

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

[Docket No. ES03-58-000]

**Valley Electric Association, Inc.; Notice of Application**

September 26, 2003.

Take notice that on September 23, 2003, Valley Electric Association, Inc. (Valley) submitted an application pursuant to section 204 of the Federal Power Act seeking authorization to borrow up to \$30 million under a Loan Agreement with the National Rural Utilities Cooperative Finance Corporation.

Valley also requests a waiver from the Commission's competitive bidding and negotiated placement requirements at 18 CFR 34.2.

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 eLibrary (FERRIS) link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please 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. 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.

*Comment Date:* October 10, 2003.

**Magalie R. Salas,**  
Secretary.

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

[Docket No. EC03-96-000, et al.]

**Fresno Power Investors, L.P., et al.; Electric Rate and Corporate Filings**

September 29, 2003.

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

**1. Fresno Power Investors, L.P., Harold E. Dittmer and Hanover Power (Gates), LLC**

[Docket No. EC03-96-000]

Take notice that on September 24, 2003, Fresno Power Investors, L.P., Harold E. Dittmer and Hanover Power (Gates), LLC (HPG) in compliance with Commission Order dated July 7, 2003 authorizing a change in control over certain jurisdictional facilities resulting from a change in the upstream ownership interest of HPG. HPG states that it transferred its 92.5 percent ownership interest in Wellhead Power Gates, LLC to Fresno Power Investors, L.P. and Harold E. Dittmer. HPG states that the authorized transfer occurred on September 16, 2003.

*Comment Date:* October 15, 2003.

**2. Colorado Green Holdings, LLC**

[Docket No. EG03-108-000]

On September 25, 2003, Colorado Green Holdings, LLC (Colorado Green), 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.

Colorado Green, a Delaware limited liability company, states that it will be engaged directly and exclusively in the business of owning all or part of one or more eligible facilities, and selling electric energy at wholesale. Colorado Green states that it is developing an approximately 162 megawatt wind power generation facility to be located in Prowers County, Colorado. Colorado Green states that it has served a copy of the filing on the Securities and Exchange Commission and the Public Utilities Commission of the State of Colorado, the California Public Utilities Commission, the Oregon Public Utility Commission, the Washington Utilities and Transportation Commission, the Utah Public Service Commission, the Idaho Public Utilities Commission, and the Wyoming Public Service Commission.

*Comment Date:* October 20, 2003.

**3. Exxon Mobil Corporation; Entergy Services, Inc.**

Docket No. EL03-230-000]

Take notice that on September 16, 2003, Exxon Mobil Corporation (ExxonMobil) filed a Complaint against Entergy Services, Inc. (ESI) and Entergy Gulf States, Inc. (Entergy). ExxonMobil states that on September 28, 2001, ExxonMobil and Entergy entered into an Interconnection and Operation and Generator Imbalance Agreement (2001 Agreement) to accommodate ExxonMobil's then current plan to place a single 165MW GTG unit into cogeneration service. The Complaint alleges that the original transmission facilities described in the 2001 Agreement were improperly classified as direct assignment facilities and should be re-classified to reflect their actual, current function.

ExxonMobil states that copies of this filing have been served upon ESI and Entergy.

*Comment Date:* October 14, 2003.

**4. Eurus ToyoWest II LLC**

[Docket No. EL03-233-000]

Take notice that on September 25, 2003, Eurus ToyoWest II LLC, a Delaware limited liability company (Eurus), filed a Petition for Declaratory Order finding that, under the circumstances described in the Petition, Eurus will not be considered a public utility under the Federal Power Act should it consummate the transfer of a portion of the Sagebrush Transmission Line, as more fully described in the petition.

*Comment Date:* October 24, 2003.

**5. Nine Mile Point Nuclear Station, LLC v. Niagara Mohawk Power Corporation**

[Docket No. EL03-234-000]

Take notice that on September 26, 2003, Nine Mile Point Nuclear Station, LLC, (Nine Mile) filed a Complaint against Niagara Mohawk Power Company (Niagara Mohawk). The Complaint asserts that Niagara Mohawk, in violation of the terms of the NYISO tariff and Commission precedent, will impose unlawful charges upon Nine Mile associated with Nine Mile's self-supply of station power.

*Comment Date:* October 20, 2003.

**6. The Cincinnati Gas & Electric Company**

[Docket Nos. ER96-2504-007 and ER01-1335-002]

Take notice that on September 22, 2003, The Cincinnati Gas & Electric Company (CG&E) submitted a filing informing the Commission of a non-material change in the characteristics