

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. PA02-2-000]

Fact-finding Investigation of Potential Manipulation of Electric and Natural Gas Prices; All Jurisdictional Sellers and All Non-jurisdictional Sellers in the West

March 5, 2002.

On February 13, 2002, the Commission issued an order directing Staff to conduct a fact-finding investigation into whether any entity, including Enron Corporation (through its affiliates or subsidiaries), manipulated short-term prices in electric energy or natural gas markets in the West or otherwise exercised undue influence over wholesale prices in the West, for the period January 1, 2000, forward. In Ordering Paragraph (B) of the February 13, 2002, order, the Commission empowered the General Counsel or her designee, with respect to any matters relevant to that investigation, to gather information and to require the production of any contracts, agreements or other records, among other things.

In the course of conducting this fact-finding investigation, Staff reviewed the wholesale sales information filed by jurisdictional sellers in their quarterly reports. Staff determined that the information contained in the reports is not useful for the fact-finding investigation. Moreover, the information is incomplete as to the markets in the West because non-jurisdictional sellers of wholesale energy do not file quarterly reports.

Accordingly, pursuant to the February 13, 2002, order, I hereby direct all jurisdictional sellers and all non-jurisdictional sellers with wholesales sales in the U.S. portion of the Western Systems Coordinating Council (WSCC) to respond to this information request, as described in more detail below. The failure to respond on the part of any seller to which this information request applies may result in appropriate enforcement action, including the issuance of a subpoena. Any jurisdictional seller that does not have any transactions to report is to report that fact to the e-mail address listed below.

All jurisdictional sellers and all non-jurisdictional sellers with wholesales sales in U.S. portion of the WSCC are required to report on a daily basis certain historical information (specified in an Excel spreadsheet template entitled "Short-term Firm and Non-firm

Wholesale Sales Transactions") for all short-term energy transactions in the U.S. portion of the WSCC for calendar years 2000 and 2001. Short-term energy transactions are defined as those transactions for sales or resales with a term of one week or less. The spreadsheet template includes columns for quantity and price data, transactions with affiliated buyers, non-affiliated buyers, and by specific, identified delivery points.

All jurisdictional and non-jurisdictional sellers with wholesale sales in the U.S. portion of the WSCC are required to report certain historical information for calendar years 2000 and 2001 (specified in an Excel spreadsheet template entitled "Monthly Firm and Non-Firm Wholesale Sales Transactions") for transactions of capacity and energy in the U.S. portion of the WSCC on a monthly basis. Monthly transactions are defined as all wholesale capacity and wholesale energy sales or resales that were made on a monthly, seasonal, or quarterly basis. The spreadsheet template includes columns for quantity and price data, transactions with affiliated buyers, non-affiliated buyers, and by specific, identified delivery points.

All jurisdictional sellers and all non-jurisdictional sellers with wholesales sales in the U.S. portion in the WSCC are required to report certain historical and projected information (specified in an Excel spreadsheet template entitled "Long Term Capacity and Energy Sales") for all long-term transactions in the U.S. portion of the WSCC, the contracts for which were executed for delivery on or after January 1, 2000. Long-term transactions are defined as those transactions for a term of one year or more. For the date on which any long-term contract was executed, the spreadsheet template includes columns for quantity and price data, term dates, transactions with affiliated buyers, non-affiliated buyers, and by location. Respondents are also required to provide copies of the relevant contracts, together with all supplements and amendments, in electronic (scanned) format.

Responses must be provided no later than April 2, 2002. The three Excel spreadsheets needed to complete this information request are contained in two files posted on the Commission's web page for Docket No. PA02-2-000 (<http://www.ferc.gov/electric/bulkpower/pa02-2/pa02-2.htm>). These spreadsheets are to be completed by respondents and e-mailed to william.booth@ferc.gov. A response that exceeds the row limit for an Excel spreadsheet must be reported in CSV

format. If any respondent seeks privileged treatment of the information pursuant to 18 CFR 388.112 (2001), two versions of each spreadsheet should be e-mailed. Include in the e-mail and in the title of the spreadsheet that the information is "Confidential" or "Not Confidential."

A copy of this information request will be published in the **Federal Register** and published on the Commission's web page for Docket No. PA02-2-000 (<http://www.ferc.gov/electric/bulkpower/pa02-2/pa02-2.htm>). In addition, it also will be mailed to all the jurisdictional public utilities listed in the appendix to the November 20, 2001, order in Docket No. EL01-118-000.

Respondents seeking assistance with this information request may contact Mr. William Booth at 202-208-0849 (technical) or Ms. Jo Tolley at 202-208-1260 (non-technical).

Donald J. Gelinas,*Associate Director, Office of Markets, Tariffs and Rates.*

[FR Doc. 02-5721 Filed 3-11-02; 8:45 am]

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. EL01-93-005, et al.]

Mirant Americas Energy Marketing, L.P., et al.; Electric Rate and Corporate Regulation Filings

March 5, 2002.

Take notice that the following filings have been made with the Commission. Any comments should be submitted in accordance with Standard Paragraph E at the end of this notice.

1. Mirant Americas Energy Marketing, L.P.; Mirant New England, LLC; Mirant Kendall, LLC; and Mirant Canal, LLC v. ISO New England Inc.

[Docket No. EL01-93-005]

Take notice that on February 25, 2002, ISO New England Inc. tendered for filing with the Federal Energy Regulatory Commission (Commission) its compliance filing in response to the Commission's October 26, 2001 Order in the above-referenced proceeding.

Copies of said filing have been served upon all parties to this proceeding, NEPOOL Participants, and all non-Participant entities that are customers under the NEPOOL Open Access Transmission Tariff, as well as upon the utility regulatory agencies of the six New England States.

Comment Date: March 27, 2002.

2. Arizona Public Service Company

[Docket No. ER02-1174-000]

Take notice that on February 28, 2002, Arizona Public Service Company (APS) tendered for filing a revised Contract Demand Exhibit for Southern California Edison (SCE) applicable under the APS-FERC Rate Schedule No. 120.

Copies of this filing have been served on SCE, the California Public Utilities Commission and the Arizona Corporation Commission.

Comment Date: March 21, 2002.

3. San Diego Gas & Electric Company

[Docket No. ER02-1180-000]

Take notice that on February 28, 2002, San Diego Gas & Electric Company (SDG&E) tendered for filing its Service Agreements numbers 13 and 14 to its FERC Electric Tariff, First Revised Volume No. 6, two interconnection agreements. Both agreements relate to the interconnection of new generation plants to be owned by Energia Azteca X, S. de R.L. de C.V. and Energia de Baja California, S. de R.L. de C.V. The plants, with a capacity of 685 megawatts, are being constructed on an expedited basis to meet electricity demand in the Western United States, Baja California, Mexico, and the San Diego Basin. They will be located near Mexicali, Mexico, and are expected to begin service on or about July 1, 2002.

Service Agreement No. 13 is an Expedited Interconnection Facilities Agreement dated February 1, 2002 between SDG&E and Baja California Power, Inc., under which SDG&E will construct, operate and maintain the proposed interconnection facilities. Service Agreement No. 14, the Interconnection Agreement between SDG&E and Baja California Power, Inc., dated February 1, 2002, establishes interconnection and operating responsibilities and associated communications procedures between the parties. SDG&E requests an effective date of May 15, 2002 for both agreements.

SDG&E states that copies of the filing have been served on Baja California Power, Inc., and on the California Public Utilities Commission.

Comment Date: March 21, 2002.

4. Nevada Power Company

[Docket Nos. ER01-2754-003, ER01-2755-003, ER01-2758-003, and ER01-2759-003]

Take notice that on February 27, 2002, Nevada Power Company (Nevada Power) filed, pursuant to Section 205 of the Federal Power Act and the Federal Energy Regulatory Commission's

(Commission) Orders dated December 20, 2001 and February 21, 2002 in the above-referenced proceedings, transmission service agreements that have been revised in accordance with the Commission's December 20, 2001 Order.

Comment Date: March 20, 2002.

5. PJM Interconnection, L.L.C.

[Docket No. ER02-1171-000]

Take notice that on February 28, 2002, PJM Interconnection, L.L.C. (PJM), tendered for filing executed service agreements for firm point-to-point transmission service, non-firm point-to-point transmission service, and network integration transmission service for Rockland Electric Company.

PJM requested a waiver of the Commission's notice requirement to permit a March 1, 2002 effective date for the agreements.

Copies of this filing were served upon Rockland Electric Company and the state commissions within the PJM region.

Comment Date: March 21, 2002.

6. International Transmission Company

[Docket No. ER02-1172-000]

Take notice that on February 28, 2002, International Transmission Co., (International Transmission) pursuant to Section 205 of the Federal Power Act, submitted for filing with the Federal Energy Regulatory Commission (Commission) agreements for the provision of non-discriminatory transmission service under the joint open access transmission tariff (JOATT) between International Transmission and Michigan Electric Transmission Company (METC).

Comment Date: March 21, 2002.

7. Front Range Power Company, LLC

[Docket No. ER02-1173-000]

Take notice that on February 28, 2002, Front Range Power Company, LLC (FRPC), a Colorado limited liability company, applied to the Federal Energy Regulatory Commission (Commission) for acceptance of Front Range Power Company, LLC, Electric Tariff, Original Volume No. 1; the granting of certain blanket approvals, including the authority to sell electricity at market-based rates; the waiver of certain Commission regulations; and the waiver of certain notice requirements. The application also asks the Commission to accept for filing service agreements with Public Service Company of Colorado and Colorado Springs Utilities.

Comment Date: March 21, 2002.

8. Arizona Public Service Company

[Docket No. ER02-1174-000]

Take notice that on February 28, 2002, Arizona Public Service Company (APS) tendered for filing a revised Contract Demand Exhibit for Southern California Edison (SCE) applicable under the APS-FERC Rate Schedule No. 120.

Copies of this filing have been served on SCE, the California Public Utilities Commission and the Arizona Corporation Commission.

Comment Date: March 21, 2002.

9. Aroostook Valley Electric Company

[Docket No. ER02-1175-000]

Take notice that on February 28, 2002, Aroostook Valley Electric Company, tendered for filing a notice of succession and amendments to an existing market-based rate tariff to reflect the name change from Aroostook Valley Electric Company, which owns a 31 MW wood-burning power plant in Fort Fairfield, Maine, to Boralex Fort Fairfield Inc. and to remove language from the tariff to comply with *Calhoun Power Company I, LLC*, 96 FERC ¶ 61,056 (2001).

Comment Date: March 21, 2002.

10. American Electric Power Service Corporation

[Docket No. ER02-1176-000]

Take notice that on February 28, 2002, the American Electric Power Service Corporation (AEPSC), tendered for filing Firm and Non-Firm Point-to-Point Transmission (PTP) Service Agreements for Dominion Energy Marketing, Inc., Progress Ventures, Inc., and Wisconsin Public Service Corporation, a revised Network Integration Service Agreement for Wabash Valley Power Association, Inc., and a Long-Term Firm PTP Service Agreement Specification for AEPSC's Power Marketing Organization. These agreements are pursuant to the AEP Companies' Open Access Transmission Service Tariff that has been designated as the Operating Companies of the American Electric Power System FERC Electric Tariff Second Revised Volume No. 6.

AEPSC requests waiver of notice to permit the Service Agreements to be made effective on and after February 1, 2002. A copy of the filing was served upon the Parties and the state utility regulatory commissions of Arkansas, Indiana, Kentucky, Louisiana, Michigan, Ohio, Oklahoma, Tennessee, Texas, Virginia and West Virginia.

Comment Date: March 21, 2002.

11. Tampa Electric Company

[Docket No. ER02-1177-000]

Take notice that on February 28, 2002, Tampa Electric Company (TEC)

tendered for filing pursuant to section 205 of the Federal Power Act an executed Interconnection and Operating Agreement between TEC and Auburndale Peaker Energy Center, L.L.C. as a service agreement under TEC's open access transmission tariff.

Comment Date: March 21, 2002.

12. Ocean State Power II

[Docket No. ER02-1178-000]

Take notice that on February 28, 2002, Ocean State Power II (Ocean State II), tendered for filing revised pages to Rate Schedule FERC Nos. 5-8, which update Ocean State II's rate of return on equity (ROE) with respect to such rate schedules.

Ocean State II requests an effective date of April 29, 2002. Copies of the Supplements have been served upon, among others, Ocean State II's power purchasers, the Massachusetts Department of Public Utilities, and the Rhode Island Public Utilities Commission.

Comment Date: March 21, 2002.

13. Ameren Services Company

[Docket No. ER02-1181-000]

Take notice that on February 28, 2002, Ameren Services Company (Ameren Services) tendered for filing a Service Agreement for Network Integration Transmission Service and a Network Operating Agreement between Ameren Services and MidAmerican Energy Company. Ameren Services asserts that the purpose of the Agreements is to permit Ameren Services to provide transmission service to MidAmerican Energy Company pursuant to Ameren's Open Access Tariff.

Comment Date: March 21, 2002.

14. Niagara Mohawk Power Corporation

[Docket No. ER02-1182-000]

Take notice that on February 28, 2002, Niagara Mohawk Power Corporation, a National Grid Company (Niagara Mohawk) tendered for filing its Rate Schedule No. 314 with the City of Jamestown Board of Public Utilities (Jamestown).

Copies of the filing have been served on counsel for Jamestown, the Power Authority of the State of New York, the New York Independent System Operator, Inc. and the New York State Public Service Commission.

Comment Date: March 21, 2002.

15. Commonwealth Edison Company

[Docket No. ER02-1183-000]

Take notice that on February 28, 2002, Commonwealth Edison Company (ComEd) submitted for filing an

unexecuted Service Agreement for Short-Term Firm Point-to-Point Transmission Service (Service Agreement) and the associated unexecuted Dynamic Scheduling Agreement (DSA) with Exelon Generation Company, LLC (Exelon) under ComEd's Open Access Transmission Tariff (OATT).

ComEd requests an effective date of March 1, 2002, and accordingly, requests waiver of the Commission's notice requirements. A copy of this filing was served on Exelon and ORMET Corporation.

Comment Date: March 21, 2002.

Standard Paragraph

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). 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.

Magalie R. Salas,
Secretary.

[FR Doc. 02-5855 Filed 3-11-02; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Accepted for Filing and Soliciting Motions To Intervene, Protests, Comments, Recommendations, and Terms and Conditions

March 6, 2002.

Take notice that the following hydroelectric application has been filed

with the Commission and is available for public inspection:

a. *Type of Application:* Conduit Exemption.

b. *Project No.:* 12144-000.

c. *Date filed:* January 23, 2002.

d. *Applicant:* Pristine Springs, Inc.

e. *Name of Project:* Pristine Springs Hydro #3.

f. *Location:* On Warm Creek, in Jerome County, Idaho. The project would not occupy federal or tribal lands.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Mr. Nyal Hoffman, 2122E 3950N, Filer, Idaho 83328, (208) 326-5680.

i. *FERC Contact:* Regina Saizan, (202) 219-2673.

j. *Status of Environmental Analysis:* This application is ready for environmental analysis at this time—see the following paragraphs about filing responsive documents.

k. *Deadline for filing motions to intervene, protests and comments:* (April 14, 2002).

All documents (original and eight copies) should be filed with: The 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. Please include the Project Number (P-12144-000) on any comments, protests, 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 document on that resource agency.

l. *Description of Project:* The project will be located at the outflow of an existing Aquaculture facility. The existing outflow exits an existing dam through a concrete structure and into the Snake River. The hydroelectric facility will consist of a new concrete structure connected to the existing one. The project will consist of a new powerhouse and a new 500 kW turbine generating unit. A channel will be built that allows the water to go through the turbine and exit by a 80-inch pipeline to the Snake River. The turbine will be operated as run-of-river. Approximately 4000 feet of power lines will be built to