

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

[Docket No. RC07-3-000]

**Lee County, FL; Notice of Filing**

September 11, 2007.

Take notice that on September 7, 2007, Lee County, Florida (Lee County) filed an appeal from the August 21, 2007 decision of the North American Electric Reliability Corporation (NERC) to include Lee County's municipal solid waste resource recovery generating facility on the NERC compliance registry within the Florida Reliability Coordinating Council for the function of generator owner. Lee County states that it owns or operates a waste-to-steam facility which generates electric through recovery of steam produced as a byproduct from the combustion of municipal solid waste, which is a qualifying facility (QF). Lee County asks the Commission to reverse the NERC's inclusion of its QFs on the compliance registry and to stay the effectiveness of the NERC decision pending resolution of the appeal by the Commission.

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, 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. On or before the comment date, it is not necessary to 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](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 October 9, 2007.

Kimberly D. Bose,

*Secretary.*

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

[Docket No. ER07-1139-000]

**York Haven Power Company; Notice of Issuance of Order**

September 10, 2007.

York Haven Holdings, Inc. filed on behalf of York Haven Power Company (York Haven) an application for market-based rate authority, with an accompanying rate schedule. The proposed market-based rate schedule provides for the sale of energy, capacity and ancillary services at market-based rates. York Haven also requested waivers of various Commission regulations. In particular, York Haven requested that the Commission grant blanket approval under 18 CFR part 34 of all future issuances of securities and assumptions of liability by York Haven.

On September 7, 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 York Haven, 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 October 9, 2007.

Absent a request to be heard in opposition to such blanket approvals by the deadline above, York Haven 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 York Haven, 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 York Haven'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.*

[FR Doc. E7-18210 Filed 9-14-07; 8:45 am]

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

[Docket No. EL07-95-000]

**Black Oak Energy, LLC, Complainant v. New York Independent System Operator, Inc., Respondent; Notice of Complaint**

September 10, 2007.

Take notice that on September 7, 2007, Black Oak Energy, LLC (Black Oak), filed a formal complaint against New York Independent System Operator, Inc. (NYISO) pursuant to sections 206 and 306 of the Federal Power Act, 16 U.S.C. 824e and 825e (2000), and Rule 206 of the Commission's Rules of Practice and Procedure, 18 CFR 385.206 (2007), alleging that the NYISO failed to properly administer its energy markets on at least three occasions in 2005, which resulted in substantial financial losses to Black Oak.

Black Oak certifies that copies of the complainant were served on the contacts for NYISO as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in