

unnecessary for Natural to appear or be represented at the hearing.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99-14175 Filed 6-3-99; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER99-2326-000 and EL99-68-000]

Pacific Gas and Electric Company; Notice of Initiation of Proceeding and Refund Effective Date

May 28, 1999.

Take notice that on May 27, 1999, the Commission issued an order in the above-indicated dockets initiating a proceeding in Docket No. EL99-68-000 under section 206 of the Federal Power Act.

The refund effective date in Docket No. EL99-68-000 will be 60 days after publication of this notice in the **Federal Register**.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99-14119 Filed 6-3-99; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2659-011]

PacifiCorp; Notice of Site Visit

May 28, 1999.

Take notice that Commission staff will visit the site of the Powerdale Hydroelectric Project (FERC Project No. 2659) located on the Hood River in the town of Hood River, Oregon from 9:00 a.m. to 1:00 p.m. on Thursday, June 17, 1999, to view the project area and facilities. All interested individuals, organizations, and agencies are invited to accompany Commission staff on this site visit. Participants will meet at the parking lot near the project powerhouse.

For further information contact Bob Easton at (202) 219-2782.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99-14172 Filed 6-3-99; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. MG99-15-000]

PG&E Gas Transmission-Northwest; Notice of Filing

May 28, 1999.

Take notice that PG&E Gas Transmission-Northwest (PG&E-NW) filed revised standards of conduct on April 1, 1999. PG&E-NW states that it is incorporating Standard L (to be codified at 18 CFR 161.3(1) which was adopted by the Commission in Order No. 599.¹

Any person desiring to be heard or to protest the filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C., 20426, in accordance with Rules 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214). All such motions to intervene or protest should be filed on or before June 14, 1999. 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 proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99-14174 Filed 6-3-99; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER16-2573-001, et al.]

Southern Company Services, Inc.; et al.

Before Commissioners: James J. Hoecker, Chairman; Vicky A. Bailey, William L. Massey, Linda Breathitt, and Curt Hébert, Jr.

Southern Company Services, Inc.

Docket Nos. ER96-2573-001]

*Independent Power Marketers*¹

Abacus Group Ltd.

¹ Order No. 599, Reporting Interstate Natural Gas Pipeline Marketing Affiliates on the Internet, 84 FERC ¶61, 108 (1998).

² The Commission's Office of Electric Power Regulation maintains a list of companies with

Docket No. ER98-4240-000
AC Power Corp.

Docket No. ER97-2867-000
ACN Power Inc.

Docket No. ER98-4685-000
Advantage Energy

Docket No. ER97-4186-000
AIE Energy Services, Inc.

Docket No. ER98-3164-000
Alliance Energy Services Partnership

Docket No. ER99-1945-000
Alliance Power Marketing, Inc.

Docket No. ER96-1818-000
Alliance Strategies

Docket No. ER95-1381-000
A'Lones Group, Inc.

Docket No. ER97-512-000
Alpha Energy Corporation

Docket No. ER97-4730-000
Alternate Power Source Inc.

Docket No. ER96-1145-000
Amerada Hess Corporation

Docket No. ER97-2153-000
American Energy Trading, Inc.

Docket No. ER97-360-000
American Home Energy Corp.

Docket No. ER98-1903-000
American Power Exchange, Inc.

Docket No. ER94-1578-000
American Power Reserve Marketing

Company

Docket No. ER97-1428-000
American Premier Energy Corp.

Docket No. ER98-3451-000
Amoco Energy Trading Corporation

Docket No. ER95-1359-000
AMVEST Coal Sales, Inc.

Docket No. ER97-464-000
AMVEST Power, Inc.

Docket No. ER97-2045-000
Apra Energy Group Inc.

Docket No. ER97-1643-000
Anker Power Services, Inc.

Docket No. ER97-3788-000
Applied Resources Integrated Services, Inc.

Docket No. ER97-2604-000
Ashton Energy Corporation

Docket No. ER94-1246-000
Astra Power, LLC

Docket No. ER98-3378-000
Atlanta Gas Light Services, Inc.

Docket No. ER97-542-000
Atlantic Energy Technologies, Inc.

Docket No. ER97-2132-000
Audit Pro Incorporated

Docket No. ER95-878-000
Aurora Power Resources, Inc.

Docket No. ER98-573-000
Black Brook Energy Company

Docket No. ER97-1676-000
Bollinger Energy Corp.

Docket No. ER98-1821-000
Bonneville Fuels Management Corp.

Docket No. ER96-659-000
Boyd Rosene and Associates, Inc.

market-based rates on the Commission's Internet

site (www.ferc.fed.us/electric/PwrMkt/pwrmtk.htm).

The list of companies in the caption, and the breakdown of the companies by category ("Independent Power Marketers," "Affiliated Power Marketers," etc.) in the caption, are based on this list.

The breakdown of the companies by category in the caption is solely for the convenience of the reader, and the category titles are not intended to be substantive determination of the appropriate categorization of the companies. Also see *infra* n.3.

- Docket No. ER95-1572-000
Brennan Power Inc.
Docket No. ER97-1630-000
Btu Power Corporation
Docket No. ER96-1283-000
Burlington Resources Trading, Inc.
Docket No. ER96-3112-000
Business Discount Plan, Inc.
Docket No. ER99-581-000
California Polar Power Brokers, LLC
Docket No. ER98-701-000
California Power Services
Docket No. ER97-3525-000
Calpine Power Services Company
Docket No. ER94-1545-000
C.C. Pace Energy Services
Docket No. ER94-1181-000
CHI Power Marketing, Inc.
Docket No. ER96-2640-000
Chicago Electric Trading, L.L.C.
Docket No. ER90-225-000
Cielo Power Market, L.P.
Docket No. ER99-964-000
Citizens Power Sales
Docket No. ER94-1685-000
Citizens Power & Light Corporation
Docket No. ER89-401-000
CL Power Sales (1-5), L.L.C.
Docket No. ER95-892-000
CL Power Sales (6-10), L.L.C.
Docket No. ER96-2652-000
CL Power Sales 11, L.L.C.
Docket No. ER99-894-000
CL Power Sales 12, L.L.C.
Docket No. ER99-893-000
CL Power Sales 13, L.L.C.
Docket No. ER99-892-000
CL Power Sales 14, L.L.C.
Docket No. ER99-891-000
CL Power Sales 15, L.L.C.
Docket No. ER99-890-000
Clean Air Capital Markets Corporation
Docket No. ER97-4434-000
CNB/Olympic GAs Services
Docket No. ER95-964-000
CNG Power Services Corporation
Docket No. ER94-1554-000
CNG Retail Services Corporation
Docket No. ER97-1845-000
Coastal Electric Services Company
Docket No. ER94-1450-000
CoEnergy Trading Company
Docket No. ER96-1040-000
Cogentrix Energy Power Marketing, Inc.
Docket No. ER95-1739-000
Colonial Energy, Inc.
Docket No. ER97-1968-000
Columbia Energy Power Marketing Corp.
Docket No. ER97-3667-000
Commodore Gas & Electric, Inc.
Docket No. ER99-1890-000
Commonwealth Energy Corporation
Docket No. ER97-4253-000
Community Electric Power Corporation
Docket No. ER97-2792-000
Competisys LLC
Docket No. ER98-1790-000
Competitive Utility Services Corp.
Docket No. ER97-1932-000
ConAgra Energy Services, Inc.
Docket No. ER95-1751-000
Conoco Power Marketing Inc.
Docket No. ER95-1441-000
Conti Metals, Inc.
Docket No. ER96-2083-000
Cook Inlet Energy Supply Limited
Partnership
- Docket No. ER96-1410-000
Coral Power, L.L.C.
Docket No. ER96-25-000
CPS Capital, Ltd.
Docket No. ER96-1798-000
Cumberland Power, Inc.
Docket No. ER96-2624-000
Current Energy, Inc.
Docket No. ER98-102-000
CXY Energy Marketing (USA) Inc.
Docket No. ER99-1858-000
DC Tie, Inc.
Docket No. ER91-435-000
Direct Access Management, LP
Docket No. ER96-924-000
Direct Electric Inc.
Docket No. ER94-1161-000
Dynegy Power Services, Inc.
Docket No. ER94-1612-000
Eagle Gas Marketing Company
Docket No. ER96-1503-000
Eastern Pacific Energy
Docket No. ER98-1829-000
Eclipse Energy, Inc.
Docket No. ER94-1099-000
Econnergy Energy Co., Inc.
Docket No. ER98-2553-000
ECONnergy PA, Inc.
Docket No. ER99-1837-000
El Paso Power Services Company
Docket No. ER95-428-000
Electech, Inc.
Docket No. ER95-1399-000
Electrade Corporation
Docket No. ER94-1478-000
Electric Clearinghouse, Inc.
Docket No. ER94-968-000
Electric Lite, Inc.
Docket No. ER97-4427-000
Electrical Associates Power Marketing Inc.
Docket No. ER97-4173-000
Electrion, Incorporated
Docket No. ER98-3171-000
EMC Gas Transmission Company
Docket No. ER96-2320-000
EnerConnect, Inc.
Docket No. ER96-1424-000
Energy Clearinghouse Corp.
Docket No. ER98-2020-000
Energy Dynamics, Inc.
Docket No. ER97-3089-000
Energy International Power Marketing Corp.
Docket No. ER98-2059-000
Energy Marketing Services, Inc.
Docket No. ER96-734-000
Energy PM, Inc.
Docket No. ER98-2918-000
Energy Resource Management Corp.
Docket No. ER96-358-000
Energy Resource Marketing, Inc.
Docket No. ER94-1580-000
Energy Sales Network, Inc.
Docket No. ER98-753-000
Energy Services, Inc.
Docket No. ER95-1021-000
Energy Transfer Group, L.L.C.
Docket No. ER96-280-000
Energy Unlimited, Inc.
Docket No. ER98-1622-000
Energy 2000
Docket No. ER97-2771-000
EnergyChoice, L.L.C.
Docket No. ER96-827-000
EnergyOnline, Inc.
Docket No. ER96-138-000
EnergyTek, Inc.
- Docket No. ER96-1781-000
Energy2, Inc.
Docket No. ER96-3086-000
Enerserve, L.C.
Docket No. ER96-182-000
EnerZ Corporation
Docket No. ER96-3064-000
Engage Energy US, L.P.
Docket No. ER97-654-000
Englehard Power Marketing, Inc.
Docket No. ER94-1690-000
Engineered Energy Systems Corp.
Docket No. ER96-1731-000
Enjet, Inc.
Docket No. ER99-2061-000
ENMAR Corp.
Docket No. ER99-254-000
Enpower, Inc.
Docket No. ER95-1752-000
Environmental Resources Trust, Inc.
Docket No. ER98-3233-000
Equinox Energy, L.L.C.
Docket No. ER98-1486-000
Equitable Energy, LLC
Docket No. ER98-2367-000
Equitable Power Services Company
Docket No. ER94-1539-000
ERI Services, Inc.
Docket No. ER97-2638-000
Exact Power Co., Inc.
Docket No. ER97-382-000
Excel Energy Services, Inc.
Docket No. ER94-1488-000
Family Fiber Corporation
Docket No. ER96-1631-000
Federal Energy Sales
Docket No. ER96-918-000
Fina Energy Services Company
Docket No. ER97-2413-000
First Choice Energy
Docket No. ER98-2181-000
First Power, L.L.C.
Docket No. ER97-3580-000
Fortistar Power Marketing, LLC
Docket No. ER98-3393-000
Friendly Power Company LLC
Docket No. ER97-3815-000
The Furst Group, Inc.
Docket No. ER98-2423-000
Gateway Energy, Inc.
Docket No. ER95-1049-000
Gateway Energy Marketing
Docket No. ER96-795-000
GDK Corporation
Docket No. ER96-1735-000
GED Gas Services, L.L.C.
Docket No. ER95-1583-000
Gelber Group, Inc.
Docket No. ER96-1933-000
Global Energy and Technology, Inc.
Docket No. ER97-3416-000
Global Energy Service, L.L.C.
Docket No. ER97-1177-000
Global Petroleum Corporation
Docket No. ER96-359-000
Golden Valley Power Company
Docket No. ER98-4334-000
Granger Energy, L.L.C.
Docket No. ER97-4240-000
Great Western Power Cooperatives Company
Docket No. ER98-1722-000
The Green Power Connection
Docket No. ER97-3888-000
Growth Unlimited Investments, Inc.
Docket No. ER96-1774-000
Gulfstream Energy, LLC

- Docket No. ER94-1597-000
Hafslund Energy Trading, L.L.C.
Docket No. ER98-2535-000
Hartford Power Sales, L.L.C.
Docket No. ER95-393-000
High Island Marketing, Inc.
Docket No. ER97-4787-000
Hinson Power Company
Docket No. ER95-1314-000
Howard Energy Marketing, Inc.
Docket No. ER95-252-000
Howell Power Systems, Inc.
Docket No. ER94-178-000
Hubbard Power & Light, Inc.
Docket No. ER96-2583-000
ICC Energy Corporation
Docket No. ER96-1819-000
ICPM, Inc.
Docket No. ER95-640-000
IGI Resources, Inc.
Docket No. ER95-1034-000
Industrial Gas & Electric Services Co.
Docket No. ER95-257-000
Infenergy Services, LLC
Docket No. ER98-3478-000
Infinite Energy, Inc.
Docket No. ER97-3923-000
Inland Pacific Resources Inc.
Docket No. ER96-2144-000
International Energy Ventures, Inc.
Docket No. ER98-4264-000
International Utility Consultants, Inc.
Docket No. ER96-594-000
J. Anthony & Associates Ltd
Docket No. ER95-784-000
J. Aron & Company
Docket No. ER95-34-000
J.D. Enterprises
Docket No. ER96-2435-000
J.L. Walker & Associates
Docket No. ER95-1261-000
JMF Power Marketing
Docket No. ER98-3433-000
JPower Inc.
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K & K Resources, Inc.
Docket No. ER98-3006-000
Kamps Propane, Inc.
Docket No. ER98-1148-000
Kaztex Energy Ventures, Inc.
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Keystone Energy Services, Inc.
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Kibler Energy Ltd.
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Kimball Power Company
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KinEr-G Power Marketing, Inc.
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KN Services, Inc.
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Koch Energy Trading, Inc.
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Kohler Co.
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K Power Company, Inc.
Docket No. ER95-792-000
Lakeside Energy Services, LLC
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Lamar Power Partners, L.P.
Docket No. ER99-2097-000
Lamda Energy Marketing Corp.
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The Legacy Group, Inc.
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Lisco, Inc.
Docket No. ER96-1406-000
LS Power Marketing, LLC
Docket No. ER96-1947-000
MAC Power Marketing, L.L.C.
Docket No. ER98-575-000
The Mack Services Group
Docket No. ER99-1750-000
Manner Technologies, L.L.C.
Docket No. ER97-135-000
MEG Marketing, LLC
Docket No. ER99-2284-000
Merchant Energy of the Americas, Inc.
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Merrill Lynch Capital Services, Inc.
Docket No. ER99-830-000
Metro Energy Group, L.L.C.
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Micah Tech Industries, Inc.
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Michigan Gas Exchange, LLC
Docket No. ER99-1156-000
Mid American Natural Resources, Inc.
Docket No. ER95-1423-000
Mid-American Resources, Inc.
Docket No. ER95-78-000
Mid-Power Service Corporation
Docket No. ER97-4257-000
MIECO Inc.
Docket No. ER98-51-000
Millenium Energy Corporation
Docket No. ER98-174-000
Monterey Consulting Associates, Inc.
Docket No. ER98-2143-000
Morgan Stanley Capital Group Inc.
Docket No. ER94-1384-000
Multi-Energies USA Inc.
Docket No. ER96-203-000
Murphy Oil USA
Docket No. ER97-610-000
NAP Trading and Marketing, Inc.
Docket No. ER95-1278-000
National Fuel Resources, Inc.
Docket No. ER95-1374-000
National Power Exchange Corporation
Docket No. ER94-1593-000
National Power Marketing Company, L.L.C.
Docket No. ER96-2942-000
New Jersey Natural Energy Company
Docket No. ER96-2627-000
New Millenium Energy Corp.
Docket No. ER97-2681-000
NFR Power, Inc.
Docket No. ER96-1122-000
NGTS Energy Services
Docket No. ER96-2982-000
Niagara Energy & Steam Co., Inc.
Docket No. ER97-1414-000
Nicole Energy Services
Docket No. ER98-2683-000
NICRO energy Mgmt. Services Company
Docket No. ER97-1816-000
Nine Energy Services, L.L.C.
Docket No. ER98-1915-000
Nordic Electric, LLC
Docket No. ER96-127-000
North American Energy Conservation, Inc.
Docket No. ER94-152-000
North American Energy, Inc.
Docket No. ER98-242-000
North American Power Brokers, Inc.
Docket No. ER96-1156-000
North Atlantic Utilities, Inc.
Docket No. ER97-1716-000
North Star Power Marketing, L.L.C.
Docket No. ER98-622-000
Northeast Electricity Inc.
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Northeast Energy Services, Inc.
Docket No. ER97-4347-000
Northrop Grumman Corporation
Docket No. ER96-2957-000
Northwest Natural Gas Company
Docket No. ER97-683-000
Novarco Ltd.
Docket No. ER98-4139-000
NP Energy Inc.
Docket No. ER97-1315-000
NUI Energy Brokers, Inc.
Docket No. ER96-2580-000
NXIS, LLC
Docket No. ER97-778-000
Ocean Energy Services, Inc.
Docket No. ER96-588-000
Oceanside Energy, Inc.
Docket No. ER97-181-000
Omni Energy
Docket No. ER98-3344-000
Oneok Power Marketing Company
Docket No. ER98-3897-000
Pacific Energy & Development Corp.
Docket No. ER98-1824-000
PanCanadian Energy Services, LP
Docket No. ER90-168-000
Panda Power Corporation
Docket No. ER98-447-000
Panda Guadalupe Power Marketing, LLC
Docket No. ER98-3901-000
Peak Energy, Inc.
Docket No. ER95-379-000
Pelican Energy Management, Inc.
Docket No. ER98-3084-000
Penobscot Bay Energy Co. LLC
Docket No. ER97-2875-000
People's Electric Corporation
Docket No. ER98-3719-000
People's Utility Corp.
Docket No. ER98-2232-000
PG Energy Power Plus
Docket No. ER98-1953-000
Phibro Inc.
Docket No. ER95-430-000
Philadelphia Gas Works
Docket No. ER98-124-000
Poco Marketing LTD
Docket No. ER97-2198-000
Poco Petroleum, Inc.
Docket No. ER97-2197-000
Polaris Electric Power Co., Inc.
Docket No. ER98-1421-000
Power Access Management
Docket No. ER97-1084-000
Power Clearinghouse Inc.
Docket No. ER95-914-000
The Power Company of America, L.P.
Docket No. ER95-111-000
Power Exchange Corporation
Docket No. ER95-72-000
Power Fuels, Inc.
Docket No. ER96-1930-000
Power Providers, Inc.
Docket No. ER96-2303-000
Power Systems Group, Inc.
Docket No. ER97-3187-000
PowerCom Corporation
Docket No. ER97-4364-000
Powerline Controls, Inc.
Docket No. ER96-1754-000
PowerMark, LLC
Docket No. ER96-332-000
PowerNet Corporation
Docket No. ER94-931-000
PowerSource Corp.

- Docket No. ER98-3052-000
PowerTec International, L.L.C.
Docket No. ER96-1-000
Prairie Winds Energy, Inc.
Docket No. ER95-1234-000
Preferred Energy Services, Inc.
Docket No. ER96-2141-000
Premier Enterprises, LLC.
Docket No. ER95-1123-000
Progas Power, Inc.
Docket No. ER95-968-000
ProLiance Energy, LLC.
Docket No. ER97-420-000
Proven Alternatives Inc.
Docket No. ER95-473-000
PS Energy Group, Inc.
Docket No. ER99-1876-000
P&T Power Company
Docket No. ER97-18-000
Quantum Energy Resources, Inc.
Docket No. ER96-947-000
Quark Power, L.L.C.
Docket No. ER97-2374-000
Questar Energy Trading Company
Docket No. ER96-404-000
Rainbow Energy Marketing Corporation
Docket No. ER94-1061-000
Rainbow Power USA LLC
Docket No. ER98-2012-000
Reliable Energy, Inc.
Docket No. ER98-3261-000
Resource Energy Services Company
Docket No. ER97-828-000
Revelation Energy Resources Corp.
Docket No. ER97-765-000
River City Energy, Inc.
Docket No. ER99-823-000
Rocky Mountain Natural Gas & Electric LLC
Docket No. ER98-3108-000
Ruffin Energy Services, Inc.
Docket No. ER95-1047-000
Russell Energy Sales Company
Docket No. ER96-2882-000
Salem Electric, Inc.
Docket No. ER98-2175-000
Salko Energy Services, Inc.
Docket No. ER99-1052-000
Sandia Energy Resources Company
Docket No. ER96-2538-000
SDS Petroleum Products, Inc.
Docket No. ER96-1724-000
SE Holdings, L.L.C.
Docket No. ER96-3107-000
Seagull Power Services, Inc.
Docket No. ER96-342-000
SEMCOR, Inc.
Docket No. ER96-1516-000
Shamrock Trading LLC
Docket No. ER98-3526-000
Shell Energy Services Company, LLC
Docket No. ER99-2109-000
Sigma Energy, Inc.
Docket No. ER97-4145-000
Sithe Power Marketing, Inc.
Docket No. ER98-107-000
Sky Gen Energy Marketing L.L.C.
Docket No. ER99-972-000
Sonat Power Marketing Inc.
Docket No. ER95-1050-000
Sonat Power Marketing L.P.
Docket No. ER96-2343-000
South Jersey Energy Company
Docket No. ER97-1397-000
SouthEastern Energy Resources, Inc.
Docket No. ER95-385-000
SouthWestern Power Marketers, Inc.
- Docket No. ER97-2529-000
Sparc, LLC
Docket No. ER98-2671-000
Stalwart Power Company
Docket No. ER95-1334-000
Stand Energy Corporation
Docket No. ER95-362-000
Starghill Energy Corp.
Docket No. ER97-4680-000
Statoil Energy Services, Inc.
Docket No. ER97-4381-000
Statoil Energy Trading, Inc.
Docket No. ER94-964-000
Strategic Power Management, Inc.
Docket No. ER96-2591-000
StratErgy, Inc.
Docket No. ER99-1410-000
Sunoco Power Marketing, L.L.C.
Docket No. ER97-870-000
Superior Electric Power Corporation
Docket No. ER95-1747-000
SuperSystems, Inc.
Docket No. ER96-906-000
Symmetry Device Research, Inc.
Docket No. ER96-2524-000
TC Power Solutions
Docket No. ER97-1117-000
Tenaska Power Services Co.
Docket No. ER94-389-000
Tennessee Power Co.
Docket No. ER95-581-000
TerraWatt, Inc.
Docket No. ER97-2679-000
Texaco Natural Gas, Inc.
Docket No. ER95-1787-000
Texas-Ohio Power Marketing, Inc.
Docket No. ER94-1676-000
Texican Energy Ventures, Inc.
Docket No. ER94-1362-000
TexPar Energy, Inc.
Docket No. ER95-62-000
Thicksten Grimm Burgum, Inc.
Docket No. ER96-2241-000
Torco Energy Marketing, Inc.
Docket No. ER92-429-000
Tosco Power, Inc.
Docket No. ER96-2635-000
Total Gas & Electric, Inc.
Docket No. ER97-4202-000
Total Gas & Electricity (PA), Inc.
Docket No. ER99-2182-000
Tractebel Energy Marketing, Inc.
Docket No. ER94-142-000
TransCanada Energy Ltd.
Docket No. ER95-692-000
TransCanada Power Marketing, Ltd.
Docket No. ER98-564-000
TransCurrent, L.L.C.
Docket No. ER98-1297-000
Tri-Valley Corporation.
Docket No. ER97-3428-000
Trident Energy Marketing, Inc.
Docket No. ER99-2069-000
Turner Energy, L.L.C.
Docket No. ER97-4108-000
United American Energy Corp.
Docket No. ER96-3092-000
United Regional Energy LLC
Docket No. ER97-2900-000
Unocal Corporation
Docket No. ER97-262-000
US Energy, Inc.
Docket No. ER96-2879-000
U.S. Power & Light, Inc.
Docket No. ER96-105-000
UTIL. Power Marketing, Inc.
- Docket No. ER97-3306-000
UtiliSys Corporation
Docket No. ER97-2426-000
Utility Management and Consulting, Inc.
Docket No. ER96-525-000
Utility Management Corp.
Docket No. ER96-1144-000
The Utility-Trade Corp.
Docket No. ER95-1382-000
Vanpower, Inc.
Docket No. ER96-552-000
Vitol Gas and Electric, L.L.C.
Docket No. ER94-155-000
VTEC Energy, Inc.
Docket No. ER95-1855-000
Wasatch Energy Corporation.
Docket No. ER97-1248-000
Washington Gas Energy Services, Inc.
Docket No. ER96-2830-000
Watt Works
Docket No. ER97-2592-000
Westcoast Power Marketing, Inc.
Docket No. ER95-378-000
Western Energy Marketers, Inc.
Docket No. ER98-537-000
Western Power Providers, Inc.
Docket No. ER95-1459-000
Wickford Energy Marketing, L.C.
Docket No. ER95-1415-000
Wicor Energy Services, Inc.
Docket No. ER96-34-000
Williams Energy Marketing & Trading Co.
Docket No. ER99-1722-000
Wilson Power & Gas Smart, Inc.
Docket No. ER95-751-000
Woodruff Energy
Docket No. ER97-3526-000
Working Assets Green Power, Inc.
Docket No. ER96-2914-000
XERXE Group
Docket No. ER98-1834-000
Yankee Energy Marketing Company
Docket No. ER96-146-000
Zapco Power Marketers, Inc.
Docket No. ER98-689-000
3E Technologies, Inc.
Docket No. ER98-3809-000
- Affiliated Power Marketers*
AEP Power Marketing, Inc.
Docket No. ER96-2495-000
AES Power, Inc.
Docket No. ER94-890-000
AllEnergy Marketing Company
Docket No. ER98-6-000
Alliant Energy Industrial Services, Inc.
Docket No. ER99-1775-000
Alpena Power Marketing, L.L.C.
Docket No. ER97-4745-000
Aquila Energy Marketing Corp.
Docket No. ER99-1751-000
Avista Energy, Inc.
Docket No. ER96-2408-000
Bangor Energy Resale, Inc.
Docket No. ER98-459-000
British Columbia Power Exchange Corp.
Docket No. ER97-4024-000
Cargill-Alliant, L.L.C.
Docket No. ER97-4273-000
Central Hudson Enterprise Corporation
Docket No. ER97-2869-000
CET Marketing L.P.
Docket No. ER98-4412-000
CinCap IV, LLC
Docket No. ER98-421-000
CinCap V, LLC

- Docket No. ER98-4055-000
Cinergy Capital & Trading, Inc.
Docket No. ER98-3934-000
CLECO Energy, L.L.C.
Docket No. ER98-1170-000
Clinton Energy Management Services, Inc.
Docket No. ER98-3934-000
CMS Marketing, Services and Trading Co.
Docket No. ER96-2350-000
COM/Energy Marketing, Inc.
Docket No. ER98-449-000
Connectiv Energy Supply, Inc.
Docket No. ER98-2045-000
Consolidated Edison Energy, Inc.
Docket No. ER98-2491-000
Consolidated Edison Solutions, Inc.
Docket No. ER97-705-000
Constellation Energy Source, Inc.
Docket No. ER99-198-000
Constellation Power Sources, Inc.
Docket No. ER97-2261-000
CSW Energy Services, Inc.
Docket No. ER98-2075-000
CU Power Canada Ltd.
Docket No. ER98-4582-000
DePere Energy Marketing, Inc.
Docket No. ER97-1432-000
DPL Energy, Inc.
Docket No. ER96-2601-000
DTE CoEnergy, L.L.C.
Docket No. ER97-3835-000
DTE Edison America, Inc.
Docket No. ER98-3026-000
DTE Energy Trading, Inc.
Docket No. ER97-3834-000
Duke Energy Marketing Corporation
Docket No. ER96-109-000
Duke Energy Trading and Marketing, L.L.C.
Docket No. ER96-2921-000
Duke/Louis Dreyfus, L.L.C.
Docket No. ER96-108-000
DukeSolutions, Inc.
Docket No. ER98-3813-000
E prime, Inc.
Docket No. ER99-1610-000
Edison Mission Marketing & Trading, Inc.
Docket No. ER99-852-000
Edison Source
Docket No. ER96-2150-000
Elwood Marketing, L.L.C.
Docket No. ER99-1465-000
Energetix, Inc.
Docket No. ER97-3556-000
Energy Atlantic, LLC
Docket No. ER98-4381-000
Energy Masters International, Inc.
Docket No. ER94-1402-000
Enova Energy, Inc.
Docket No. ER96-2372-000
Enron Energy Services, Inc.
Docket No. ER98-13-000
Enron Power Marketing, Inc.
Docket No. ER94-24-000
Enserch Energy Services, Inc.
Docket No. ER98-895-000
Enserco Energy, Inc.
Docket No. ER96-2964-000
Entergy Power Marketing Corporation
Docket No. ER95-1615-000
First Energy Trading & Power Marketing, Inc.
Docket No. ER95-1295-000
FPL Energy Power Marketing, Inc.
Docket No. ER98-3566-000
GPU Advanced Resources, Inc.
Docket No. ER97-3666-000
Griffin Energy Marketing, L.L.C.
Docket No. ER97-4168-000
Horizon Energy Company
Docket No. ER98-380-000
H.Q. Energy Services (U.S.) Inc.
Docket No. ER97-851-000
Illinova Energy Partners, Inc.
Docket No. ER94-1475-000
Industrial Energy Applications, Inc.
Docket No. ER95-1465-000
Inventory Management & Distribution Co., Inc.
Docket No. ER97-4116-000
InterCoast Power Marketing Company
Docket No. ER94-6-000
LG&E Energy Marketing Inc.
Docket No. ER94-1188-000
Mid-American Power LLC
Docket No. ER96-1858-000
Montana Power Trading & Marketing Company
Docket No. ER97-399-000
NESI Power Marketing, Inc.
Docket No. ER97-841-000
NEV East, L.L.C.
Docket No. ER97-4652-000
NEV California, L.L.C.
Docket No. ER97-4653-000
NEV Midwest, L.L.C.
Docket No. ER97-4654-000
New Energy Partners, LLC
Docket No. ER99-1812-000
New Energy Ventures, Inc.
Docket No. ER97-4636-000
Niagara Mohawk Energy Marketing, Inc.
Docket No. ER96-2525-000
Northern/AES Energy LLC
Docket No. ER98-445-000
NRG Power Marketing Inc.
Docket No. ER97-4281-000
NYSEG Solutions, Inc.
Docket No. ER99-220-000
OGE Energy Resources, Inc.
Docket No. ER97-4345-000
PacifiCorp Power Marketing, Inc.
Docket No. ER95-1096-000
PEC Energy Marketing Inc.
Docket No. ER97-1431-000
Pepco Services, Inc.
Docket No. ER98-3096-000
PG&E Energy Services, Energy Trading Corp.
Docket No. ER95-1614-000
PG&E Energy Trading Power, L.P.
Docket No. ER95-1625-000
PP&L EnergyPlus Company
Docket No. ER98-4608-000
PPM One LLC
Docket No. ER97-3926-000
PPM Two LLC
Docket No. ER97-3927-000
PPM Three LLC
Docket No. ER97-3928-000
PPM Four LLC
Docket No. ER97-3929-000
PPM Five LLC
Docket No. ER97-3930-000
PPM Six LLC
Docket No. ER97-3931-000
Primary Power Marketing, LLC
Docket No. ER98-4333-000
Progress Power Marketing, Inc.
Docket No. ER96-1618-000
PSEG Energy Technologies Inc.
Docket No. ER97-2176-000
QST Energy Trading Inc.
Docket No. ER96-553-000
R. Hadler and Company, Inc.
Docket No. ER97-3056-000
Reliant Energy Services, Inc.
Docket No. ER99-1801-000
SCANNA Energy Marketing, Inc.
Docket No. ER96-1086-000
Select Energy, Inc.
Docket No. ER99-14-000
Sempra Energy Trading Corp.
Docket No. ER94-1691-000
SIGCORP Energy Services, L.L.C.
Docket No. ER99-2181-000
Southern Company Energy Marketing L.P.
Docket No. ER97-4166-000
Southern Energy California
Docket No. ER99-1841-000
Southern Energy New England, LLC
Docket No. ER98-4118-000
Southern Energy Retail Trading & Marketing, Inc.
Docket No. ER98-1149-000
Southern Energy Trading & Marketing, Inc.
Docket No. ER95-976-000
Spokane Energy, LLC
Docket No. ER98-4336-000
TECO EnergySource, Inc.
Docket No. ER96-1563-000
TransAlta Energy Marketing Corp.
Docket No. ER96-1316-000
TransAlta Energy Marketing (US) Inc.
Docket No. ER98-3184-000
UGI Power Supply, Inc.
Docket No. ER96-2715-000
Unicom Power Marketing, Inc.
Docket No. ER97-3954-000
Union Electric Development Corporation
Docket No. ER97-3663-000
Unitil Resources, Inc.
Docket No. ER97-2462-000
WPS Energy Services, Inc. and WPA Power Development, Inc.
Docket No. ER96-1088-000
XENERGY
Docket No. ER97-2517-000
Affiliated Power Producers
AES Alamitos, L.L.C.
Docket No. ER98-2185-000
AES Creative Resources, L.P. and AES Eastern Energy, L.P.
Docket No. ER99-1773-000
AES Huntington Beach, L.L.C.
Docket No. ER98-2184-000
AES Redondo Beach, L.L.C.
Docket No. ER98-2186-000
AmerGen Energy Company, L.L.C.
Docket No. ER99-754-000
Arthur Kill Power, L.L.C.
Docket No. ER99-2161-000
Astoria Power, L.L.C.
Docket No. ER99-2160-000
AYP Energy, Inc.
Docket No. ER99-954-000
Bridgeport Energy LLC
Docket No. ER98-2783-000
Cabrillo Power I, L.L.C.
Docket No. ER99-1115-000
Cabrillo Power II, L.L.C.
Docket No. ER99-1116-000
Carr Street Generating Station, L.P.
Docket No. ER98-4095-000
CH Resources, Inc.
Docket No. ER99-1001-000
CinCac VI, L.L.C.
Docket No. ER99-1727-000
Commonwealth Chesapeake Company, L.L.C.
Docket No. ER99-415-000
Cordova Energy Company, L.L.C.

- Docket No. ER99-2156-000
CSW Power Marketing
Docket No. ER97-1238-000
Denver City Energy Associates, L.P.
Docket No. ER97-4084-000
De Pere Energy, L.L.C.
Docket No. ER97-4586-000
Duke Energy Morro Bay, L.L.C.
Docket No. ER98-2681-000
Duke Energy Moss Landing, L.L.C.
Docket No. ER98-2680-000
Duke Energy New Smyrna Beach Power Co.
Ltd., LLP
Docket No. ER98-2624-000
Duke Energy Oakland, L.L.C.
Docket No. ER98-2682-000
Duke Energy South Bay, L.L.C.
Docket No. ER99-1785-000
Dunkirk Power, L.L.C.
Docket No. ER99-2168-000
El Dorado Energy, LLC
Docket No. ER98-4109-000
El Segundo Power, L.L.C.
Docket No. ER98-1127-000
Elwood Energy, L.L.C.
Docket No. ER99-1695-000
EME Homer City Generation, L.P.
Docket No. ER99-666-000
Energy East South Glens Falls, LLC
Docket No. ER99-1261-000
Entergy Nucler Generating Company
Docket No. ER99-1004-000
ESI Vansycle Partners, L.P.
Docket No. ER98-2494-000
FPL Energy AVEC LLC
Docket No. ER98-3565-000
FPL Energy Maine Hydro LLC
Docket No. ER98-3511-000
FPL Energy Mason LLC
Docket No. ER98-3562-000
FPL Energy Wyman LLC
Docket No. ER98-3563-000
FPL Energy Wyman IV LLC
Docket No. ER98-3564-000
Genesee Power Station, L.P.
Docket No. ER99-806-000
Grayling Generation Station, L.P.
Docket No. ER99-791-000
Harbor Cogeneration Company
Docket No. ER99-1248-000
Hawkeye Power Partners, L.L.C.
Docket No. ER98-2076-000
Huntley Power, L.L.C.
Docket No. ER99-2162-000
Kincaid Generation LLC
Docket No. ER99-1432-000
Koch Power Louisiana, L.L.C.
Docket No. ER99-637-000
Lake Benton Power Partners, LLC
Docket No. ER97-2904-000
Lake Benton Power Partners II, LLC
Docket No. ER98-4222-000
Lake Road Generating Company, L.P.
Docket No. ER99-1714-000
Lakewood Cogeneration L.P.
Docket No. ER99-1213-000
LG&E Capital Corp.
Docket No. ER99-2108-000
LG&E Westmoreland Renssalaer
Docket No. ER99-1125-000
Long Beach Generation, L.L.C.
Docket No. ER98-1796-000
Medical Area Total Energy Plant, Inc.
Docket No. ER98-1992-000
Millennium Power Partners, LP
Docket No. ER98-830-000
Minnesota Agri-Power, LLC
- Docket No. ER99-1184-000
Mobile Energy Services Company, L.L.C.
Docket No. ER99-1204-000
Monmouth Energy, Inc.
Docket No. ER99-1293-000
NGE Generation, Inc.
Docket No. ER97-2518-000
PanEnergy Lake Charles Generation, Inc.
Docket No. ER96-1335-000
PDI Canada, Inc.
Docket No. ER99-1936-000
PDI New England, Inc.
Docket No. ER99-1936-000
Penobscot Hydro, LLC
Docket No. ER99-1940-000
Pittsfield Generating Company, L.P.
Docket No. ER98-4400-000
Reliant Energy Coolwater, L.L.C.
Docket No. ER99-2082-000
Reliant Energy Mandalay, L.L.C.
Docket No. ER99-2080-000
Reliant Energy Ellwood, L.L.C.
Docket No. ER99-2081-000
Reliant Energy Etiwanda, L.L.C.
Docket No. ER99-2083-000
Reliant Energy Ormond Beach, L.L.C.
Docket No. ER99-2079-000
Rockingham Power, L.L.C.
Docket No. ER99-1567-000
Rocky Road Power L.L.C.
Docket No. ER99-2157-000
Somerset Power L.L.C.
Docket No. ER99-1712-000
Southern Energy Bowline, L.L.C.
Docket No. ER99-2044-000
Southern Energy Canal, L.L.C.
Docket No. ER98-4155-000
Southern Energy Delta, L.L.C.
Docket No. ER99-1842-000
Southern Energy Kendall, L.L.C.
Docket No. ER98-4116-000
Southern Energy Lovett, L.L.C.
Docket No. ER99-2043-000
Southern Energy NY-GEN, L.L.C.
Docket No. ER99-2045-000
Southern Energy Potrero, L.L.C.
Docket No. ER99-1833-000
Southern Energy Wisconsin, L.L.C.
Docket No. ER99-669-000
State Line Energy, Inc.
Docket No. ER96-2869-000
Storm Lake Power Partners I, L.L.C.
Docket No. ER98-4643-000
Storm Lake Power Partners II, L.L.C.
Docket No. ER97-4222-000
Storm Lake Power Partners II, L.L.C.
Docket No. ER99-1228-000
Tenaska Frontier Partners, Ltd.
Docket No. ER98-1767-000
USGen New England
Docket No. ER98-6-000
West Georgia Company L.P.
Docket No. ER99-2186-000
West Texas Wind Energy Partners, L.L.C.
Docket No. ER98-1965-000
Western Kentucky Energy Corp.
Docket No. ER98-1279-000
Wisvest-Connecticut, L.L.C.
Docket No. ER99-967-000
WKE Station Two, Inc.
Docket No. ER98-1278-000
- Other Utilities With Market-Based Rates*
AG-Energy, L.P.
Docket No. ER98-2782-000
Automated Power Exchange
- Docket No. ER98-1033-000
Boralex Stratton Energy Inc.
Docket No. ER98-4652-000
Brooklyn Navy Yard Cogeneration Partners,
L.P.
Docket No. ER97-886-000
Cadillac Renewable Energy
Docket No. ER98-4515-000
Canadian Niagara Power Company
Docket No. ER99-1875-000
Choctaw Generation Limited Partnership
Docket No. ER98-3774-000
Cobisa-Person Limited Partnership
Docket No. ER98-2498-000
Cogen America Parlin Inc.
Docket No. ER96-1680-000
Cogen Energy Technologies
Docket No. ER98-4423-000
Commonwealth Atlantic Limited Partnership
Docket No. ER90-24-000
Consolidated Water Power Company
Docket No. ER98-4512-000
Dartmouth Power Associates L.P.
Docket No. ER96-149-000
Dighton Power Associates L.P.
Docket No. ER99-616-000
Edgar Electric Cooperative Association
Docket No. ER98-2305-000
GEN-SYS Energy
Docket No. ER97-4335-000
Geysers Power Company
Docket No. ER99-1983-000
Golden Spread Electric Cooperative
Docket No. ER99-705-000
Great Bay Power Corporation
Docket No. ER96-726-000
GS Electric Generating Cooperative, Inc.
Docket No. ER97-3583-000
Indeck Pepperell Power Associates, Inc.
Docket No. ER96-345-000
Logan Generating Company, L.P.
Docket No. ER95-1007-000
Lowell Cogeneration Company L.P.
Docket No. ER97-2414-000
LSP Energy Limited Partnership
Docket No. ER98-2259-000
Midwest Energy, Inc.
Docket No. ER96-2027-000
Milford Power L.P.
Docket No. ER93-493-000
Mountainview Power Company
Docket No. ER98-4301-000
Northeast Empire Limited Partnership #1
Docket No. ER98-4183-000
Northeast Empire Limited Partnership #2
Docket No. ER98-1125-000
Old Dominion Electric Cooperative
Docket No. ER97-4314-000
Oxbow Power Marketing, Inc.
Docket No. ER96-1196-000
Pacific Northwest Generating Cooperative
Docket No. ER97-504-000
PEI Power Corp.
Docket No. ER98-2270-000
Power City Partners, L.P.
Docket No. ER98-2782-000
Riverside Canal Power Company
Docket No. ER98-4302-000
RockGen Energy, L.L.C.
Docket No. ER99-970-000
SCC-L1, L.L.C.
Docket No. ER99-1914-000
SCC-L2, L.L.C.
Docket No. ER99-1915-000
SCC-L3, L.L.C.
Docket No. ER99-1942-000
Seneca Power Partners, L.P.

Docket No. ER98-2782-000
 Sithe New England Holdings L.L.C.
 Docket No. ER98-1943-000
 Southwood 2000, Inc.
 Docket No. ER98-2603-000
 Sterling Power Partners, L.P.
 Docket No. ER98-2782-000
 Sunlaw Cogeneration Partners, L.P.
 Docket No. ER99-213-000
 UAE Lowell Power, L.L.C.
 Docket No. ER99-1744-000
 Westchester Resco Company, L.P.
 Docket No. ER98-3030-000
 Williams Generating Company—Hazelton
 Docket No. ER97-4587-000
 Wolverine Power Supply Cooperative, Inc.
 Docket No. ER98-411-000

Order Denying Rehearing, Revising Reporting Requirements for Power Marketers and Power Producers with Market-Based Rate Authorization, Staying Effect of the Revised Reporting Requirements, and Establishing Procedures

Issued May 27, 1999.

On October 25, 1996, in Docket No. EL96-2573-001, Southern Company Services, Inc. (Southern) filed a request for rehearing of the Commission's letter order issued on September 25, 1996.² Southern requests the Commission to revise the requirement that traditional public utilities with market-based rate authority must file service agreements for long-term (longer than one year in duration) transactions within 30 days after commencement of service. Southern asks the Commission to allow such public utilities instead to report all transactions, long-term as well as short-term, in quarterly transaction summaries, as power marketers (non-traditional public utilities, without ownership, operation or control of generation or transmission facilities) currently are permitted to do.³

² Southern Company Services, Inc., 76 FERC ¶ 61,321 (1996) (September 25 Order). The September 25 Order denied confidential treatment of a rate schedule attached to a service agreement filed by Southern as agent for Georgia Power Company. While commenting (at 3) that it "continue to believe that the Commission should allow rate schedules to be filed on a confidential basis," Southern does not request rehearing of the September 25 Order's denial of confidential treatment.

³ For purposes of this order, "traditional public utilities" means public utilities that own, operate or control generation and/or transmission facilities. The Commission consistently has required such public utilities seeking blanket, open-ended market-based rate authorization—even those without a franchised service territory or captive ratepayers—to file service agreements for long-term transactions within 30 days after the date of commencement of service. See, e.g., Cataula Generating Company, L.P., 79 FERC ¶ 61,261 at 62,134 (1997); Kincaid Generation, L.L.C., 78 FERC ¶ 61,082 at 61,300-01 (1997). Any reference in this order to "power marketers" means public utilities without ownership, operation or control over generation and/or transmission facilities, i.e., independent power marketers and affiliated power marketers.

As discussed below, we will deny Southern's request for rehearing. We agree with Southern, however, that the Commission's goal of ensuring a competitive marketplace will be furthered by ending the current disparity between the reporting requirements for long-term contracts applicable to traditional public utilities selling at market-based rates and the reporting requirements applicable to power marketers. Accordingly, we are revising the reporting requirements for long-term contracts applicable to power marketers to be consistent with the reporting requirements applicable to traditional public utilities with market-based rates. Specifically, with respect to any long-term transaction agreed to by a power marketer after 30 days from the date of issuance of a final order in this proceeding, the power marketer must file a service agreement with the Commission within 30 days after service commences, rather than merely reporting transactions thereunder in its quarterly transaction summaries. We are also eliminating the requirement that power marketers file informational reports on their purchases.

We will also grant party status to all of the companies listed in the caption, and will entertain late motions to intervene filed by any other interested persons, so that they have the opportunity to seek rehearing regarding the change in policy announced herein. Further, we will delay the effectiveness of our new policy until 30 days after the issuance of a final order in this proceeding, when we will have acted upon any requests for rehearing. In the event no party requests rehearing of this order, then this order would be the final order in this proceeding. Power marketers will *not* be required to file long-term transactions that were agreed to or consummated prior to the effective date of this policy change.

Discussion

In an earlier proceeding involving Southern, we instituted, at Southern's behest, the practice of permitting traditional public utilities transacting under market-based rate authority to employ abbreviated reporting requirements for short-term (one year or

In addition to the categories of "Independent Power Marketers" and "Affiliated Power Marketers," the caption of this order also lists companies under the categories of "Affiliated Power Producers" and "Other Utilities with Market-Based Rates" based on the list on the Commission's Internet site. Because these two categories may include utilities that may be, for some period of time, only power marketers, we have included them in the caption as well.

less in duration) transactions.⁴ Specifically, we stated that all such traditional public utilities would thereafter be allowed to report short-term transactions on a summary, quarterly basis.⁵ Southern in that proceeding—requested the abbreviated filing requirements only with respect to short-term transactions. For long-term transactions, it proposed to file separate service agreements, under umbrella agreements already on file, within 30 days after commencement of service. Southern asserted, and we agreed, that short-term transactions should be treated differently, because they frequently are not the subject of separate written agreements and may be negotiated orally and documented only by log entries.⁶

Now, on rehearing of the September 25 Order, Southern challenges the filing requirements for long-term market-based rate transactions that Southern itself proposed in *Southern I* for traditional public utilities. Southern now argues that continuing the disparity between filing requirements for long-term market-based rate transactions applicable to traditional public utilities and those applicable to power marketers is inconsistent with the Commission's goal of ensuring a level playing field in a competitive marketplace. We agree.

We do not agree, however, that the appropriate remedy is to relax the reporting requirements applicable to traditional public utilities for long-term market-based rate transactions. Rather, we believe that, as Southern argued in the *Southern I* proceeding, different reporting requirements are appropriate for short-term and long-term transactions. Therefore, just as power marketers and traditional public utilities currently have the same reporting requirements for short-term transactions (i.e., quarterly summaries), we conclude that they also should have the same reporting requirements for long-term transactions (i.e., filing of service agreements within 30 days after commencement of service). We discuss below our rationale for adopting reporting requirements based not on the type of seller involved, but rather on the type of transaction involved.

We initially emphasize that we are not imposing new filing requirements on power marketers. The policy change

⁴ See Southern Company Services, Inc., 75 FERC ¶ 61,130, *clarified on other grounds*, 75 FERC ¶ 61,353 (1996) (*Southern I*).

⁵ Southern proposed semi-annual transaction summaries, but we required the summaries to be filed quarterly, to accord with the requirements applicable to power marketers. See *id.*, 75 FERC at 61,444.

⁶ See *id.*

we announce herein reflects our decision to rescind, on a prospective basis, the waiver that we have generally granted to power marketers of the requirement to file long-term transaction agreements.⁷ To provide those power marketers and their customers with appropriate notice of this policy change, we have included in the caption of this order the docket numbers for those power—marketers for whom we previously granted waiver of the requirement to file long-term transaction agreements. We also emphasize that this policy will apply only on a prospective basis, 30 days after the issuance of a final order in this proceeding.

The current general practice of sellers in the industry, both traditional public utilities and power marketers, is to engage in short-term transactions that frequently are not the subject of separate written agreements. To require traditional utilities and power marketers to prepare, negotiate and file a written agreement for every short-term transaction would seriously diminish the flexibility and efficiency of the short-term market and burden the resources of both the reporting parties and the Commission. We continue to believe, therefore, that our policy of allowing all short-term market-based rate transactions to be reported in quarterly summaries correctly balances the goal of an efficient and competitive marketplace with the Commission's responsibility to ensure that such transactions comply with the requirements of the Federal Power Act (FPA).⁸

For long-term transactions, on the other hand, a different balance is appropriate. Long-term transactions are almost always the subject of separate written agreements and do not normally involve the same time-sensitive pressures as short-term competitive

markets. Thus, to require all entities engaging in long-term transactions to file written agreements for such transactions, within 30 days of the date service commences, in our judgment will neither impede flexibility and efficiency in the long-term market nor unduly burden the resources of the reporting parties and the Commission. Moreover, we see no reason to continue allowing power marketers a more relaxed reporting requirement for long-term transactions than that applicable to traditional utilities. Power marketers, like any other public utility, are subject to the requirement under section 205(c) of the FPA to file with the Commission for public inspection all rates, charges, classifications and practices, as well as any contracts that affect or relate thereto.⁹ As noted above, we continue to believe that quarterly transactional summaries are, on balance, appropriate under section 205(c) for short-term transactions—which, in our experience, constitute the bulk of power marketers' jurisdictional activities. To the extent, however, that power marketers are engaged in long-term transactions, we will require them, like other public utilities selling at market-based rates, to file the actual long-term agreements with the Commission rather than merely report the transactions in quarterly summaries.

Accordingly, with respect to any long-term transaction (*i.e.*, longer than one year) agreed to or consummated by a power marketer after 30 days from the date of issuance of a final order in this proceeding, a service agreement must be filed within 30 days after commencement of service. To ensure clear identification of filings, and in order to facilitate the orderly maintenance of the Commission's files and public access to the documents, long-term transaction service agreements should not be filed together with short-term transaction summaries.¹⁰ We will rescind, on a prospective basis, the waiver previously granted to power marketers of the requirement to file long-term transaction agreements with the Commission.

Our new policy will apply prospectively, but it will apply to existing, as well as new, power marketers. In view of the fact that we are announcing a new policy at the rehearing stage of this proceeding, we

have listed the affected power marketers, and the dockets in which they were granted market-based rate authorization, in the caption of this order, and we are directing the Secretary to publish this order in the **Federal Register**. Further, as a matter of administrative convenience, all of the companies listed in the caption are hereby made parties to this proceeding. With respect to other interested persons, we believe that it is appropriate to make an exception to our practice of not permitting late interventions for the purpose of filings requests for rehearing. Accordingly, we will entertain late motions to intervene in this proceeding for the purpose of filing requests for rehearing of this order.¹¹ Further, we will delay the effectiveness of the new reporting requirements announced herein pending Commission action on the requests for rehearing of this order and the issuance of a final order in this proceeding.

As noted, the affected companies are listed in the caption of this order for purposes of providing appropriate notice. While the Commission has made a diligent effort to ensure that all affected power marketers are included in the caption of this order, it is possible that some affected power marketers are not listed. However, this policy change will apply to all power marketers, regardless of their inclusion in the caption.¹²

It is not necessary for entities moving to intervene and/or requesting rehearing to list all of the dockets listed in the caption. Instead, in order to facilitate the processing of pleadings, for any person filing a late motion to intervene and/or a request for rehearing of this order, the caption of its pleading should refer only to "Southern Company Services, Inc., Docket No. ER96-2573-001" and the case-specific market-based rate docket number(s) with which it is concerned, if any. Further, as previously noted, it is possible that not all affected power marketers are included in the caption of this order. Any power marketer with market-based rate authorization not listed in the caption (or its customers) may also file a late motion to intervene and request for rehearing of this order.

⁷ Sec 28 CFR 35.1(a) (1998), which, in pertinent part, requires every public utility to file rate schedules "setting forth all rates and charges for any transmission or sale of electric energy subject to the jurisdiction of this Commission, the classifications, practices, rules and regulations affecting such rates and charges and all contracts which in any manner affect or relate to such rates, charges, classifications, services, rules, regulations or practices, as required by section 205(c) of the Federal Power Act * * *."

⁸ See, *e.g.*, LG&E Power Marketing Inc., 68 FERC ¶ 61,247 at 62,124 (explaining that the quarterly filing requirement for marketers is necessary to ensure compliance with the FPA, to allow the Commission to evaluate the reasonableness of the rates and to provide for ongoing monitoring of the marketer's ability to exercise market power), *modified on other grounds*, 69 FERC ¶ 61,153 (1994); Enron Power Marketing, Inc., 66 FERC ¶ 61,244 at 61,598 (1994) (noting that the quarterly filings allow the Commission to monitor the marketer's adherence to the standards that allow it to sell at market-based rates).

⁹ Enron Power Marketing, Inc., 65 FERC ¶ 61,305 at 62,406 (1993), *order on reh'g*, 66 FERC ¶ 61,244 (1994); National Electric Associates Limited Partnership, 50 FERC ¶ 61,378 at 62,157 n.15 (1990).

¹⁰ See Consolidated Edison of New York, Inc., 78 FERC ¶ 61,298 at 62,286; *Southern I*, 75 FERC at 61,444-45.

¹¹ We strongly encourage those parties with common interests to file joint requests for rehearing, to the degree possible.

¹² In the event that a power marketer that is affected by this order is not listed in the caption of this order, it should inform the Commission of that fact, including the docket number in which it was granted market-based rate authority.

The Commission Orders

(A) Southern's request for rehearing of the September 25 Order is hereby denied.

(B) Previously-granted waivers of the requirement to file long-term (longer than one year in duration) transaction agreements are hereby rescinded on a prospective basis, effective 30 days after the issuance of a final order in this proceeding, as discussed in the body of this order.

(C) Pursuant to Ordering Paragraph (B), the reporting requirements applicable to power marketers for long-term (longer than one year in duration) transactions are hereby revised to match those applicable to traditional public utilities, effective 30 days after the issuance of a final order in this proceeding, as discussed in the body of this order.

(D) The entities listed in the caption of this order are hereby made parties to this proceeding.

(E) The Secretary shall promptly publish a copy of this order in the **Federal Register**.

By the Commission. Commissioner Bailey concurred with a separate statement attached.

Linwood A. Watson, Jr.,
Acting Secretary.

Bailey, Commissioner, *concurring*

I strongly support this order to the extent it equalizes the reporting requirements for both marketers and traditional utilities which have Commission authorization to sell power at market-based rates.

I have previously questioned the rationale, if any, for different reporting requirements for different types of sellers with market-based power sales authority.¹ I can see no reason, in a post-Order No. 888 world of increased competition and nondiscriminatory access to transmission service, to treat marketers any differently than traditional utilities for purposes of reporting their power sales transactions. I have been concerned that the disparity in reporting requirements could somehow confer a competitive advantage on those power sellers with a lesser reporting obligation and, perhaps, without the same obligation to disclose commercially sensitive information. Today's order removes that disparity.

I am less certain as to the desirability of the Commission's means to remove the disparity in reporting requirements. The Commission chooses to *increase* the reporting requirements applicable to power marketers by obligating them to file for Commission review all long-term power sales agreements (which now need only be reflected in quarterly transaction summaries). In my opinion, the better approach might be to

decrease the reporting requirements applicable to traditional utilities by allowing them to reflect their long-term transactions in the quarterly reports they currently are allowed to file for all short-term transactions.

Today's order explains why power marketers should not be particularly burdened by the new filing requirement, since long-term agreements typically are reduced to writing anyway. Today's order does not explain, however, how the filing (as opposed to the quarterly reporting) of long-term agreements by marketers and traditional utilities alike will materially help the Commission in its monitoring of competitive markets and in its responsibility to ensure that all wholesale power rates are just and reasonable.

I suspect the benefit, from the Commission's perspective, in the filing of long-term power sales agreements lies in the belief that the such filing will convey more and better information (on price, terms and conditions) than that reflected in the quarterly reports the Commission receives. If, so, I question whether the better approach is not to add to the filing requirements of power marketers, but rather to standardize and improve the quantity and quality of information reflected in the quarterly reports they submit.

Even if there is no general obligation to file long-term agreements, the Commission presumably would continue to require their filing to the extent they reflect a transaction among affiliates.² Moreover, since, as the order explains, the quarterly reporting requirement for short-term transactions is based on a discretionary waiver of the section 205 notice and filing requirement, the Commission could rescind that waiver, and require the filing of any agreement, at any time—such as upon the filing of a customer complaint. (This is analogous to the Commission's commitment to rescind any waiver of the Order No. 888 (open access tariff) and 889 (OASIS and separation of functions) requirements upon the filing of a customer complaint³).

It may be useful to consider this issue in a more global context. The Commission might want to consider that type of information it (and the public) needs from the sellers of power at market-based rates at the same time it considers other reporting and filing improvements—for example, at the time it considers revisions to the FERC Form 1 reporting requirements applicable to all public utilities.

And I am reluctant to insist upon generic improvements to Commission reporting and filing requirements in the context of our action on a single request for rehearing filed

² The Commission has long required power marketers with market-based rate authorization to commit in their tariffs not to sell power to or purchase power from an affiliated traditional utility, and vice versa, unless the Commission first approves such a transaction in a separate rate filing under section 205 of the FPA. *Cf., e.g.,* Detroit Edison Company, 80 FERC ¶ 61,348 (1997); GPU Advanced Resources, Inc., 81 FERC ¶ 61,335 (1997).

³ See Central Minnesota Municipal Power Agency, 79 FERC ¶ 61,260 at 61,127 (1997); Easton Utilities Commission, *et al.*, 83 FERC ¶ 61,334 (1998).

almost three years ago by a single utility in a particular adjudication. Today's order, recognizing the Commission's adoption of new policy, grants party status to power marketers, which might otherwise be caught off-guard, for the purpose of seeking rehearing of this rehearing order. I welcome any comment as to whether the Commission should employ a different method for equalizing the reporting and filing requirements applicable to power marketers and traditional utilities.

Vicky A. Bailey,
Commissioner.

[FR Doc 99-14120 Filed 6-3-99; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP98-645-000]

Trunkline Gas Company; Notice of Informal Technical Conference

May 28, 1999.

The Federal Energy Regulatory Commission (Commission) will convene an informal staff technical conference on June 28, 1999, at 2:00 p.m., in Room 3M3, of the Commission's offices at 888 First Street, N.E., Washington, D.C., to discuss Trunkline's answers to staff's data requests in the above-captioned proceeding. The conference is open to all interested persons.

Linwood A. Watson, Jr.,
Acting Secretary.

[FR Doc. 99-14176 Filed 6-3-99; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP99-102-000]

Wyoming Interstate Company, Ltd.; Notice of Availability of the Environmental Assessment for the Proposed Medicine Bow Lateral Project

May 28, 1999.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) that discusses the environmental impacts of the Medicine Bow Lateral Project proposed in the above-referenced docket. The proposed project would include the construction and operation of approximately 149 miles of 24-inch-diameter pipeline and 7,170 horsepower (hp) of compression.

¹ See *Clarksdale Public Utilities Commission v. Energy Services, Inc.*, 85 FERC ¶ 61,268 at 62,079-80 (1998) concurring statement.