equitable part of the benefits it receives. This includes paying equitable portions of annual charges for interest, maintenance, and depreciation of the headwater project to the U.S. Treasury.

The Commissions regulations provide for apportionment of the costs between the headwater project and down-stream projects based on downstream energy gains and propose equitable apportionment methodology that can be applied to all river basins in which headwater improvements are built. In determining energy gains, the size and efficiency of the turbines and their generators, and the load to be served will remain constant, while streamflow, reservoir storage, and head will vary depending on the operating conditions of the upstream reservoirs. Because head and streamflow determine the amount of energy produced at the hydropower project, a relationship that the generation is a function of the head and streamflow can be developed. Commission experience has shown that the relationship between generation and streamflow is an adequate tool for estimating generation in calculating energy gains. The information submitted enables the Commission to carry out its responsibilities in implementing the statutory provisions of the FPA.

Respondent Description: The respondent universe currently comprises on average, five entities subject to the Commission's jurisdiction.

6. *Estimated Burden:* 200 total burden hours, five respondents, one response annually, 40 hours per response (average).

7. *Estimated Cost Burden to Respondents:* 200 hours ÷ 2,080 hours per year × $117,041 per year = $11,254, average cost per respondent = $2,250.

Statutory Authority: Section 10(f) of the Federal Power Act (16 U.S.C. 803).

C.B. Spencer,

Acting Secretary.

[FR Doc. 02–1229 Filed 1–16–02; 8:45 am]

BILLING CODE 6717–01–U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP02–143–000]

Kansas Gas Service, A Division of ONEOK, Inc., Complainant, v. Enbridge Pipelines (KPC), Respondent; Notice of Complaint

January 11, 2002.

Take notice that, on January 10, 2002, pursuant to Rule 206 of the Commission's Rules of Practice and Procedure, 18 CFR 385.206 (2001), Kansas Gas Service, a Division of ONEOK, Inc. (Kansas Gas Service) tendered for filing a Complaint against Enbridge Pipelines (KPC).

Kansas Gas Service alleges that: (1) KPC is violating the terms of certain service agreements with Kansas Gas Service, which are part of KPC's approved FERC Gas tariff, by failing to charge lower rates under those service agreements, and (2) KPC's obligation to charge the lower rates was triggered by a separate written agreement, a July 9, 1997 Settlement Agreement, in which KPC, in consideration for Kansas Gas Service's payment of: (1) $7.5 million in August 1997, and (2) rates based on an annual cost of service of $31 million from August 1997 through July 2001, agreed to charge Kansas Gas Service, under the service agreements, a lower Zone 3 rate, effective August 1, 1998, and lower rates based on Williams Gas Pipelines Central's rates for comparable service, effective August 1, 2001.

Kansas Gas Service requests that the Commission determine that: (1) KPC's actions and inaction described in the Complaint constitute unjust and unreasonable rates and rate practices in violation of its FERC Gas tariff and Section 4 of the Natural Gas Act; and (2) KPC should take steps necessary to implement the Settlement Agreement rates as discounted or negotiated rates (and bill Kansas Gas Service accordingly) in order to comply with its tariff and give full effect to the ''motion rates,'' which KPC urged the Commission to approve in February 1998. Kansas Gas Service further requests that the Commission affirm that: (1) The Commission, in its April 2, 1999 Order in Docket No. CP96–152, 87 FERC ¶ 61,020, did not intend to interpret its various provisions, nor did it intend to void, or otherwise disturb the Agreement, or adjudicate the issue of whether the Settlement Agreement amended the then existing contracts between KPC and Kansas Gas Service; (2) Kansas Gas Service's claims for common law relief based on KPC's breach of contract, repudiation, fraud and breach of the duty of good faith and fair dealing, as pleaded in Kansas Gas Service's Petition in Kansas state court, belong properly in state court in accordance with Commission and court precedent; and (3) if the relief sought by Kansas Gas Service in its state court Petition were granted, such relief would neither violate the filed rate doctrine nor impinge upon the Commission's jurisdiction under the NGA.

Kansas Gas Service requests that the Commission complete action on the Complaint within 110 days, in accordance with the time standards established in Order No. 602 for a decision on the pleadings, III FERC Stats. and Regs. ¶ 31,071, on reh'g and clarification, 88 FERC ¶ 61,114 (1999).

In accordance with subsection (f) of Rule 206, answers, interventions and comments must be filed with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, on or before January 30, 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 Commission's Web site at *http://www.ferc.gov* using the ''RIMS'' link, select ''Docket #'' and follow the instructions ((202)208–2222 for assistance).

C.B. Spencer,

Acting Secretary.

[FR Doc. 02–1232 Filed 1–16–02; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP01–141–000]

PG&E Gas Transmission, Northwest Corporation; Notice of Technical Conference

January 11, 2002.

On August 6, 2001, the Commission issued an order granting PG&E Gas Transmission, Northwest Corporation (PG&E Transmission) a certificate of public convenience and necessity authorizing a proposed pipeline expansion project. 96 FERC ¶ 61,194 (2001). The PG&E Transmission certificate was conditioned upon PG&E Transmission developing a fuel surcharge mechanism to ensure that expansion shippers, rather than existing shippers, be responsible for all fuel costs above those attributable to fuel absent the proposed expansion's additional 97,500 horsepower of compression. On October 26, 2001, on rehearing, the Commission reiterated its rationale for and affirmed the imposition of this fuel surcharge. 97 FERC ¶ 61,101 (2001).

On November 26, 2001, PG&E Transmission filed a motion requesting the Commission reconsider the fuel surcharge for expansion shippers. Alternatively, PG&E Transmission requests the Commission initiate a technical conference to discuss aspects of the fuel charge. PG&E Transmission states that without further guidance it is unable to develop an incremental

surcharge that both insulates existing shippers from fuel costs attributable to expansion compression, and at the same time, protects expansion shippers from fuel costs which do not reflect their actual share of such costs.

Take notice that a technical conference to discuss issues associated with the PG&E Transmission expansion project's fuel surcharge will be held on Tuesday, February 5, 2002, at 10:00 a.m. in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. The Conference will continue through Wednesday, February 6, 2002, if necessary. Parties objecting to aspects of PG&E Transmission's filings should be prepared to discuss alternatives.

All interested parties and staff are permitted to attend.

C.B. Spencer,

Acting Secretary.

[FR Doc. 02–1228 Filed 1–16–02; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2030]

Portland General Electric Company Confederated Tribes of the Warm Springs Reservation of Oregon; Notice of Authorization for Continued Project Operation

January 11, 2002.

On December 16, 1999, Portland General Electric Company and on December 17, 1999, the Confederated Tribes of the Warm Springs Reservation of Oregon, joint licensees for the Pelton Round Butte Project No. 2030, filed competing applications for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's regulations thereunder. On June 29, 2001, they filed a joint application for a new or subsequent license. Project No. 2030 is located on the Deschutes River in Jefferson, Wasco, and Marion Counties, Oregon.

The license for Project No. 2030 was issued for a period ending December 31, 2001. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year to year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in Section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of Section 15 of the FPA, then, based on Section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to Section 15 of the FPA, notice is hereby given that an annual license for Project No. 2030 is issued to Portland General Electric Company and the Confederated Tribes of the Warm Springs Reservation of Oregon for a period effective January 1, 2002, through December 31, 2002, or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or beforeJanuary 1, 2003, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under Section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to Section 15 of the FPA, notice is hereby given that Portland General Electric Company and the Confederated Tribes of the Warm Springs Reservation of Oregon are authorized to continue operation of the Pelton Round Butte Project No. 2030 until such time as the Commission acts on their application for subsequent license.

C.B. Spencer,

Acting Secretary.

[FR Doc. 02–1231 Filed 1–16–02; 8:45 am]

BILLING CODE 6717–01–U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER01–2887–000, ER01–2887–001]

South Point Energy Center, LLC;Notice of Issuance of Order

January 11, 2002.

South Point Energy Center, LLC (South Point), an affiliate of Calpine Energy Services, L.P., submitted for filing a proposed tariff under which South Point will make sales of various electric services at market-based rates, as well as, reassign transmission capacity and resell Firm Transmission Rights. South Point also requested waiver of various Commission regulations. In particular, South Point requested that the Commission grant blanket approval under 18 CFR part 34 of all future issuances of securities and assumptions of liability by South Point.

On December 3, 2001, pursuant to delegated authority, the Director, OMTR/Tariffs and Rates-West, granted requests for blanket approval under part 34, subject to the following:

Any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by South Point 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).

Absent a request to be heard in opposition within this period, South Point is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of South Point, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of South Point's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is January 18, 2002.

Copies of the full text of the Order are available from the Commission's Public Reference Branch, 888 First Street, NE., Washington, DC 20426. The Order may