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Dated: January 25, 2002.

**Craig B. Luigart,**

*Chief Information Officer.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP02-73-000]

#### Cargill, Incorporated, Complainant, v. Saltville Gas Storage Company, LLC, Respondent; Notice of Complaint

January 24, 2002.

Take notice that on January 23, 2002, pursuant to sections 5, 7, and 16 of the Natural Gas Act (NGA) and Rule 206 of the Commission's Rules of Practice and Procedure, 18 CFR 385.206, Cargill, Incorporated, (Cargill) filed a Complaint against Saltville Gas Storage Company,

LLC ("Saltville LLC") requesting that the Commission issue an order requiring Saltville LLC to cease and desist from the construction of jurisdictional salt cavern storage facilities without a certificate. The Complaint alleges that Saltville LLC is attempting to circumvent the jurisdiction of this Commission by constructing and operating an interstate natural gas storage facility, in Saltville, Virginia under claim of State jurisdiction despite the fact that the overriding purpose of the facilities is to provide natural gas storage service in interstate commerce. Accordingly, Cargill respectfully requests that the Commission assert jurisdiction over Saltville LLC, order it to cease and desist from all construction activities, and require it to file an application for a certificate of public convenience and necessity with this Commission. Alternatively, Cargill requests that the Commission issue a cease and desist order accompanied by an order requiring Saltville LLC to show cause why the proposed storage facilities are not subject to the Commission's NGA jurisdiction.

Any person desiring to be heard or to protest this 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 must be filed on or before February 12, 2002. 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. Answers to the complaint shall also be due on or before February 12, 2002. 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.

**C.B. Spencer,**

*Acting Secretary.*

[FR Doc. 02-2245 Filed 1-29-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2107-010 California]

#### Pacific Gas and Electric Company; Notice Rejecting Application and Soliciting Applications

January 24, 2002.

On October 2, 2001, the Pacific Gas and Electric Company (PG&E), licensee for the Poe Hydroelectric Project No. 2107, filed an application for a new license for the project, pursuant to section 15(b)(1) of the Federal Power Act (Act). The application was untimely filed, however, and a request for a license amendment that would have cured that deficiency was denied by the Commission in an order issued January 16, 2002.<sup>1</sup> Consequently, that license application is hereby rejected.

The project is located on the North Fork Feather River, in Butte County, California and occupies lands of the United States within the Plumas National Forest. The project consists of: (1) The 400-foot-long, 60-foot tall Poe Diversion Dam, including four 50-foot-wide by 41-foot-high radial flood gates, a 20-foot-wide by 7-foot-high small radial gate, and a small skimmer gate that is no longer used; (2) the 53-acre Poe Reservoir; (3) a concrete intake structure located on the shore of Poe Reservoir; (4) a pressure tunnel about 19 feet in diameter with a total length of about 33,000 feet; (5) a differential surge chamber located near the downstream end of the tunnel; (6) a steel underground penstock about 1,000 feet in length and about 14 feet in diameter; (7) a reinforced concrete powerhouse, 175-feet-long by 114-feet-wide, with two vertical-shaft Francis-type turbines rated at 76,000 horsepower connected to vertical-shaft synchronous generators rated at 79,350 kVA with a total installed capacity of 143 MW and an average annual generation of 584 gigawatt hours; (8) the 370-foot-long, 61-foot tall, concrete gravity Big Bend Dam; (9) the 42-acre Poe Afterbay Reservoir; and (10) appurtenant facilities.

As a result of the rejection of PG&E's application and pursuant to section 16.25 of the Commission's Regulations, the Commission is soliciting license applications from potential applicants. This is necessary because the deadline for filing an application for new license and any competing license applications, pursuant to section 16.9 of the regulations, was October 1, 2001, and no

<sup>1</sup> 98 FERC ¶ 61,032 (2002)

other applications for license for this project were filed.

The Commission's January 16, 2002, order waived those parts of Sections 16.24(a) and 16.25(a) which bar an existing licensee that missed the two-year application filing deadline from filing another license application. Consequently, PG&E will be allowed to compete for the license and the incumbent preference established by FPA section 15(a)(2) will apply.

The licensee is required to make available certain information described in section 16.7 of the regulations. For more information from the licensee contact Mr. Tom Jereb, Project Manager, Pacific Gas and Electric Company, P.O. Box 770000, N11D, San Francisco, CA 94177, (415) 973-9320.

A potential applicant that files a notice of intent within 90 days from the date of issuance of this notice: (1) may apply for a license under part I of the Act and part 4 (except section 4.38) of the Commission's Regulations within 18 months of the date on which it files its notice; and (2) must comply with the requirements of sections 16.8 and 16.10 of the Commission's Regulations.

Questions concerning this notice should be directed to John Mudre, (202) 219-1208 or [john.mudre@ferc.fed.us](mailto:john.mudre@ferc.fed.us).

**C.B. Spencer,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER94-1409-006, et al.]

#### Cambridge Electric Light Company, et al.; Electric Rate and Corporate Regulation Filings

January 24, 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. Cambridge Electric Light Company

[Docket Nos. ER94-1409-006 and EL94-88-006]

Take notice that, on January 17, 2002, Cambridge Electric Light Company (Cambridge) filed its Final Refund Report in the referenced dockets.

*Comment Date:* February 7, 2002.

#### 2. Merrill Lynch Capital Services, Inc.

[Docket No. ER99-830-007]

Take notice that on January 18, 2002, Merrill Lynch Capital Services, Inc. (MLCS) filed with the Federal Energy Regulatory Commission (Commission) a triennial updated market analysis in compliance with the Commission's January 20, 1999 Order in Docket No. ER99-830-000, which authorized MLCS to sell power at market-based rates.

*Comment Date:* February 8, 2002.

#### 3. Consolidated Edison Company of New York, Inc.

[Docket No. ER02-46-001]

Take notice that on January 18, 2002, Consolidated Edison Company of New York, Inc. (Con Edison) tendered for filing with the Federal Energy Regulatory Commission (Commission) a revised Interconnection Agreement by and between Con Edison and the Power Authority of the State of New York, dated August 1, 2001. The filing was made in compliance with the Commission's Letter Order issued November 29, 2001 in this proceeding.

*Comment Date:* February 8, 2002.

#### 4. Midwest Independent Transmission System Operator Inc.

[Docket No. ER02-108-003]

Take notice that on January 17, 2002, the Midwest Independent Transmission System Operator, Inc. tendered for filing with the Federal Energy Regulatory Commission (Commission) its compliance filing pursuant to the Commission's December 20, 2001 Order Granting RTO Status, Midwest Independent Transmission System Operator, Inc., 97 FERC ¶ 61,326 (2001), in which the Commission directed the Midwest ISO to file its contract for Market Monitoring Services with Potomac Economics, Ltd.

*Comment Date:* February 7, 2002.

#### 5. American Electric Power Service Corporation

[Docket No. ER02-282-001]

Take notice that on January 18, 2002, American Electric Power Service Corporation (AEPSC) tendered for filing with the Federal Energy Regulatory Commission (Commission) a Facilities, Operation and Maintenance Agreement (Facility Agreement) dated June 1, 2001, between AEP and Buckeye Rural Electric Cooperative, Inc. (BREC).

*Comment Date:* February 8, 2002.

#### 6. Florida Power & Light Company

[Docket Nos. ER02-139-001 and ER02-139-002]

Take notice that on January 22, 2002, Florida Power & Light Company

tendered for filing with the Federal Energy Regulatory Commission (Commission) a compliance filing in accordance with the December 20, 2001 Letter Order issued by the Commission in the above-referenced proceeding.

*Comment Date:* February 12, 2002.

#### 7. Armstrong Energy Limited Partnership, LLLP and Troy Energy, LLC

[Docket Nos. ER02-300-002 and 301-002]

Take notice that on January 18, 2002, Armstrong Energy Limited Partnership, LLLP (Armstrong Energy); and Troy Energy, LLC (Troy Energy) filed Revised Power Purchase Agreements (Revised PPAs) with Virginia Electric and Power Company to comply with the Commission's order of December 21, 2001 in these proceedings.

Armstrong Energy and Troy Energy request that their Revised PPAs become effective on January 5, 2002.

Armstrong Energy and Troy Energy have served this filing on the Ohio Public Utilities Commission, the Pennsylvania Public Service Commission, the North Carolina Public Utilities Commission and the Virginia State Corporation Commission.

*Comment Date:* February 8, 2002.

#### 8. MEP Clarksdale Power, LLC

[Docket No. ER02-309-001]

Take notice that on January 17, 2002, MEP Clarksdale Power, LLC (MEP Clarksdale) tendered for filing with the Federal Energy Regulatory Commission (Commission) an amendment to its rate schedule filing in this docket to respond to the Commission staff's January 10, 2002 deficiency letter.

*Comment Date:* February 7, 2002.

#### 9. Midwest Independent Transmission System Operator Inc.

[Docket No. ER02-325-001]

Take notice that on January 17, 2002, the Midwest Independent Transmission System Operator, Inc. tendered for filing with the Federal Energy Regulatory Commission (Commission) its compliance filing pursuant to the Commission's December 19, 2001 Letter Order directing the Midwest ISO to file the Coordination Agreement By and Between Midwest Independent Transmission System Operator Inc. and Manitoba Hydro in conformance with the requirements of Order No. 614.

*Comment Date:* February 7, 2002.

#### 10. Pacific Gas and Electric Company

[Docket No. ER02-637-001]

Take notice that on January 18, 2002, Pacific Gas and Electric Company (PG&E) tendered for filing an errata to