

under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by El Segundo.

On May 11, 2007, pursuant to delegated authority, the Director, Division of Tariffs and Market Development—West, granted the requests for blanket approval under Part 34 (Director's Order). The Director's Order also stated that the Commission would publish a separate notice in the **Federal Register** establishing a period of time for the filing of protests. Accordingly, any person desiring to be heard concerning the blanket approvals of issuances of securities or assumptions of liability by El Segundo should file a protest 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, 385.214 (2004).

Notice is hereby given that the deadline for filing protests is June 11, 2007.

Absent a request to be heard in opposition to such blanket approvals by the deadline above, El Segundo is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of El Segundo, compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approvals of El Segundo's issuance of securities or assumptions of liability.

Copies of the full text of the Director's Order are available from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426. The Order may also be viewed on the Commission's Web site at <http://www.ferc.gov>, using the eLibrary link. Enter the docket number excluding

the last three digits in the docket number filed to access the document. Comments, 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.

**Kimberly D. Bose,**  
*Secretary.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

**Notice of Effectiveness of Exempt Wholesale Generator or Foreign Utility Company Status**

May 11, 2007.

	Docket Nos.
North Wind Cooperative .....	EG07-36-000
Besicorp-Empire Power Company, LLC .....	EG07-37-000
Post Oak Wind, LLC .....	EG07-38-000
Bullard Energy Center, LLC .....	EG07-39-000
Diablo Winds, LLC .....	EG07-40-000
Panoche Energy Center, LLC .....	FC07-7-000
Spectra Energy Corporation & Union Gas Limited .....	FC07-8-000
AES TEG/TEP Holding B.V .....	FC07-9-000
Airtricity Holdings Ltd. ....	FC07-10-000
Generadora Montecristo S.A., Enel Guatemala S.A .....	FC07-11-000

Take notice that during the month of April 2007, the status of the above-captioned entities as Exempt Wholesale Generators or Foreign Utility Companies became effective by operation of the Commission's regulations. 18 CFR 366.7(a).

**Kimberly D. Bose,**  
*Secretary.*

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 12767-001]

**Rainier Engineering and Environmental, LLC; Notice Rejecting Filing**

May 11, 2007.

On March 20, 2007, Commission staff rejected the application, filed November 13, 2006, by Rainier Engineering and

Environmental, LLC (Rainier) for a preliminary permit under section 4(f) of the Federal Power Act<sup>1</sup> to study the proposed Tapps Lake Dam Hydroelectric Project No. 12767, to be located at Puget Sound Energy, Inc.'s Lake Tapps Dam on the White River in Sumner, Pierce County, Washington. The application was rejected for failure to include a readable map showing a project boundary enclosing all proposed project facilities.<sup>2</sup> On April 19, 2007, Rainier requested rehearing of the Commission's decision to reject their application.

Rainier does not attribute any errors to staff's rejection of its application, but instead proffers assertedly appropriate

<sup>1</sup> 16 U.S.C. 797(f) (2000).

<sup>2</sup> See 18 CFR 4.81(d) (2006). By letter issued January 18, 2007, Commission staff notified Rainier of the deficiency in its application and gave Rainier 45 days to file an appropriate map to cure the deficiency. Rainier timely filed additional maps on February 28, 2007. However, Commission staff's March 20, 2007 letter found that the newly-submitted maps also failed to meet the requirements of section 4.81(d).

maps to cure its application's deficiency and requests reconsideration of its application in light of its new submission.

Section 313(a) of the Federal Power Act, 16 U.S.C. 825I, requires an aggrieved party to file its request for rehearing within 30 days after the issuance of the Commission order and to set forth specifically the ground or grounds upon which such request is based. Rainier's rehearing request raises no specific allegations of error with respect to the staff's order. Therefore, it must be rejected.<sup>3</sup>

<sup>3</sup> In addition, the pleading as filed is deficient because it failed to include a Statement of Issues, as required by Revision of Rules of Practice and Procedure Regarding Issue Identification, Order No. 663, 70 FR 55,723 (September 23, 2005), FERC Statutes and Regulations ¶ 31,193 (2005) as amended by Order 663-A, effective March 23, 2006, to limit its applicability to rehearing requests. Revision of Rules of Practice and Procedure Regarding Issue Identification, Order No. 663-A, 71 FR 14,640 (March 23, 2006), FERC Statutes and Regulations ¶ 31,211 (2006) (codified at 18 CFR 385.203(a)(7) and 385.713(c)(2) (2006)).

In any event, the submission of additional factual evidence in a request for rehearing is contrary to Commission policy,<sup>4</sup> so Rainier's newly-submitted maps would not have been accepted to reverse staff's rejection of the application.<sup>5</sup>

It appears moreover that Rainier late filed<sup>6</sup> its permit application<sup>7</sup> in competition with the preliminary permit application filed by Don L. Hansen in Project No. 12685.

This notice constitutes final agency action. Request for rehearing this rejection notice must be filed within 30 days of the date of issuance of this notice, pursuant to 18 CFR 385.713 (2006).

**Kimberly D. Bose,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP07-208-000]

#### Rockies Express Pipeline LLC; Notice of Application

May 14, 2007.

Take notice that on April 30, 2007, Rockies Express Pipeline LLC (Rockies Express), 370 Van Gordon Street, Lakewood, Colorado 80228, filed an application in Docket No. CP07-208-000, pursuant to section 7(c) of the

<sup>4</sup> See, e.g., Northeast Hydrodevelopment Corporation, 42 FERC ¶ 61,066 n. 6 (1988) (the Commission does not consider information an applicant submits on rehearing of staff's dismissal of the application, since the issue before the Commission is whether the staff's dismissal was appropriate). See also, e.g., Koch Gateway Pipeline Company, 75 FERC ¶ 61,132 at 61,456 (1996) (explaining general policy against receipt of additional information on rehearing).

<sup>5</sup> Furthermore, the new maps did not cure the deficiencies in Rainier's permit application in that they do not include a project boundary that encloses all project features, including the reservoir, and they do not delineate all project features, including the project's dam, intake structure, and transmission line, as section 4.81(d) of the Commission's regulations requires.

<sup>6</sup> The August 10, 2006 notice of Mr. Hanson's application required the filing of competing permit applications by 30 days following October 10, 2006, i.e., by Thursday, November 9, 2006. Rainier filed its competing application after business hours on November 9, 2006. Under 18 CFR 385.2001(c)(2) (2006), any document received after regular business hours is considered filed on the next business day. Since Friday, November 10, 2006, was a holiday, the next business day was Monday, November 13, 2006.

<sup>7</sup> Finally, Rainier filed its application electronically, which is prohibited by 18 CFR 385.2003(c)(1)(i) (2006), since preliminary permit applications are not included among the documents that are qualified for electronic filing.

Natural Gas Act (NGA) and Part 157 of the Commission's regulations requesting a certificate of public convenience and necessity to construct certain pipeline facilities, referred to as the REX-East Project, to extend Rockies Express' certificated system eastward from its terminus in Audrain County, Missouri to Monroe County, Ohio and to increase the transportation capacity of its system from 1,500,000 Dth per day to 1,800,000 Dth per day, all as more fully set forth in the application which is on file with the Commission and open for public inspection. 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" 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.

Specifically, Rockies Express requests authorization to construct: (1) 638 miles of 42-inch pipeline in Audrain, Ralls, and Pike Counties, Missouri; Pike, Scott, Morgan, Sangamon, Christian, Macon, Moultrie, Douglas and Edgar Counties, Illinois; Vermillion, Parke, Putnam, Hendricks, Morgan, Johnson, Shelby, Decatur, and Franklin Counties, Indiana; and Butler, Warren, Clinton, Greene, Fayette, Pickaway, Fairfield, Perry, Morgan, Muskingum, Guernsey, Noble, Belmont, and Monroe Counties, Ohio; and (2) a total of approximately 236,000 horsepower of compression at seven new compressor stations in Carbon County, Wyoming; Phelps County, Nebraska; Audrain County, Missouri; Christian County, Illinois; Putnam County, Indiana; Butler County, Ohio; and Muskingum County, Ohio.

The cost of the project is approximately \$2.2 billion. Rockies Express proposes to establish a new rate zone—Zone 3—consisting of all facilities located east of the terminus of Rockies Express' certificated facilities in Audrain County, Missouri. Further, Rockies Express requests a determination of rolled-in rate treatment for certain compression facilities located in existing Zone 1 and Zone 2.

Any questions regarding this application should be directed to Robert F. Harrington, Vice President—Regulatory, Rockies Express Pipeline LLC, P.O. Box 281304, Lakewood, Colorado 80228-8304, phone (303)763-3581.

On June 13, 2006, the Commission staff granted Rockies Express' request to utilize the Commission's Pre-Filing

Process and assigned Docket No. PF06-30-000 to staff activities involving the Rockies Express REX-East Project. Now, as of the filing of Rockies Express' application on April 30, 2007, the Pre-Filing Process for this project has ended. From this time forward, Rockies Express' proceeding will be conducted in Docket No. CP07-208-000, as noted in the caption of this Notice.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding, or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify Federal and State agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all Federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's