

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

[Docket No. EL04-55-000]

**Haviland Holdings, Inc. v. Public Service Company of New Mexico; Notice of Initiation of Proceeding and Refund Effective Date**

April 19, 2004.

Take notice that on April 16, 2004, the Commission issued an order in the above-referenced proceeding initiating an investigation in Docket No. EL04-55-000 under section 206 of the Federal Power Act.

The refund effective date in Docket No. EL04-55-000 established pursuant to section 206(b) of the Federal Power Act is March 14, 2004.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-931 Filed 4-26-04; 8:45 am]

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

[Project No. 287]

**Midwest Hydro, Inc.; Notice of Authorization for Continued Project Operation**

April 19, 2004.

On April 8, 2002, Midwest Hydro, Inc., licensee for the Dayton Project No. 287, filed an application for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's regulations thereunder. Project No. 287 is located on the Fox River in LaSalle County, Illinois.

The license for Project No. 287 was issued for a period ending April 10, 2004. 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. 287 is issued to Midwest Hydro, Inc. for a period effective April 11, 2004, through April 10, 2005, 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 before April 11, 2005, 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 Midwest Hydro, Inc. is authorized to continue operation of the Dayton Project No. 287 until such time as the Commission acts on its application for subsequent license.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-935 Filed 4-26-04; 8:45 am]

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

[Docket Nos. RP03-533-000, RP03-540-000 and RP99-176-089]

**Northern Natural Gas Company, Transcontinental Gas Pipe Line Corporation and Natural Gas Pipeline Company of America; Notice Further Deferring Submission of Staff Reports**

April 19, 2004.

1. On July 31, 2003, and August 8, 2003, respectively, the Commission issued orders accepting and suspending certain tariff sheets, subject to further proceedings, in *Northern Natural Gas Company*, Docket No. RP03-533-000, *Transcontinental Gas Pipe Line Corporation*, Docket No. RP03-540-000, and *Natural Gas Pipeline Company of America*, Docket No. RP99-176-089. In those orders, the Commission accepted tariff sheets making changes in natural gas price indices referred to in the tariffs

of each company. In all instances, the Commission accepted and suspended the tariff sheets, permitting them to become effective, but subject in all three cases to further action by the Commission following receipt of a report from the Commission Staff.

2. On January 27, 2004, and February 6, 2004, the Commission issued a "Notice Deferring Submission of Staff Report" from the original due dates to April 30, 2004. By this notice, the date by which the staff shall submit reports in the above-captioned matters shall be further deferred to no later than May 5, 2004.

By direction of the Commission.  
Commissioner Kelly not participating.

**Magalie R. Salas,**

Secretary.

[FR Doc. E4-925 Filed 04-26-04; 8:45 am]

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

[Docket No. CP02-381-001]

**Texas Eastern Transmission, LP; Notice of Compliance Filing**

April 19, 2004.

Take notice that on March 31, 2004, Texas Eastern Transmission, LP (Texas Eastern) tendered for filing as part of its FERC Gas Tariff, Seventh Revised Volume No. 1, tariff sheets listed below, to be effective May 1, 2004.

Texas Eastern states that the purpose of this filing is to comply with the Commission's orders issued in the captioned docket on October 31, 2002, and February 28, 2003, in which the Commission approved Texas Eastern's application for a certificate of public convenience and necessity authorizing the construction of certain pipeline facilities referred to as the M-1 Expansion Project. Texas Eastern states that the revised tariff sheets reflect the recourse rates for the M-1 Expansion Project service, and incorporate references to the new incremental M-1 Expansion Project service into Rate Schedule FT-1 and the General Terms and Conditions of the Tariff. Specifically, Texas Eastern notes that the tariff sheets reflect a maximum reservation rate of \$7.212 per Dth per month, or \$0.2371 per Dth on a 100% load factor basis.

Texas Eastern states that copies of its filing have been served upon all affected customers of Texas Eastern and interested State commissions.

Texas Eastern's proposed tariffs sheets to its FERC Gas Tariff, Seventh Revised

Volume No. 1 to be effective May 1, 2004 are:

Original Sheet No. 40A  
Fifth Revised Sheet No. 211  
Third Revised Sheet No. 213  
Third Revised Sheet No. 501  
Third Revised Sheet No. 529  
Fifth Revised Sheet No. 624  
Fourth Revised Sheet No. 627

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with sections 385.214 or 385.211 of the Commission's rules and regulations. All such motions or protests must be filed on or before the date as indicated below. 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 proceedings. Any person wishing to become a party must file a motion to intervene. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary. 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 TTY, contact (202) 502-8659. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the e-Filing link.

*Protest Date:* April 26, 2004.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E4-940 Filed 4-26-04; 8:45 am]  
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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER03-1335-002, et al.]

#### Commonwealth Edison Company, et al.; Electric Rate and Corporate Filings

April 19, 2004.

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

##### 1. Commonwealth Edison Company

[Docket No. ER03-1335-002]

On April 14, 2004, the Commission issued a Notice of Filing in the above-referenced proceeding. By this Errata

Notice the comment date is corrected to read: April 26, 2004.

##### 2. PJM Interconnection, L.L.C.

[Docket Nos. ER04-368-002 and ER04-368-003]

Take notice that on April 13, 2004, as supplemented on April 14, 2004, PJM Interconnection, L.L.C. (PJM) submitted a compliance filing pursuant to the Commission's Letter Order issued March 15, 2004 in Docket No. ER04-368-002.

PJM states that copies of this filing were served upon persons designated on the official service list compiled by the Secretary in this proceeding and the parties to the agreements.

*Comment Date:* May 4, 2004.

##### 3. Idaho Power Company

[Docket No. ER04-512-001]

Take notice that on April 14, 2004 Idaho Power Company (Idaho Power) submitted a compliance filing pursuant to the Commission's order issued March 30, 2004 in Docket No. ER04-512-001, 106 FERC ¶ 61,329.

*Comment Date:* May 5, 2004.

##### 4. Southern California Edison Company

[Docket No. ER04-533-001]

Take notice that on April 14, 2004, Southern California Edison Company (SCE) submitted a compliance filing pursuant to the letter order issued April 1, 2004 in Docket No. ER04-533-000.

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

*Comment Date:* May 5, 2004.

##### 5. Allegheny Energy Supply Company, LLC

[Docket No. ER04-730-000]

Take notice that on April 13, 2004, Allegheny Energy Supply Company, LLC (AE Supply) tendered for filing an executed Master Full Requirements Service Agreement along with three transaction confirmations entered into with The Potomac Edison Company pursuant to a competitive solicitation for standard offer service that was supervised by the Maryland Public Service Commission, all as more fully described in the application. AE Supply has requested waiver of the prior notice filing requirements to permit an effective date of January 1, 2005.

*Comment Date:* May 4, 2004.

##### 6. San Diego Gas & Electric Company

[Docket No. ER04-731-000]

Take notice that on April 13, 2004, San Diego Gas & Electric Company (SDG&E) tendered for filing of an

amendment to its the transmission rate formula that was accepted by the Commission in its Order Approving Uncontested Settlement, dated December 18, 2003, in *San Diego Gas & Electric Company*, 105 FERC ¶ 61,301 (2003).

SDG&E states that copies of the filing were served on the California Public Utilities Commission, the California Independent System Operator, and all other parties in Docket No. ER03-610-000.

*Comment Date:* May 4, 2004.

##### 7. FPL Energy Mason, LLC

[Docket No. ER04-732-000]

Take notice that on April 13, 2004, FPL Energy Mason, LLC, (FPLE Mason) tendered for filing a Notice of Cancellation of its market-based rate tariff, designated as FERC Electric Tariff, Original Volume No. 1, originally accepted for filing in Docket No. ER98-3562-000.

*Comment Date:* May 4, 2004.

##### 8. Utility Contract Funding II, LLC

[Docket No. ER04-733-000]

Take notice that on April 13, 2004, Utility Contract Funding II, LLC, (UCF II) pursuant to section 205 of the Federal Power Act and sections 35.16 and 131.51 of the Commission regulations, filed a Notice of Succession to adopt CES Marketing II, LLC's market-based rate authorization. UCF II requests waiver of section 35.16 of the regulations to the extent necessary to permit the Notice of Succession to become effective April 14, 2004.

*Comment Date:* May 4, 2004.

##### 9. Barclays Bank PLC

[Docket No. ER04-734-000]

Take notice that on April 13, 2004, Barclays Bank PLC (Barclays) petitioned the Commission for acceptance of Barclays' Rate Schedule FERC 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.

*Comment Date:* May 4, 2004.

##### 10. Midwest Independent Transmission System Operator, Inc.

[Docket No. ER04-735-000]

Take notice that on April 14, 2004, pursuant to section 205 of the Federal Power Act and section 35.13 of the Commission's regulations, 18 CFR 35.13 (2003), the Midwest Independent Transmission System Operator, Inc. (Midwest ISO) submitted for filing a fully executed revised Interconnection and Operating Agreement among FPL Energy North Dakota Wind II, LLC, the