

of the Commission's regulations (18 CFR 154.210). Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER04-1174-000; ER04-1174-001; ER04-1174-002; EL05-41-000]

Xcel Energy Services, Inc. and Southwest Power Pool, Inc. (Consolidated); Notice Pursuant to Section 206(B) of the Federal Power Act

May 17, 2005.

On December 17, 2004, pursuant to section 206 of the Federal Power Act (FPA),¹ the Commission instituted a proceeding in Docket No. EL05-41-000. *Xcel Energy Services, Inc.*, 109 FERC ¶ 61,284 (2004), *reh'g denied*, 111 FERC ¶ 61,084 (2005). The refund effective date for the proceeding instituted in Docket No. EL05-41-000 is May 20, 2005, five months after publication of notice of the institution of the proceeding in the **Federal Register**.²

Under section 206 of the FPA, if no final decision is rendered by the refund effective date or by the conclusion of the 180-day period commencing upon initiation of a proceeding pursuant to section 206, whichever is earlier, the Commission must state why it has failed to render a final decision. In that event the Commission must also provide its best estimate as to when it reasonably expects to make such a decision.

The Commission will be unable to render a final decision by the refund effective date because the proceeding is pending before a settlement judge.

In a May 4, 2005 report to the Commission, the settlement judge estimated that if the proceeding does not settle, a presiding judge would issue an initial decision by June 23, 2006. The Commission will require approximately four months after briefs on and opposing exceptions to an initial decision are filed to review the record, the initial decision and the briefs, and to issue an opinion. This estimate is influenced by the issues in the proceeding, as well as the complexity of the issues.

Therefore, assuming that the proceeding does not settle, the best estimate of when the Commission will reach a final decision in Docket No. EL05-41-000 is December 29, 2006.

The Secretary of the Commission issues this notice pursuant to section 375.302(w) of the Commission's rules, 18 CFR 375.302(w) (2004).

Magalie R. Salas,
Secretary.

[FR Doc. E5-2625 Filed 5-24-05; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Filings

Thursday, May 19, 2005.

Take notice that the Commission received the following electric rate filings.

Docket Numbers: ER02-237-004; ER03-1151-004; ER95-1739-023; ER99-2984-005; ER02-2026-003; ER99-3320-003; ER03-922-004.

Applicants: J. Aron & Company.

Description: J. Aron & Company *et al.* submits First Revised Sheet 3 *et al.* to FERC Rate Schedule 1, which incorporates the change in status reporting requirement adopted in Order 652 under ER02-237 *et al.*

Filed Date: 5/16/2005.

Accession Number: 20050518-0154.

Comment Date: 5 p.m. Eastern Time on Monday, June 6, 2005.

Docket Numbers: ER02-600-004.

Applicants: Delta Energy Center, LLC.
Description: Delta Energy Center, LLC revises its market based rate schedule to incorporate the change in status reporting requirement pursuant to Order 652 under ER02-600.

Filed Date: 5/16/2005.

Accession Number: 20050518-0159.

Comment Date: 5 p.m. Eastern Time on Monday, June 6, 2005.

Docket Numbers: ER04-106-010; ER04-691-042 and EL04-104-040.

Applicants: Midwest Independent Transmission System Operator Inc.
Description: Midwest Independent Transmission System Operator Inc submits its compliance filing re proposed revisions to Attachment P under ER04-106 *et al.*

Filed Date: 5/16/2005.

Accession Number: 20050518-0152.

Comment Date: 5 p.m. Eastern Time on Monday, June 6, 2005.

Docket Numbers: ER04-366-003.

Applicants: Jersey Central Power & Light Company.

Description: FirstEnergy Service Co submits a supplement to the Market-Based Rate Power Sales Tariff of Jersey Central Power & Light Co etc. under ER04-366.

Filed Date: 5/16/2005.

Accession Number: 20050518-0155.

Comment Date: 5 p.m. Eastern Time on Monday, June 6, 2005.

Docket Numbers: ER04-372-003.

Applicants: Metropolitan Edison Company and Pennsylvania Electric Company.

Description: FirstEnergy Service Co submits a supplement to the Market-Based Rate Power Sales Tariff of Metropolitan Edison Co *et al.* to incorporate the requirement for reporting changes in status adopted by FERC under ER04-372.

Filed Date: 5/16/2005.

Accession Number: 20050518-0163.

Comment Date: 5 p.m. Eastern Time on Monday, June 6, 2005.

Docket Numbers: ER04-691-038; EL04-104-036.

Applicants: Midwest Independent Transmission System Operator Inc.

Description: Midwest Independent Transmission System Operator, Inc submits revisions to their Open Access Transmission and Energy Markets Tariff, FERC Electric Tariff, Third Revised Volume 1 under ER04-691 *et al.*

Filed Date: 5/16/2005.

Accession Number: 20050518-0001.

Comment Date: 5 p.m. Eastern Time on Monday, June 6, 2005.

¹ 16 U.S.C. 824e (2000).

² 69 FR 78009 (2004).