

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

[Docket Nos. EL13-61-000, QF05-114-005, QF05-116-005, QF05-115-005, QF03-13-006, QF06-289-005, QF06-290-005, QF07-46-005, QF07-53-005, QF07-54-005, QF07-55-005, QF07-56-005, QF07-257-004]

**Exelon Corporation, Exelon Wind 1, LLC, Exelon Wind 2, LLC, Exelon Wind 3, LLC, Exelon Wind 4, LLC, Exelon Wind 5, LLC, Exelon Wind 6, LLC, Exelon Wind 7, LLC, Exelon Wind 8, LLC, Exelon Wind 9, LLC, Exelon Wind 10, LLC, Exelon Wind 11, LLC, High Plains Wind Power, LLC v. Xcel Energy Services, Inc., Southwestern Public Service Company; Notice of Complaint and Petition for Enforcement**

Take notice that on May 9, 2013, pursuant to sections 206 and 207(a)(2) of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (Commission) 18 CFR 385.206 and 385.207(a)(2), sections 206 and 306 of the Federal Power Act, 16 U.S.C. 824(e) and 825(e), and section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA), Exelon Corporation, on behalf of its subsidiaries Exelon Wind 1, LLC, Exelon Wind 2, LLC, Exelon Wind 3, LLC, Exelon Wind 4, LLC, Exelon Wind 5, LLC, Exelon Wind 6, LLC, Exelon Wind 7, LLC, Exelon Wind 8, LLC, Exelon Wind 9, LLC, Exelon Wind 10, LLC, Exelon Wind 11, LLC, and High Plains Wind Power, LLC (Complainants) filed a formal complaint and petition for enforcement requesting that the Commission find that Xcel Energy Services Inc., and its operating subsidiary, Southwestern Public Service Company (Respondents) violated PURPA and Commission's regulations. Complainants requests that the Commission exercise its authority and initiate enforcement action against 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, 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. 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5:00 p.m. Eastern Time on May 30, 2013.

Dated: May 13, 2013.

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

[FR Doc. 2013-11886 Filed 5-17-13; 8:45 am]

**BILLING CODE 6717-01-P**

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

[Docket No. EL13-63-000]

**Seminole Electric Cooperative, Inc., and Florida Municipal Power Agency v. Duke Energy Florida, Inc.; Notice of Complaint**

Take notice that on May 13, 2013, pursuant to section 206 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (Commission), 18 CFR 385.206 and sections 206, 306, and 309 of the Federal Power Act, 16 U.S.C. 824(e), 825(e), and 825(h), Seminole Electric Cooperative, Inc. and Florida Municipal Power Agency (Complainants) filed a formal complaint against Duke Energy Florida, Inc. (Respondent) alleging that the return on equity (ROE) in the Respondent's transmission formula rate is unjust and unreasonable and should be replaced with a just and reasonable ROE.

The Complainants certifies copies of the complaint were served on the contacts for the Respondent as listed on the Commission's list of Corporate Officials.

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. 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 5 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5:00 p.m. Eastern Time on June 3, 2013.

Dated: May 14, 2013.

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

[FR Doc. 2013-11925 Filed 5-17-13; 8:45 am]

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

[Docket No. EL13-62-000]

**Independent Power Producers of New York, Inc. v. New York Independent System Operator, Inc.**

**Notice of Complaint**

Take notice that on May 10, 2013, Independent Power Producers of New York, Inc. (IPPNY or Complainant) filed a complaint against New York Independent System Operator, Inc. (NYISO or Respondent), pursuant to

sections 206 and 306 for the Federal Power Act, 16 U.S.C. 824e, 825e (2006) and Rule 206, 18 CFR 385.206, of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, alleging that NYISO's Market Administration and Control Area Services Tariff is unjust and unreasonable because it does not include provisions to control the artificial suppression of prices in the New York Control Area capacity markets by existing resources.

IPPNY certifies that copies of the complaint were served on the contacts of New York Independent System Operator, Inc. as listed on the Commission's list of Corporate Officials.

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. 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 5 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5:00 p.m. Eastern Time on May 30, 2013.

Dated: May 14, 2013.

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

[FR Doc. 2013-11924 Filed 5-17-13; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2266-000]

#### Nevada Irrigation District; Notice of Authorization for Continued Project Operation

On April 15, 2011, the Nevada Irrigation District, licensee for the Yuba-Bear Hydroelectric Project, filed an Application for a New License pursuant to the Federal Power Act (FPA) and the Commission's regulations thereunder. The Yuba-Bear Hydroelectric Project is located on Middle Fork River, Canyon Creek, Fall Creek, Rucker Creek, and Bear River, in Nevada, Placer, and Sierra Counties, California.

The license for Project No. 2266 was issued for a period ending April 30, 2013. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year-to-year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 2266 is issued to the licensee for a period effective May 1, 2013 through April 30, 2014 or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before April 30, 2014, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under section 15(a)(1) of the FPA is renewed automatically without further order or

notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to section 15 of the FPA, notice is hereby given that the licensee, Nevada Irrigation District, is authorized to continue operation of the Yuba-Bear Hydroelectric Project, until such time as the Commission acts on its application for a subsequent license.

Dated: May 13, 2013.

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

[FR Doc. 2013-11883 Filed 5-17-13; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2310-000]

#### Pacific Gas and Electric Company; Notice of Authorization for Continued Project Operation

On April 12, 2011, the Pacific Gas and Electric Company, licensee for the Drum-Spaulding Hydroelectric Project, filed an Application for a New License pursuant to the Federal Power Act (FPA) and the Commission's regulations thereunder. The Drum-Spaulding Hydroelectric Project is located on South Yuba River, Bear River, North Fork of the North Fork American River, and tributaries of the Sacramento River watershed in Nevada and Placer counties, California.

The license for Project No. 2310 was issued for a period ending April 30, 2013. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year-to-year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b),