

Commission's regulations, the complaint must be dismissed.

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12053-002]

#### Nicholas Josten; Notice Dismissing Complaint

May 3, 2006.

On April 10, 2006, Stephen J. Bruzzone and Linda L. Bruzzone filed a complaint against Nicholas Josten, applicant for an exemption for the West Valley A&B Hydroelectric Project No. 12053.<sup>1</sup> The project is proposed to be located on the South Fork of the Pit River in Modoc County, California. The project would be located on approximately 31 acres of federal lands, managed by Forest Service and Bureau of Land Management. The pleading generally alleges that Nicholas Josten has made misrepresentations in information he filed in support of his application for exemption.<sup>2</sup>

The issues raised in the pleading relate to consideration of the application for exemption. As such, they are not properly the subject of a formal complaint. Accordingly, the complaint is dismissed and the comments raised in

the pleading will be considered in the exemption proceeding.<sup>3</sup>

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL06-68-000]

#### North Star Steel Company; Complainant v. Arizona Public Service Company; California Independent System Operator Corporation; Enron Power Marketing, Inc.; Nevada Power Company; PacifiCorp; Powerex Corp.; Public Service Company of New Mexico; Tucson Electric Power Company; Respondents; Notice of Complaint

May 3, 2006.

Take notice that on May 2, 2006, North Star Steel (North Star) filed a formal complaint against the Arizona Public Service Company, California Independent System Operator, Enron Power Marketing, Nevada Power Company, PacifiCorp, Powerex Corp., Public Service Company of New Mexico, and Tucson Electric Power Company (Respondents), pursuant sections 205 and 206 of the Federal Power Act and Rule 206 of the Commission's Rule of Practice and Procedure, 18 CFR 385.206. North Star petitions the Commission for an order directing the Respondents to return to North Star amounts paid to them for electric energy in excess of market clearing price between January 1, 2000 and June 20, 2001.

North Star states that copies of the complaint were served on Respondents.

Any person desiring to intervene or to protest this filing must file 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. The Respondent's

answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

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](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time on May 23, 2006.

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

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. ER06-826-000, *et al.*]

#### PJM Interconnection, L.L.C., *et al.*; Electric Rate and Corporate Filings

May 4, 2005.

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

<sup>1</sup> The proposed project would consist of two developments, West Valley A and West Valley Alternative B-1. West Valley A would be a run-of-river development with a capacity of 1.0 MW and would consist of: An existing concrete diversion structure; an existing intake structure; 11,600 feet of an existing open canal; a proposed concrete overflow structure; proposed 2,800 feet of new canal; a proposed 400-foot-long penstock; a proposed powerhouse; a proposed tailrace pipe; a proposed 3,000-foot-long, 12.3-kilovolt (kV) transmission line; and appurtenant facilities.

West Valley Alternative B-1 would be a run-of-river development with a capacity of 1.36 MW and would consist of: The existing West Valley Dam and outlet works; a new bypass valve attached to the existing dam outlet pipe; a proposed 2,850-foot-long penstock; a proposed powerhouse; a proposed tailrace canal; a proposed 4.5-mile-long, 12.3-kV transmission line; and appurtenant facilities.

<sup>2</sup> In particular, they assert that Mr. Josten provided the Commission with misleading information regarding water flow tables submitted on March 23, 2006.

<sup>3</sup> On April 20, 2006, Commission staff issued a notice that the application was ready for environmental analysis and soliciting comments, terms and conditions and recommendations. Comments are due by June 19, 2006.