

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

[Docket No. RM04-7-000]

**Market-Based Rates for Public Utilities; Notice of Technical Conference**

November 12, 2004.

Take notice that a technical conference will be held concerning issues associated with the rulemaking proceeding on market-based rates. The technical conference will take place on December 7, 2004, from 9:30 a.m. to 4:30 p.m. (EST), in the Commission Meeting Room at the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC. Members of the Commission will attend the conference. An agenda providing more details of the conference will be issued at a later time.

The topic of the conference will be issues associated with transmission vertical market power and barriers to entry in electric markets, two of the four prongs the Commission currently uses to determine whether to grant market-based rate authority. The conference will address whether the Commission's *pro forma* open access transmission tariff adequately mitigates transmission market power, other proposals to identify and mitigate transmission market power, as well as whether and, if so, to what extent there are other barriers to entry that the Commission should consider.

The conference will be transcribed. Those interested in acquiring the transcript should contact Ace Reporters at 202-347-3700 or 800-336-6646. Transcripts will be placed in the public record ten days after the Commission receives the transcripts. Additionally, Capitol Connection offers the opportunity for remote listening and viewing of the conference. It is available for a fee, live over the Internet, by phone or via satellite. Persons interested in receiving the broadcast, or who need information on making arrangements, should contact David Reininger or Julia Morelli at Capitol Connection (703-993-3100) as soon as possible or visit the Capitol Connection Web site at <http://www.capitolconnection.org> and click on "FERC."

A two-day technical conference will also be held in January 2005, dates to be announced, concerning additional issues associated with the rulemaking proceeding. The topic of this latter conference will be issues associated with affiliate abuse/reciprocal dealing and generation market power.

For more information about the conference, please contact Kelly Perl at 202-502-6421 or [kelly.perl@ferc.gov](mailto:kelly.perl@ferc.gov).

A supplemental notice of this conference will be issued later that will provide details of the conference, including the panelists.

Linda Mitry,

Deputy Secretary.

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

[Docket Nos. RP04-565-000 and RP04-565-001]

**Northwest Pipeline Corporation; Notice of Technical Conference**

November 9, 2004.

In an order issued on September 30, 2004,<sup>1</sup> the Commission directed staff to convene a technical conference to discuss tariff filings associated with Northwest Pipeline Corporation's semi-annual recalculation of its fuel and gas loss factors.

The technical conference will afford parties an opportunity to consider the alternative proposal included in Northwest's September 15, 2004 filing, and provide Northwest an opportunity to provide further information to support its derivation of the fuel factors and respond to all issues raised in the protests.

Take notice that a technical conference will be held on Wednesday, December 1, 2004, beginning at 10 a.m. (EST), in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

All interested parties and staff are permitted to attend. For further information please contact: Frank Karabetsos at (202) 502-8133 or e-mail [frank.karabetsos@ferc.gov](mailto:frank.karabetsos@ferc.gov).

Linda Mitry,

Deputy Secretary.

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

[Docket No. RM98-1-000]

**Records Governing Off-the-Record Communications; Public Notice**

November 5, 2004.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or prohibited off-the-record communication relevant to the merit's of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt communications recently received in the Office of the Secretary. The communications listed are grouped by docket numbers. These filings are 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 (FERRIS) link. Enter the docket number excluding the last three digits in the

<sup>1</sup> Northwest Pipeline Corporation, 108 FERC ¶ 61,325 (2004).