

## DEPARTMENT OF ENERGY

Federal Energy Regulatory  
Commission

[Docket No. EG99-103-000, et al.]

LG&E Capital Corporation, et al.;  
Electric Rate and Corporate Regulation  
Filings

March 31, 1999.

Take notice that the following filings have been made with the Commission:

**1. LG&E Capital Corporation**

[Docket No. EG99-103-000]

On March 25, 1999, LG&E Capital Corporation (Capital Corp.), a Kentucky corporation with its principal place of business at 220 West Main Street, Louisville, Kentucky 40202, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's regulations.

Capital Corp. proposes to construct, own and operate two 164 megawatt combustion turbine electric generating units in Mercer County, Kentucky. The units are scheduled to be completed in July 1999 and to be in service by August 1, 1999. All capacity and energy from the plant will be sold exclusively at wholesale.

*Comment date:* April 21, 1999, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

**2. PDI Canada, Inc.**

[Docket No. EG99-104-000]

Take notice that on March 29, 1999, PDI Canada, Inc., a Wisconsin corporation with its headquarters at 677 Baeten Road, Green Bay, WI 54304, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's regulations.

PDI Canada, Inc. is a wholly-owned subsidiary of WPS Power Development, Inc., which in turn is a wholly-owned, indirect subsidiary of WPS Resources Corporation, headquartered in Green Bay, Wisconsin. WPS Resources Corporation is an exempt public utility holding company. Its subsidiaries include Wisconsin Public Service Corporation, an electric and natural gas public utility serving portions of northeastern Wisconsin and the upper peninsula of Michigan. PDI Canada, Inc. will be taking title to and operating the assets located in Canada being divested

by Maine & New Brunswick Electrical Power Company, Limited, a wholly owned subsidiary of Maine Public Service Company. These assets include a 34.4 MW generating facility and appurtenant transmission facilities located in the province of New Brunswick, Canada. The Maine Public Utilities Commission, in its Docket 98-584, is considering among other things whether allowing PDI Canada, Inc. to be an eligible facility will benefit consumers, is in the public interest, and does not violate State law.

*Comment date:* April 21, 1999, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

**3. United States Department of Energy,  
Bonneville Power Administration**

[Docket No. EL99-49-000]

Take notice that on March 23, 1999, Bonneville Power Administration filed a Petition for Expedited Declaratory Order Approving an Amendment to Bonneville Power Administration's Open Access Transmission Tariff and for Exemption in Lieu of Filing Fee.

*Comment date:* April 16, 1999, in accordance with Standard Paragraph E at the end of this notice.

**4. Enron Power Marketing, Inc. versus  
United States Department of Energy—  
Bonneville Power Administration**

[Docket No. EL99-51-000]

Take notice that on March 26, 1999, Enron Power Marketing, Inc. (EPMI) filed its complaint against the Bonneville Power Administration (BPA) pursuant to 16 U.S.C. 824e, h (1994) and 18 CFR 385.206.

*Comment date:* April 20, 1999, in accordance with Standard Paragraph E at the end of this notice.

**5. Northeast Utilities Service Company;  
Connecticut Light & Power Company  
and Western Massachusetts Electric  
Company**

[Docket Nos. ER90-373-008 and ER90-390-008; Docket No. EL90-39-005]

Take notice that on March 29, 1999, Northeast Utilities Service Company (NUSCO) tendered for filing a refund report in compliance with the Commission's order in *Northeast Utilities Service Company, et al.*, 86 FERC ¶61,161 (1999).

*Comment date:* April 28, 1999, in accordance with Standard Paragraph E at the end of this notice.

**6. Harbor Cogeneration Company**

[Docket No. ER99-1248-001]

Take notice that on April 5, 1999, Harbor Cogeneration Company tendered for filing amendments to its rate schedule and code of conduct in the above-referenced docket.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**7. Carolina Power & Light Company**

[Docket No. ER99-1308-000]

Take notice that on March 26, 1999, Carolina Power & Light Company amended the original filing made in this Docket on January 15, 1999.

Copies of the filing were served upon the North Carolina Utilities Commission and the South Carolina Public Service Commission.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**8. New England Power Pool Inc., ISO  
New England Inc.**

[Docket No. ER99-1414-001]

Take notice that on March 26, 1999, the New England Power Pool (NEPOOL) and ISO New England Inc. (the ISO), tendered for filing a notice that they have adopted, to the extent necessary, the Transmission Loading Relief procedures, including those relating to native load transactions and network service in other control areas, promulgated by the North American Electric Reliability Council, and that the Restated NEPOOL Open Access Transmission Tariff should be considered modified to effect the adoption of those procedures. This notice was filed in compliance with the Commission's orders in *North American Electric Reliability Council, et al.*, 86 FERC ¶ 61,275 (1999) and *North American Electric Reliability Council*, 85 FERC ¶ 61,353 (1998).

NEPOOL and the ISO state that copies of these materials were sent to all entities on the service list in the captioned docket, to the participants in the New England Power Pool, and to the New England state governors and regulatory commissions.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**9. CMS Generation Michigan Power,  
L.L.C.**

[Docket No. ER99-1970-000]

Take notice that on March 26, 1999, CMS Generation Michigan Power, L.L.C. (Michigan Power), tendered for filing a request for a change in the effective date of a wholesale power sales tariff

previously tendered for filing on March 1, 1999, to permit Michigan Power to make wholesale electric generation sales to eligible customers at up to cost-based ceiling rates.

Michigan Power requests an effective date of April 12, 1999.

Copies of this filing were served upon the Michigan Public Service Commission.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **10. New York State Electric & Gas Corporation**

[Docket No. ER99-1980-000]

Take notice that on March 1, 1999, New York State Electric & Gas Corporation (NYSEG), tendered for filing pursuant to Part 35 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 CFR part 35, a service agreement (the Service Agreement), under which NYSEG provide capacity and/or energy to Electric Clearinghouse, Inc. (ECI), in accordance with NYSEG's FERC Electric Tariff, Original Volume No. 1.

NYSEG has requested waiver of the notice requirements so that the Service Agreement with ECI becomes effective as of March 2, 1999.

NYSEG has served copies of the filing upon the New York State Public Service Commission and ECI.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **11. Niagara Mohawk Power Corporation**

[Docket No. ER99-2268-000]

Take notice that on March 26, 1999, Niagara Mohawk Power Corporation (Niagara Mohawk), tendered for filing with the Federal Energy Regulatory Commission an executed, amended Transmission Service Agreement between Niagara Mohawk and the Power Authority of the State of New York (NYPA) to permit NYPA to deliver power and energy from NYPA's FitzPatrick Plant, Bid Process Suppliers and Substitute Suppliers to the points where Niagara Mohawk's transmission system connects to its retail distribution system west of Niagara Mohawk's constrained Central-East Interface. This Transmission Service Agreement specifies that NYPA has signed on to and has agreed to the terms and conditions of Niagara Mohawk's Open Access Transmission Tariff as filed in Docket No. OA96-194-000.

Niagara Mohawk requests an effective date of March 1, 1999. Niagara Mohawk has requested waiver of the notice requirements for good cause shown.

Niagara Mohawk has served copies of the filing upon New York Public Service Commission and NYPA.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **12. Niagara Mohawk Power Corporation**

[Docket No. ER99-2269-000]

Take notice that on March 26, 1999, Niagara Mohawk Power Corporation (Niagara Mohawk), tendered for filing with the Federal Energy Regulatory Commission an executed amended Transmission Service Agreement between Niagara Mohawk and the Power Authority of the State of New York (NYPA) to permit NYPA to deliver power and energy from NYPA's FitzPatrick Plant, Bid Process Suppliers and Substitute Suppliers to the points where Niagara Mohawk's transmission system connects to its retail distribution system East of Niagara Mohawk's constrained Central-East Interface. This Transmission Service Agreement specifies that NYPA has signed on to and has agreed to the terms and conditions of Niagara Mohawk's Open Access Transmission Tariff as filed in Docket No. OA96-194-000.

Niagara Mohawk requests an effective date of March 1, 1999. Niagara Mohawk has requested waiver of the notice requirements for good cause shown.

Niagara Mohawk has served copies of the filing upon New York Public Service Commission and NYPA.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **13. Cambridge Electric Light Company**

[Docket No. ER99-2271-000]

Take notice that on March 26, 1999, Cambridge Electric Light Company (Cambridge), tendered for filing a Non-Firm Point-to-Point Transmission Service Agreement between Cambridge and Merchant Energy Group of the Americas, Inc., (MEGA). Cambridge states that the service agreement sets out the transmission arrangements under which Cambridge will provide non-firm point-to-point transmission service to MEGA under Cambridge's open access transmission tariff accepted for filing in Docket No. ER97-1337-000, subject to refund and issuance of further orders.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **14. Delmarva Power & Light Company**

[Docket No. ER99-2272-000]

Take notice that on March 26, 1999, Delmarva Power & Light Company

(Delmarva), tendered for filing a 3rd Revised Supplement to its FERC Rate Schedule No. 99, with respect to Delmarva's partial requirements service agreement with the City of Seaford. The proposed change would decrease base demand and energy rates by 0.222520% or about \$1,869.00 annually (based on actual billing data for calendar year 1995).

Delmarva proposes an effective date of March 1, 1999. Delmarva asserts that the decrease and the proposed effective date is in accord with the service agreement with the City of Seaford as accepted for filing as Rate Schedule No. 99 and eight supplements in Docket No. ER95-1039-000, which service agreement provides for changes in rates that correspond to the level of changes in rates approved by the Delaware Public Service Commission for Delmarva's non-residential retail customers.

Copies of the filing were served on the City of Seaford and the Delaware Public Service Commission.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **15. Penobscot Hydro, LLC**

[Docket No. ER99-2273-000]

Take notice that on March 26, 1999, Penobscot Hydro, LLC (Penobscot), tendered for filing the Transitional Power Sales Agreement under which Penobscot will sell capacity and energy at negotiated rates to Bangor Hydro-Electric Company under Penobscot's pending Market-Based Rate Tariff in Docket No. ER99-1940-000.

Penobscot has requested that the Commission waive its notice requirements to permit the agreement to become effective April 30, 1999.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

#### **16. Carolina Power & Light Company**

[Docket No. ER99-2274-0000]

Take notice that on March 26, 1999, Carolina Power & Light Company (CP&L), tendered for filing an executed Service Agreement with DukeSolutions, Inc., under the provisions of CP&L's Market-Based Rates Tariff, FERC Electric Tariff No. 4.

CP&L is requesting an effective date of March 1, 1999, for this Agreement.

Copies of the filing were served upon the North Carolina Utilities Commission and the South Carolina Public Service Commission.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**17. Carolina Power & Light Company**

[Docket No. ER99-2275-000]

Take notice that on March 26, 1999, Carolina Power & Light Company (CP&L), tendered for filing a Service Agreement for Firm Point-to-Point Transmission Service with Carolina Power & Light—Wholesale Power Department. Service to this Eligible Customer will be in accordance with the terms and conditions of Carolina Power & Light Company's Open Access Transmission Tariff.

CP&L is requesting an effective date of April 1, 1999, for this Agreement.

Copies of the filing were served upon the North Carolina Utilities Commission and the South Carolina Public Service Commission.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**18. Illinois Power Company**

[Docket No. ER99-2276-000]

Take notice that on March 26, 1999, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 62526, tendered for filing a Power Sales Tariff, Service Agreement under which Soyland Power Cooperative, Inc., will take service under Illinois Power Company's Power Sales Tariff. The agreements are based on the Form of Service Agreement in Illinois Power's tariff.

Illinois Power has requested an effective date of March 1, 1999.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**19. Southern California Edison Company**

[Docket No. ER99-2277-000]

Take notice that on March 26, 1999, Southern California Edison Company (SCE), tendered for filing notice of cancellation of Service Agreement No. 7, under FERC Electric Tariff, Original No. 5, effective April 1, 1998, and filed with the Federal Energy Regulatory Commission by Southern California Edison Company is to be canceled.

Notice of the proposed cancellation has been served upon the Public Utilities Commission of the State of California and Southern California Edison Company—Generation Business Unit.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**20. Illinois Power Company**

[Docket No. ER99-2278-000]

Take notice that on March 26, 1999, Illinois Power Company (Illinois

Power), 500 South 27th Street, Decatur, Illinois 62526, tendered for filing a Power Sales Tariff, Service Agreement under which Ottetail Power will take service under Illinois Power Company's Power Sales Tariff. The agreements are based on the Form of Service Agreement in Illinois Power's tariff.

Illinois Power has requested an effective date of March 1, 1999.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**21. Southern Indiana Gas and Electric Company**

[Docket No. ER99-2279-000]

Take notice that on March 26, 1999, Southern Indiana Gas and Electric Company (SIGECO), tendered for filing service agreements for firm and non-firm transmission service under Part II of its Transmission Services Tariff with DukeSolutions, Inc.

SIGECO has entered into service agreements for firm and non-firm transmission service with DukeSolutions, Inc., dated March 23, 1999.

Copies of the filing were served upon each of the parties to the service agreement.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**22. Commonwealth Electric Company**

[Docket No. ER99-2280-000]

Take notice that on March 26, 1999, Commonwealth Electric Company (Commonwealth), tendered for filing a Non-Firm Point-to-Point Service Agreement between Commonwealth and Merchant Energy Group of the Americas, Inc., (MEGA). Commonwealth states that the service agreement sets out the transmission arrangements under which Commonwealth will provide Non-Firm Point-to-Point Transmission Service to MEGA under Commonwealth's open access transmission tariff accepted for filing in Docket No. ER97-1341-000, subject to refund and issuance of further orders.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**23. Southern California Edison Company**

[Docket No. ER99-2281-000]

Take notice that on March 26, 1999, Southern California Edison Company (SCE) tendered for filing notice that effective March 27, 1999, Rate Schedule FERC Nos. 251, 252, 253, 254, 255, effective August 1, 1990, and Rate

Schedule FERC Nos. 251.4, 252.4, 253.4, 254.5, 255.4 effective April 1, 1998, filed with the Federal Energy Regulatory Commission by Southern California Edison Company, are to be canceled.

Notice of the proposed cancellation has been served upon City of Anaheim, City of Azusa, City of Banning, City of Colton, City of Riverside, and the Public Utilities Commission of the State of California.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**24. Illinois Power Company**

[Docket No. ER99-2282-000]

Take notice that on March 26, 1999, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 62526, tendered for filing firm and non-firm transmission agreements under which OGE Energy Resources, Inc., will take transmission service pursuant to its open access transmission tariff.

The agreements are based on the Form of Service Agreement in Illinois Power's tariff.

Illinois Power has requested an effective date of March 1, 1999.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**25. Northwestern Wisconsin Electric Company**

[Docket No. ER99-2283-000]

Take notice that on March 26, 1999, Northwestern Wisconsin Electric Company, tendered for filing proposed changes in its Transmission Use Charge, Rate Schedule FERC No. 2. The proposed changes would increase revenues from jurisdictional sales by \$19,197.91 based on the 12 month period ending April 30, 1999.

Northwestern Wisconsin Electric Company is proposing this rate schedule change to more accurately reflect the actual cost of transmitting energy from one utility to another based on current cost data. The service agreement for which this rate is calculated calls for the Transmission Use Charge to be reviewed annually and revised on May 1.

Northwestern Wisconsin Electric Company requests this Rate Schedule Change become effective May 1, 1999.

Copies of this filing have been provided to the respective parties and to the Public Service Commission of Wisconsin.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**26. AEE 2, L.L.C.**

[Docket No. ER99-2284-000]

Take notice that on March 26, 1999, AEE 2, L.L.C. (AEE 2), c/o Mr. Henry Aszklar, 1001 North 19th Street, Arlington, Virginia 22209, tendered for filing with the Federal Energy Regulatory Commission an application for authority to charge market-based rates for wholesale sales of energy, capacity and ancillary services.

AEE 2 respectfully requests expedited action on this application by April 6, 1999, and waiver of advance notice for the rates to become effective upon the transfer of the New York Assets.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**27. Duke Energy Corporation**

[Docket No. ER99-2286-000]

Take notice that on March 26, 1999, Duke Power, a division of Duke Energy Corporation (Duke), tendered for filing a Service Agreement for Market Rate Sales under Rate Schedule MR, FERC Electric Tariff First Revised Volume No. 3 (the MRSAs), between Duke and Cargill-Alliant, LLC, and between Duke and PP&L Energy Plus Co.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**28. Black Hills Corporation**

[Docket No. ER99-2287-000]

Take notice that on March 26, 1999, Black Hills Corporation (Black Hills), tendered for filing an application for an order authorizing Black Hills to make wholesale sales of electric power at market-based rates.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**29. Cinergy Services, Inc.**

[Docket No. ER99-2288-000]

Take notice that on March 26, 1999, Cinergy Services, Inc. (Cinergy), as agent for and on behalf of its operating companies, The Cincinnati Gas & Electric Company (CG&E) and PSI Energy, Inc. (PSI), tendered for filing its revised list of retail customers having the option to receive firm point-to-point buy-through transmission service under the Cinergy Operating Companies' Open Access Transmission Tariff.

Cinergy states that it has served copies of its filing on the customers currently affected as well as the regulatory commissions of Indiana, Ohio and Kentucky.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**30. Midwest Energy, Inc.**

[Docket No. ER99-2289-000]

Take notice that on March 26, 1999, Midwest Energy, Inc. (Midwest), tendered for filing with the Federal Energy Regulatory Commission two executed Transaction Service Agreements (TSA) entered into between Midwest and Kansas City & Light and Midwest and Western Resources. These TSA's govern the sale of power under Midwest's Wholesale Service Tariff.

Midwest states that it is serving copies of the instant filing to its customers, State Commissions and other interested parties.

*Comment date:* April 15, 1999, in accordance with Standard Paragraph E at the end of this notice.

**31. Commonwealth Chesapeake Company, LLC**

[Docket No. TX99-1-000]

Take notice that on March 23, 1999, Commonwealth Chesapeake Company, LLC (CCC) filed with the Federal Energy Regulatory Commission an application requesting the Commission order Delmarva Power & Light Company to provide transmission service pursuant to Section 211 of the Federal Power Act.

CCC has requested firm transmission service. Copies of CCC's Application have been served on all affected parties.

*Comment date:* April 30, 1999, in accordance with Standard Paragraph E at the end of this notice.

**Standard Paragraphs**

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. 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 motion to intervene. Copies of these filings are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-222 for assistance).

**David P. Boergers,**

Secretary.

[FR Doc. 99-8835 Filed 4-8-99; 8:45 am]

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

[Docket No. EC99-58-000, et al.]

**Niagara Mohawk Power Corporation and Moreau Manufacturing Corporation, et al.; Electric Rate and Corporate Regulation Filings**

April 1, 1999.

Take notice that the following filings have been made with the Commission:

**1. Niagara Mohawk Power Corporation and Moreau Manufacturing Corporation**

[Docket No. EC99-58-000]

Take notice that on March 29, 1999, Niagara Mohawk Power Corporation and Moreau Manufacturing Corporation (collectively, the Applicants) tendered for filing an application under Section 203 of the Federal Power Act for approval to transfer certain jurisdictional facilities associated with the transfer from Moreau to Niagara Mohawk of Moreau's hydroelectric generating station. The Applicants also tendered for filing an application pursuant to Section 8 of the Federal Power Act for authorization to transfer to Niagara Mohawk the license for the hydroelectric generating station, and to substitute Niagara Mohawk for Moreau as applicant for a new license for the station.

*Comment date:* April 28, 1999, in accordance with Standard Paragraph E at the end of this notice.

**2. SCC-L2 L.L.C.**

[Docket No. EG99-82-000]

Take notice that on March 31, 1999, SCC-L2, L.L.C. (SCC-L2), a Delaware limited liability company with its principal place of business at Chicago, Illinois, filed with the Federal Energy Regulatory Commission an Amendment to Application for Determination of Exempt Wholesale Generator Status pursuant to Part 365 of the Commission's regulations.

The Facility that will be leased by SCC-L2 would consist of a 440 MW natural gas-fired simple cycle power plant in Lowndes County, Mississippi and related equipment. The proposed power plant is expected to commence commercial operation during the second, or early in the third, quarter 1999. All capacity and energy from the plant will be sold exclusively at wholesale.

*Comment date:* April 22, 1999, in accordance with Standard Paragraph E at the end of this notice. The