

**2. ALLETE, Inc.**

[Docket No. EL04-81-000]

Take notice that on February 9, 2004, ALLETE, Inc. (ALLETE) tendered for filing a Petition for Declaratory Order pursuant to rule 207 of the Commission's rules of practice and procedure, 18 CFR 385.207, seeking Commission ratification that: (i) The distribution to ALLETE's shareholders of common stock of its indirect wholly-owned non-utility subsidiary, ADESA Corporation is not prohibited by section 305(a) of the Federal Power Act; and (ii) the manner in which ALLETE proposes to account for the distribution is acceptable and in accordance with the Uniform System of Accounts.

*Comment Date:* March 1, 2004.

**3. BlueStar Energy Services, Inc.**

[Docket No. ER04-426-001]

Take notice that on February 11, 2004, BlueStar Energy Services, Inc. (BlueStar) tendered for filing an amendment to its petition filed January 20, 2004, in Docket No. ER04-426-000.

*Comment Date:* March 3, 2004.

**4. PacifiCorp**

[Docket No. ER04-489-001]

Take notice that on February 11, 2004, PacifiCorp tendered for filing in accordance with 18 CFR part 35 of the Commission's rules and regulations an amendment to PacifiCorp's December 17, 2003, filing submitting proposed revisions to PacifiCorp's market based rate tariff designated as FERC Electric Tariff, 4th Rev. Volume No. 12. PacifiCorp requests waiver of the Commission's prior notice requirements so that the revisions may be effective on December 17, 2003.

PacifiCorp states that copies of this filing have been supplied to all parties designated on the official service list compiled by the Secretary in this proceeding.

*Comment Date:* March 3, 2004.

**5. SWEPI LP**

[Docket No. ER04-547-000]

Take notice that on February 11, 2004, SWEPI LP tendered for filing a Notice of Cancellation, of its FERC Electric Tariff, Original Volume No. 1, which was accepted by the Commission on October 24, 2002, in Docket No. ER02-2558-000. SWEPI LP requests waiver of the 60-day notice period to allow the cancellation of its tariff to become effective immediately.

*Comment Date:* March 3, 2004.

**6. PJM Interconnection, L.L.C.**

[Docket No. ER04-548-000]

Take notice that on February 11, 2004, PJM Interconnection, L.L.C. (PJM) submitted revisions to Schedule 9-2 and Schedule 9-3 of the PJM Open Access Transmission Tariff (PJM Tariff) regarding the recovery of costs of administering Financial Transmission Rights and Market Support Services. PJM requests waiver of 18 CFR 35.3 to permit an effective date of April 1, 2004, for the proposed revisions to Schedule 9-2. PJM requests an effective date of May 1, 2004, for the proposed revisions to Schedule 9-3.

PJM states that copies of the filing were served on all PJM members and on the utility regulatory commissions in the PJM region.

*Comment Date:* March 3, 2004.

**7. Virginia Electric and Power Company**

[Docket No. ER04-549-000]

Take notice that on February 11, 2004, Virginia Electric and Power Company, doing business as Dominion Virginia Power, tendered for filing its Large Generator Interconnection Procedures and Large Generator Interconnection Agreement in compliance with Order No. 2003 issued July 24, 2003, in Docket No. RM02-1-000 and Order Denying Stay and Granting Extension issued 7/24/03 in Docket Nos. RM02-1-000 and 001. Dominion Virginia Power requests an effective date of February 12, 2004.

Dominion Virginia Power states that copies of the filing were served upon customers under Dominion Virginia Power's open access transmission tariff, the Virginia State Corporation Commission and the North Carolina Utilities Commission.

*Comment Date:* March 3, 2004.

**8. Aquila, Inc.**

[Docket No. ES04-13-000]

Take notice that on February 9, 2004, Aquila, Inc. (Aquila) submitted an application pursuant to section 204 of the Federal Power Act to authorize Aquila to issue up to and including \$500 million of secured and unsecured notes and other evidences of indebtedness.

*Comment Date:* March 1, 2004.

**Standard Paragraph**

Any person desiring to intervene or to protest this filing should file 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). 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. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. 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.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-357 Filed 2-23-04; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. EC04-650-000, et al.]

**GenWest LLC, et al.; Electric Rate and Corporate Filings**

February 17, 2004.

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

**1. GenWest LLC**

[Docket No. EC04-65-000]

Take notice that on February 13, 2004, GenWest LLC (GenWest) tendered for filing pursuant to section 203 of the Federal Power Act, an application for authorization for GenWest to transfer a 25% undivided ownership interest in its Silverhawk Generating Facility to the Southern Nevada Water Authority on or after commercial operation.

*Comment Date:* March 5, 2004.

**2. San Roque Power Corporation**

[Docket No. EG04-33-000]

Take notice that on February 12, 2004, San Roque Power Corporation (Applicant), with its principal office at 6766 Ayala Avenue, 1200 Makati City, Republic of the Philippines, filed with

the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's regulations.

Applicant states that it is a Philippine corporation engaged directly and exclusively in the business of owning and operating an approximately 345 MW, hydroelectric facility located on Luzon Island in the Republic of the Philippines. Applicant further states that electric energy produced by the facility will be sold at wholesale and entirely outside the United States.

*Comment Date:* March 4, 2004.

### 3. PSEG Huangshi Power Ltd.

[Docket No. EG04-34-000]

Take notice that on February 12, 2004, PSEG Huangshi Power Ltd. (PSEG Huangshi), with its principal office at Clarendon House, 2 Church Street, Hamilton HM11, Bermuda, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's regulations.

PSEG Huangshi states that it is a corporation organized under the laws of Bermuda. PSEG Huangshi states that it will be engaged, directly or indirectly through an affiliate as defined in section 2(a)(11)(B) of the Public Utility Holding Company Act of 1935 (PUHCA), exclusively in owning, operating, or both owning and operating: (1) A 50 percent ownership interest in a coal-fired thermal facility consisting of a steam turbine and generator with a total output of approximately 200 megawatts; and (2) a coal-fired thermal facility consisting of two steam turbines and generators with a total output of approximately 600 megawatts. PSEG Huangshi states that it will through an affiliate sell electric energy at wholesale from the facility and may engage in other incidental activities with respect thereto consistent with PUHCA.

*Comment Date:* March 5, 2004.

### 4. Maine Public Service Company

[Docket No. ER00-1053-010]

Take notice that on February 11, 2004, Maine Public Service Company (MPS) submitted revisions to its Open Access Transmission Tariff (OATT) to implement an Agreement regarding Maine Public Service Company's Formula Rate and 2003 Informational Filing (Settlement Agreement).

MPS states that copies of this filing were served on the parties to the proceeding, parties to the Settlement Agreement in Docket No. ER00-1053-000, the Commission Trial Staff, the

Maine Public Utilities Commission, the Maine Public Advocate, and current MPS open access transmission tariff customers.

*Comment Date:* March 3, 2004.

### 5. ISO New England Inc.

[Docket No. ER01-316-011]

Take notice that on February 12, 2004, ISO New England Inc. (the ISO) tendered for filing a revised quarterly Index of Customers for the fourth quarter of 2003 for its Tariff for Transmission Dispatch and Power Administration Services filed on February 3, 2004, in Docket No. ER01-316-010. The ISO states that the revision is made to conform to FERC rule 614.

*Comment Date:* March 4, 2004.

### 6. NorthWestern Energy Marketing, LLC

[Docket No. ER02-41-005]

Take notice that on February 12, 2004, NorthWestern Energy Marketing, LLC (NEM) tendered for filing an amended Original Sheet No. 1 to its market-based rate tariff, FERC Electric Tariff, First Revised Volume No. 1, to identify the Commission-approved geographic markets into which NEM may sell ancillary services.

*Comment Date:* March 4, 2004.

### 7. NorthWestern Energy

[Docket No. ER03-329-004]

Take notice that on February 12, 2004, NorthWestern Energy (NWE) tendered for filing an amended Original Sheet No. 1 to its market-based rate tariff, FERC Electric Tariff, Second Revised Volume No. 6, to identify the Commission-approved geographic markets into which NWE may sell ancillary services.

*Comment Date:* March 4, 2004.

### 8. American Electric Power Service

[Docket No. ER04-276-001]

Take notice that on February 12, 2004, American Electric Power Service (AEP) tendered for filing Amendments to an Amended Interconnection and Operation Agreement between Ohio Power Company and Lima Energy Company (LEC). AEP requests an effective date of February 9, 2004.

AEP states that a copy of the filing was served upon LEC and the Public Commission of Ohio.

*Comment Date:* March 4, 2004.

### 9. Bravo Energy Resources, LLC

[Docket No. ER04-292-001]

Take notice that on February 12, 2004, Bravo Energy Resources, LLC (Bravo) submitted an amendment to its petition filed December 15, 2003, for acceptance

of Bravo Rate Schedule FERC Electric Tariff Original Volume No. 1; the granting of certain blanket approvals, including the authority to sell electricity at market-based rates; and the waiver of certain Commission regulations.

Bravo states that it intends to engage in wholesale electric power and energy purchases and sales as a marketer and that it is not in the business of generating or transmitting electric power.

*Comment Date:* March 4, 2004.

### 10. The Clark Fork and Blackfoot, L.L.C.

[Docket Nos. ER04-467-001]

Take notice that on February 12, 2004, The Clark Fork and Blackfoot, L.L.C. (TCFB) tendered for filing an amended Original Sheet No. 1 to its market-based rate tariff, FERC Electric Tariff, First Revised Volume No. 1, to identify the Commission-approved geographic markets into which TCFB may sell ancillary services.

*Comment Date:* March 4, 2004.

### 11. Southern California Edison Company

[Docket No. ER04-550-000]

Take notice, that on February 12, 2004, Southern California Edison Company (SCE) tendered for filing a revised rate sheet (Revised Sheet) for the Service Agreement for Wholesale Distribution Service between SCE and the City of Rancho Cucamonga, California (Rancho Cucamonga). SCE states that the Revised Sheet reflects a revised date for the commencement of wholesale Distribution Service.

SCE states that copies of this filing were served upon the Public Utilities Commission of the State of California, and Rancho Cucamonga.

*Comment Date:* March 4, 2004.

### 12. Western Systems Power Pool, Inc.

[Docket No. ER04-551-000]

Take notice that on February 12, 2004, Western Systems Power Pool, Incorporated (WSPP) tendered for filing a request to amend the WSPP Agreement to include ATCO Power Canada Ltd. (ATCO) and Las Vegas Cogeneration II, LLC (LVC II) as participants. The WSPP seeks an effective date of December 22, 2003, for LVC II membership and January 12, 2004, for ACTO's membership.

WSPP states that copies of this filing will be served upon ATCO and Black Hills Generation, Inc., the parent company of LVCC II. In addition, WSPP states that copies will be emailed to WSPP members who have supplied email addresses for the Contract

Committee and Contacts lists. WSPP further states that this filing also has been posted on the WSPP home page ([www.wspp.org](http://www.wspp.org)) thereby providing notice to all WSPP members.

*Comment Date:* March 4, 2004.

### 13. Illinois Power Company

[Docket No. ER04-552-000]

Take notice that on February 12, 2004, Illinois Power Company (Illinois Power) tendered for filing First Revised Sheet No. 10 and Original Sheet No. 180 through Original Sheet No. 346, to include the *pro forma* Large Generator Interconnection Procedures and the Large Generator Interconnection Agreement in its Open Access Transmission Tariff. Illinois Power requests an effective date of January 20, 2004, for the tariff sheets.

*Comment Date:* March 4, 2004.

### 14. Avista Corporation

[Docket Nos. ER04-553-000]

Take notice that on February 12, 2004, Avista Corporation (Avista) tendered for filing with the Federal Energy Regulatory Commission a Notice of Cancellation of Avista's Rate Schedule No. 194 with PacifiCorp.

*Comment Date:* March 4, 2004.

### 15. Diverse Power Incorporated

[Docket No. ER04-555-000]

Take notice that on February 12, 2004, Diverse Power Incorporated (Diverse) submitted its proposed Revised Tariff Sheet No. 1 of its Original FERC Rate Schedule No. 1. The revised tariff sheet is being filed to reflect a change in name from Troup Electric Membership Corp. to Diverse Power Incorporated.

*Comment Date:* March 4, 2004.

### Standard Paragraph

Any person desiring to intervene or to protest this filing should file 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). 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. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at [http://](http://www.ferc.gov)

[www.ferc.gov](http://www.ferc.gov), using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. 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.

Magalie R. Salas,

Secretary.

[FR Doc. E4-358 Filed 2-23-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2503-068]

#### Duke Power Company, a Division of Duke Energy; Notice of Availability of Environmental Assessment

February 18, 2004.

In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Energy Regulatory Commission's (Commission) regulations (18 CFR part 380), Commission staff have prepared an environmental assessment (EA) that analyzes the environmental impacts of allowing Duke Power Company, licensee for the Keowee-Jocassee Hydroelectric Project, to authorize the Cliffs at Keowee Vineyards (the Cliffs) use of project lands and waters. Specifically, the Cliffs purposes to excavate about 3,300 cubic yards of sediment material in an area about 785 feet in length, 49 feet in width, and 2.3 feet in depth for the purpose of providing safe access to the previously approved cluster docks serving the subdivision. The EA contains staff's analysis of the potential environmental impacts of the proposal and concludes that approval of the proposed action would not constitute a major Federal action significantly affecting the quality of the human environment.

A copy of the EA is attached to a February 5, 2004, Commission Order titled "Order Approving Non-Project Use of Project Lands and Waters," which is available for review and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426. The EA may also be viewed on 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, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Magalie R. Salas,

Secretary.

[FR Doc. E4-364 Filed 2-23-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Settlement Agreement and Soliciting Comments

February 17, 2004.

Take notice that the following settlement agreement has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Settlement agreement on resolution of issues related to Endangered Species Act listed snails as part of new hydroelectric license applications.

b. *Project Nos.:* P-2778-005, P-2777-07, P-2061-004, P-1975-014, and P-2055-010.

c. *Date filed:* February 12, 2004.

d. *Applicant:* Idaho Power Company.

e. *Name of Projects:* Shoshone Falls, Upper Salmon Falls, Lower Salmon Falls, Bliss, C.J. Strike

f. *Location:* On the Snake River, East of Boise, Idaho in the counties of Owyhee, Elmore, Gooding, Twin Falls, Jerome.

g. *Filed Pursuant to:* Rule 602 of the Commission's rules of practice and procedure, 18 CFR 385.602.

h. *Applicant Contact:* James Tucker, Senior Counsel, Idaho Power Company, 1221 West Idaho Street, Boise, Idaho, 208-388-2112.

i. *FERC Contact:* John Blair, 202-502-6092, [john.blair@ferc.gov](mailto:john.blair@ferc.gov).

j. *Deadline for filing comments:* March 15, 2004. Reply comments: March 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.

The Commission's rules of practice require all interveners filing documents with the Commission to serve a copy of that document on each person on 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