

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

[Docket No. RP08-374-000]

**Maritimes & Northeast Pipeline, LLC; Notice of Technical Conference**

June 27, 2008.

The Commission's June 11, 2008, Order in the above-captioned proceeding<sup>1</sup> directed that a technical conference be held to address issues raised by Maritimes & Northeast Pipeline, LLC's proposed gas quality and interchangeability specifications.

Take notice that a technical conference will be held on Tuesday, July 15, 2008, at 9:30 a.m., in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

FERC conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an e-mail to [accessibility@ferc.gov](mailto:accessibility@ferc.gov) or call toll free (866) 208-3372 (voice) or (202) 502-8659 (TTY), or send a fax to (202) 208-2106 with the required accommodations.

All interested persons and staff are permitted to attend. For further information please contact David Maranville at (202) 502-6351 or e-mail [David.Maranville@ferc.gov](mailto:David.Maranville@ferc.gov).

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

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**DEPARTMENT OF ENERGY****Western Area Power Administration****Post-2009 Resource Pool—Loveland Area Projects**

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Response to letters of interest and comments on appropriate purposes for the Loveland Area Projects proposed resource pool.

**SUMMARY:** Western Area Power Administration (Western), a Federal power marketing agency of the Department of Energy, is publishing this response to letters of interest and comments resulting from Western's Notice of Request for Letters of Interest in the **Federal Register** (72 FR 34679),

dated June 25, 2007. The notice provided an opportunity for potential new eligible customers to indicate an interest in receiving an allocation of Federal power, and for the public to comment on appropriate purposes for the Loveland Area Projects (LAP) Post-2009 proposed resource pool. This **Federal Register** notice summarizes the letters of interest and comments received by Western's Rocky Mountain Region (RMR), and Western's plans to proceed with Post-2009 resource pool allocations.

**ADDRESSES:** Information received in response to the aforementioned **Federal Register** notice (72 FR 34679), dated June 25, 2007, including comments, letters, and other supporting documents made or kept by Western on Post-2009 resource pool allocation procedures, is available for public inspection and copying at the Rocky Mountain Customer Service Region office, Western Area Power Administration, 5555 East Crossroads Boulevard, Loveland, CO 80538-8986.

**FOR FURTHER INFORMATION CONTACT:** Melanie Reed, Contracts and Energy Services Manager, 970-461-7229, or Susan Steshyn, Public Utilities Specialist, 970-461-7237. Written requests for information should be sent to Rocky Mountain Customer Service Region, Western Area Power Administration, Attn: J6200, P.O. Box 3700, Loveland, CO 80539-3003.

**SUPPLEMENTARY INFORMATION:** The Energy Planning and Management Program (Program) was developed in part to implement section 114 of the Energy Policy Act of 1992. Western published the Final Rule for the Program, 60 FR 54151, on October 20, 1995. The rule became effective on November 20, 1995. Subpart C—Power Marketing Initiative of the Program, Final Rule, 10 CFR part 905, provides for project-specific power resource pools and power allocations from these pools to eligible new preference customers and for other appropriate purposes as determined by Western. In accordance with the Program and the Loveland Area Projects Final Post-1989 Marketing Plan (Post-1989 Marketing Plan), 48 FR 38279, August 23, 1983, up to 1 percent of the existing customers' allocations will be placed in a resource pool from which power allocations to new customers, or for other appropriate purposes as determined by Western, will be made.

On June 25, 2007, Western's RMR published a Notice of Request for Letters of Interest in the **Federal Register** (72 FR 34679) regarding a resource pool of up to 1 percent (not to exceed 7

megawatts) of marketable resource available to new eligible preference customers as of October 1, 2009, and/or other appropriate purposes pursuant to the Program.

Western's RMR received 4 letters from potentially eligible preference customers indicating an interest in receiving an allocation from the proposed resource pool. RMR also received 2 letters commenting on the resource pool allocation policies, procedures, terms and conditions, and uses, including other appropriate purposes. These comments, Western's responses, and Western's decision on allocating the Post-2009 resource pool are summarized below.

**Letters of Interest, Comments and Western's Responses**

*Comment:* Western should implement the next resource pool using the same policies and procedures of prior resource pools.

*Response:* Comment has been considered in determining the Post-2009 resource pool policies and procedures.

*Comment:* Western should focus on allocations to preference eligible electric utilities in amounts sufficient to be meaningful to the new firm power customers. Providing small allocations to new customers will not offer sufficient benefit to new customers and works a hardship on existing firm power customers whose allocations have been reduced to create the new resource pool.

*Response:* Historically, Western has marketed allocations of firm power to be apportioned to eligible new preference entities in such a manner as to encourage the most widespread use in accordance with Federal Reclamation Law. Western will use general eligibility and allocation criteria to assess and determine the allocations based on the potential new customer's applicant profile data. Through a previous re-allocation process, these criteria have proven to be fair and significant enough to benefit new customers.

*Comment:* Western must act within existing laws and regulations in making new allocations. In no event should Western use "appropriate purposes" to attempt to legislate new policy regarding eligibility requirements for receiving Federal firm power allocations.

*Response:* Comment has been considered in determining the Post-2009 resource pool policies and procedures. Further, no comments were received by RMR suggesting any other appropriate uses for the Post-2009 resource pool other than providing an allocation to new preference customers.

<sup>1</sup> *Maritimes & Northeast Pipeline, LLC*, 123 FERC ¶ 61,256 (2008).