

Dated: October 16, 2000.

**Robert B. Pirie, Jr.**

*Assistant Secretary of the Navy (Installations And Environment).*

Dated: November 14, 2000.

**J.L. Roth,**

*LCDR, JAGC, USN, Federal Register Liaison Officer.*

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## DEPARTMENT OF ENERGY

[Docket No. EA-101-B]

### Application to Export Electric Energy; Avista Corporation

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of Application.

**SUMMARY:** Avista Corporation (Avista, formerly The Washington Water Power Company) has applied to amend its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests or requests to intervene must be submitted on or before December 20, 2000.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Im/Ex (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-0350 (FAX 202-287-5736).

**FOR FURTHER INFORMATION CONTACT:** Rosalind Carter (Program Office) 202-586-7983 or Michael Skinker (Program Attorney) 202-586-6667.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act (FPA).

On October 17, 1994, the Office of Fossil Energy (FE) of the Department of Energy (DOE) issued Order EA-101 authorizing Avista to export through Bonneville Power Administration's (BPA) Nelway, Washington, international transmission facilities (Presidential Permit PP-36) up to 100 MW of firm capacity and associated energy to West Kootenay Power, for the months of November, December, January and February. On May 12, 1995, Avista applied to DOE to amend the export authorization issued in Order EA-101 to: (1) Increase the export limit to 400 MW; (2) authorize exports for all months of the calendar year; (3) remove the expiration date; and (4) add BPA facilities authorized by Presidential

Permit's PP-10 and PP-46 to the list of facilities that Avista may use for export. On October 23, 1995, FE issued the requested amendment in Order EA-101-A. On September 25, 2000, Avista filed an application with FE to amend Order EA-101-A to increase the authorized export limit from 400 MW to 1000 MW.

### Procedural Matters

Any person desiring to become a party to this proceeding or to be heard by filing comments or protests to this application should file a petition to intervene, comment or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the FERC's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with the DOE on or before the date listed above.

Comments on the Avista request to export to Canada should be clearly marked with Docket EA-101-B. Additional copies are to be filed directly with Mr. Robert J. Lafferty, Manager, Electric Resources, Avista Corporation, P.O. Box 3727, Spokane, Washington 99220-3727 and R. Blair Strong, Paine, Hamblen, Coffin, Brooke and Miller, 717 W. Sprague, Suite 1200, Spokane, WA 99201-3505.

A final decision will be made on this application after DOE determines whether the proposed action would impair the sufficiency of electric supply within the United States or would impede or tend to impede the coordination in the public interest of facilities as required by Section 202(e) of FPA.

DOE notes that the circumstances described in this application are virtually identical to those for which export authority had previously been granted in FE Order EA-101. Consequently, DOE believes that it has adequately satisfied its responsibilities under the National Environmental Policy Act of 1969 through the documentation of a categorical exclusion in the FE Docket EA-101-A proceeding.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above or by accessing the Fossil Energy Home Page at <http://www.fe.doe.gov>. Upon reaching the Fossil Energy Home page, select "Regulatory Programs," then "Electricity Regulation," and then "Pending Proceedings" from the options menus.

Issued in Washington, D.C., on November 14, 2000.

**Anthony J. Como,**

*Deputy Director, Electric Power Regulation, Office of Coal & Power Im/Ex, Office of Coal & Power Systems, Office of Fossil Energy.*

[FR Doc. 00-29596 Filed 11-17-00; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

[Docket No. EA-193-A]

### Application to Export Electric Energy; Energy Atlantic, LLC

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of Application.

**SUMMARY:** Energy Atlantic, LLC (Energy Atlantic) has applied for renewal of its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests or requests to intervene must be submitted on or before December 20, 2000.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Im/Ex (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-0350 (FAX 202-287-5736).

**FOR FURTHER INFORMATION CONTACT:** Xavier Puslowski (Program Office) 202-586-4708 or Michael Skinker (Program Attorney) 202-586-2793.

**SUPPLEMENTARY INFORMATION:** On November 24, 1998, the Office of Fossil Energy (FE) of the Department of Energy (DOE) issued Order No. EA-193 authorizing Energy Atlantic to transmit electric energy from the United States to Canada as a power marketer using the international electric transmission facilities owned and operated by Joint Owners of the Highgate Project, Inc., Maine Electric Power Company, Maine Public Service Company, and Vermont Electric Transmission Company. That two-year authorization will expire on November 24, 2000.

On October 27, 2000, Energy Atlantic filed an application with FE for renewal of the export authority contained in Order No. EA-193 for a term of five years.

### Procedural Matters

Any person desiring to become a party to this proceeding or to be heard by filing comments or protests to this application should file a petition to intervene, comment or protest at the address provided above in accordance

with §§ 385.211 or 385.214 of the FERC's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with the DOE on or before the date listed above.

Comments on the Energy Atlantic request to export to Canada should be clearly marked with Docket EA-193-A. Additional copies are to be filed directly with Michael E. Small, Wendy N. Reed, Wright & Talisman, P.C., 1200 G Street, NW., Suite 600, Washington, DC 20005 and Calvin D. Deschene, Director, Energy Atlantic, L.L.C., PO Box 1148, Presque Isle, Maine 04769.

DOE notes that the circumstances described in this application are virtually identical to those for which export authority had previously been granted in FE Order No. EA-193. Consequently, DOE believes that it has adequately satisfied its responsibilities under the National Environmental Policy Act of 1969 through the documentation of a categorical exclusion in the FE Docket EA-193 proceeding.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above or by accessing the Fossil Energy Home Page at <http://www.fe.doe.gov>. Upon reaching the Fossil Energy Home page, select "Electricity," from the Regulatory Info menu, and then "Pending Proceedings" from the options menus.

Issued in Washington, D.C., on November 14, 2000.

**Anthony Como,**

*Deputy Director, Electric Power Regulation, Office of Coal & Power Im/Ex, Office of Coal & Power Systems, Office of Fossil Energy.*

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## DEPARTMENT OF ENERGY

### Interstate Electric Transmission System; Electric Reliability Issues; Notice of Inquiry

**AGENCY:** Department of Energy.

**SUMMARY:** The Department of Energy (DOE) is seeking comments on whether to initiate, pursuant to section 403 of the DOE Organization Act (42 U.S.C. 7173), a rulemaking for final action to the Federal Energy Regulatory Commission (FERC) to impose mandatory electric reliability standards. This is the initial step in a process in which DOE intends to examine electric reliability issues and proposals, and the extent of Federal authority under existing law, given the transition to restructured, more competitive electricity markets. Based

on the results of that examination, DOE will consider the issuance of a proposed rulemaking. Any proposed rulemaking would seek to promote and ensure the long-term reliability of the interstate electric transmission system. DOE is seeking responses to particular questions posed below, and welcomes any other comments or proposals pertinent to an electric reliability rulemaking.

**DATES:** Written comments are to be filed at the address listed below no later than 4:30 p.m., eastern time January 4, 2001. DOE is requesting a signed original, a computer diskette (WordPerfect or Microsoft Word) and 3 copies of the written comments. Comments can also be filed electronically by e-mail to: [policy.energy@hq.doe.gov](mailto:policy.energy@hq.doe.gov), noting "Electric Reliability Comments" in the subject line.

**ADDRESSES:** Written comments should be submitted to: Office of Policy, Office of Economic, Electricity and Natural Gas Analysis, PO-21, Attention: Electric Reliability Comments, U.S. Department of Energy, Forrestal Building, Room 7H-034, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

**FOR FURTHER INFORMATION CONTACT:** Mr. John J. Conti, U.S. Department of Energy, Office of Policy, Office of Economic, Electricity and Natural Gas Analysis, Forrestal Building, PO-21, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 586-4767, e-mail: [john.conti@hq.doe.gov](mailto:john.conti@hq.doe.gov), or Lot Cooke, Esq., U.S. Department of Energy, Office of General Counsel, Forrestal Building, GC-76, 1000 Independence Ave., SW., Washington, D.C. 20585, (202) 586-0503, e-mail: [lot.cooke@hq.doe.gov](mailto:lot.cooke@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** The 1998 Final Report of the Secretary of Energy Advisory Board's Task Force on Electric System Reliability noted:

\* \* \* the electricity industry is in a transition from a highly regulated industry dominated by monopoly utilities to an industry that will rely, in large part, upon competitive commercial markets at both the wholesale and retail levels. The industry is unbundling, and the old institutions for reliability are no longer sufficient. We are already in the middle of our journey toward a restructured electricity industry. However, the new policies and institutions needed to assure electric reliability are not yet in place. Until such policies and institutions are in place, substantial parts of North America will be exposed to unacceptable risks.

The complete report is available at <http://www.hr.doe.gov/seab>.

The events of the last two summers have borne out the Task Force's warnings. During the Summer of 1999 a

number of regions of the country experienced blackouts and brownouts. Utilities located in other areas narrowly avoided major reliability-related problems. This past summer the California Independent System Operator declared a record number of "Stage 2" electricity emergencies and was often on the brink of having to implement rolling blackouts. Some businesses were forced to temporarily shut down operations and millions of people were left to wonder whether the lights would be on when they returned home from work in the evening.

The Report of the Secretary of Energy Advisory Board's Task Force, and a report prepared by the Department of Energy's Power Outage Study Team (available at <http://www.policy.energy.gov/>), offered recommendations on actions that could be taken to improve the reliability of the electric grid. Some of these recommendations focused on efforts to improve the adequacy of our electricity supply to ensure that it keeps pace with demand for power. Other recommendations attempted to address some potential problems associated with the security of the integrated bulk power grid. Both reports recommended that all users of the bulk power system be subject to mandatory reliability rules.

The electric utility industry, through a tradition of voluntary self-regulation and cooperation, has historically performed admirably in maintaining reliability. That self-regulation was accomplished under the auspices of the North American Electric Reliability Council (NERC). NERC was established in 1968 as a voluntary membership organization. NERC develops standards, guidelines, and criteria for ensuring and evaluating the electricity system's security and adequacy. NERC operates through ten regional councils and has been largely successful in maintaining a high degree of transmission grid reliability. The reliability councils have functioned without formal enforcement powers, relying on voluntary compliance.

However, in a highly competitive electricity market, voluntary self-regulation of reliability issues may not be sufficient. Utilities are under increasing pressures to cut costs and maximize the economic value of the electric transmission grid, to the possible detriment of electric reliability. In addition, in a competitive environment industry participants may use reliability concerns as a pretext for anti-competitive behavior.

NERC and other interested parties have stated that the establishment and enforcement of mandatory reliability