and expressed an intent to focus on the formation of RTOs. The Commission recognized the need for additional changes to its proposed rule and indicated that: (1) It would not assert jurisdiction over the transmission rate component of bundled retail service; (2) nothing in the Final Rule would change state authority over resource adequacy requirements and regional transmission planning requirements; (3) regional state committees would determine how firm transmission rights should be allocated to current customers; (4) implementation would be tailored to each region and modifications would be allowed to benefit customers in each region; (5) each RTO would be required to have a clear transmission cost recovery policy outlined in its tariff; and (6) it would eliminate the proposed requirement that public utilities create or join an independent entity, but would require them to join an RTO or independent system operator (ISO).

5. While a number of entities expressed support for certain of the changes proposed by the Commission in its White Paper, many entities continued to oppose the Commission's fundamental goals. For example, several entities spoke out against any national one size fits all approach, even with the modifications set forth in the White Paper, while others expressed concern with the ever-escalating costs of RTOs. Still others preferred that the Commission take a more regional

approach that would allow markets to develop on a voluntary basis, instead of the mandatory approach to RTOs proposed by the Commission. A number of entities also expressed concern about the proposed regional state committees, including their concern that they would have to spread their scarce resources over a multitude of forums.

#### Discussion

6. Since issuance of the SMD NOPR, the electric industry has made significant progress in the development of voluntary RTOs/ISOs (e.g., Midwest Independent Transmission System Operator, Inc. and Southwest Power Pool, Inc.). This has allowed interested parties, through region-specific proceedings, to shape the development of independent entities to reflect the needs of each particular region. The Commission has also indicated that it intends to consider revisions to the Order No. 888 pro forma Open Access Transmission Tariff to reflect the electric utility industry's and the Commission's experience with open access transmission over the last decade.

7. Given the continuing development of voluntary RTOs and ISOs and the Commission's expressed intent to look into revisions to the Order No. 888 pro forma tariff in a separate proceeding, we have concluded that the SMD NOPR has been overtaken by events. Accordingly, we will exercise our discretion to terminate this proceeding.

#### *The Commission orders:*

Docket No. RM01-12-000 is hereby terminated.

By the Commission.

Linda Mitry,

Deputy Secretary.

[FR Doc. 05-14710 Filed 7-25-05; 8:45 am]

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#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Project No. 6662-006]

##### City of St. George; Notice of Availability of Environmental Assessment

July 19, 2005.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR part 380 (Order No. 486, 52 FR 47897), the Office of Energy Project's staff has prepared an Environmental Assessment (EA) for the

City of St. George's application requesting Commission approval to surrender the exemption for the Lower Gunlock Hydroelectric Project, FERC No. 6662. The project is located on the Santa Clara River in Washington County, Utah. The project does not occupy any tribal or Federal lands.

The EA concludes the staff's analysis of the potential environmental impacts of the proposal and concludes that approval of the surrender would not constitute a major Federal action significantly affecting the quality of the human environment.

A copy of the EA is attached to a Commission Order entitled *Order Modifying and Accepting Surrender of Exemption* issued on July 15, 2005 (112 FERC ¶ 62,034) which is available for review at the Commission's Web site at <http://www.ferc.gov> using the eLibrary link. Enter the docket number (Prefaced by P-) and excluding the last three digits, in the docket number field to access the document. For assistance please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free 866-208-3676, or, for TTY, contact (202) 502-8659.

For further information, contact Kate DeBragga at (202) 502-8961.

Magalie R. Salas,  
Secretary.

[FR Doc. E5-3951 Filed 7-25-05; 8:45 am]

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#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Docket No. CP05-361-000]

##### Freeport LNG Development, L.P.; Notice of Intent To Prepare an Environmental Assessment for the Proposed Freeport LNG Phase II Project and Request for Comments on Environmental Issues

July 19, 2005.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of Freeport LNG Development, L.P.'s (Freeport LNG) proposal to site, construct, and operate the following additional facilities at its liquefied natural gas (LNG) import terminal on Quintana Island, Brazoria County, Texas: (1) An additional marine berthing dock and associated unloading facilities for LNG ships, (2) new and expanded vaporization systems; and (3) an additional LNG storage tank.