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**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER97-1523-011, et al.]

#### Central Hudson Gas & Electric Corporation, et al.; Electric Rate and Corporate Regulation Filings

August 6, 1999.

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

##### 1. Central Hudson Gas & Electric Corporation

[Docket Nos. ER97-1523-011; OA97-470-010; and ER97-4234-008]

Take notice that on August 3, 1999, the Member Systems of the New York Power Pool (Member System), tendered for filing under sections 205 and 206 of the Federal Power Act amendments to the transmission agreement in effect between and among the individual Member Systems and/or various third parties consistent with the Commission's Order dated January 27, 1999. *See Central Hudson Gas & Electric Corp., et al.*, 86 FERC 61,062 (1999).

The Member Systems request all necessary waivers to make the amendments effective upon implementation of the New York Independent System Operator (NYISO) on September 1, 1999.

A copy of this filing was served upon all persons on the Commission's official service list(s) in the captioned proceeding(s), and the respective electric utility regulatory agencies in New York, New Jersey and Pennsylvania.

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

##### 2. New Energy Ventures, Inc.; Competitive Utility Services Corporation; C.C. Pace Resources, Inc.; Hartford Power Sales, L.L.C.; CL Power Sales Seven, L.L.C.; FirstEnergy Trading Services, Inc.; CinCap V, LLC

[Docket Nos. ER97-4636-007; ER97-1932-010; ER94-1181-020; ER95-393-024; ER96-2652-036; ER95-1295-013; and ER98-4055-004]

Take notice that on July 30, 1999, the above-mentioned power marketers/or public utilities tendered for filing quarterly reports with the Commission

in above-referenced proceedings for information only. These filings are available for public inspection and copying in the Public Reference Room or on the web at [www.ferc.fed.us/online/rims.htm](http://www.ferc.fed.us/online/rims.htm) for viewing and downloading (call 202-208-2222 for assistance).

##### 3. Calpine Power Services Company

[Docket No. ER94-1545-019]

Take notice that on August 2, 1999, Calpine Power Services Company (Calpine Power Services), tendered for filing an updated market analysis in compliance with the Commission's March 9, 1995 order in Docket No. ER94-1545-000.

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

##### 4. Gregory L. Nesbitt

[Docket No. ID-3150-001]

Take notice that on August 2, 1999, Cleco Evangeline LLC, tendered for filing abbreviated applications for Gregory L. Nesbitt, David M. Eppler, Thomas J. Howlin and Darrell Dubroc now holding or may hold interlocking positions involving Cleco Evangeline LLC.

*Comment date:* September 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

##### 5. California Independent System Operator Corporation

[Docket Nos. ER98-899-003; ER98-1923-001; and ER98-1923-003]

Take notice that on August 2, 1999, the California Independent System Operator Corporation (California ISO), tendered for filing a Compliance Report as required by the Letter Order issued by the Commission on May 28, 1998.

Copies of the filing have been served upon each person designated on the restricted service list compiled by the Presiding Judge in this proceeding.

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

##### 6. Heard County Power, L.L.C.

[Docket No. EG99-210-000]

Take notice that on August 2, 1999, Heard County Power, L.L.C., 1000 Louisiana, Suite 5800, Houston, Texas tendered for filing with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's Regulations.

Heard County Power, L.L.C., is a limited liability company, organized under the laws of the State of Delaware,

and engaged directly and exclusively in owning and operating the Heard County Power, L.L.C., electric generating facility (the Facility) to be located in Heard County, Georgia, and selling electric energy and related ancillary services at wholesale from the Facility. The Facility will consist of three gas turbine generators that are nominally rated at approximately 166.87 MW each, for a total of approximately 500 MW, a metering station, and associated transmission interconnection components.

*Comment date:* August 20, 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.

##### 7. DTE Energy Trading, Inc.; CL Power Sales Ten, L.L.C.; CL Power Sales Eight, L.L.C.; CL Power Sales Nine, L.L.C.; CL Power Sales Six, L.L.C.; Coral Power, L.L.C.; CL Power Sales Two, L.L.C.; Southern Energy Retail Trading; and Marketing, Inc.; Niagara Mohawk Energy Marketing, Inc.; and Constellation Power Source, Inc.

[Docket Nos. ER97-3834-007; ER96-2652-033; ER96-2652-035; ER96-2652-032; ER96-2652-034; ER96-25-017; ER95-892-044; ER98-1149-004; ER96-2525-012; and ER97-2261-011.]

Take notice that on July 30, 1999, the above-mentioned power marketers/or public utilities tendered for filing quarterly reports with the Commission in above-referenced proceedings for information only. These filings are available for public inspection and copying in the Public Referenced Room or on the web at [www.ferc.fed.us/online/rims.htm](http://www.ferc.fed.us/online/rims.htm) for viewing and downloading (call 202-208-2222 for assistance).

##### 8. Edison Source; Duke Energy; Citizens Power Sales; DTE Edison America, Inc.; PG&E Power Service Company; CMS Marketing, Services and Trading; Sonat Power Marketing L.P.; Sonat Power Marketing Inc.; and Koch Energy Trading, Inc.

[Docket Nos. ER96-2150-014; ER96-108-018; ER94-1685-026; ER98-3026-004; ER94-1394-021; ER96-2350-018; ER96-2343-012; ER95-1050-018; and ER95-218-018]

Take notice that on July 30, 1999, the above-mentioned power marketers/or public utilities tendered for filing quarterly reports with the Commission in above-referenced proceedings for information only. These filings are available for public inspection and copying in the Public Referenced Room or on the web at [www.ferc.fed.us/](http://www.ferc.fed.us/)

online/rims.htm for viewing and downloading (call 202-208-2222 for assistance).

### 9. American Electric Power Service Corporation

[Docket No. EL99-82-000]

Take notice that on August 2, 1999, American Electric Power Service Corporation, on behalf of the operating companies of the American Electric Power System (AEP) submitted a Petition for Declaratory Order requesting that the Commission rule that discounted non-firm transmission services offered by AEP are consistent with AEP's open-access transmission tariff (OATT) and the Commission's *pro forma* transmission tariff. In the alternative, AEP requests that the Commission accept for filing revisions to Schedule 8 of AEP's OATT, which set forth additional terms for the discounting of Non-Firm Point-To-Point Transmission Service.

*Comment date:* September 1, 1999, in accordance with Standard Paragraph E at the end of this notice.

### 10. Tampa Electric Company

[Docket No. ER99-3930-000]

Take notice that on August 2, 1999, Tampa Electric Company (Tampa Electric), tendered for filing a service agreement with Morgan Stanley Capital Group Inc. (MSCG) under Tampa Electric's market-based sales tariff.

Tampa Electric proposes that the service agreement be made effective on July 6, 1999.

Copies of the filing have been served on MSCG and the Florida Public Service Commission.

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

### 11. New York State Electric & Gas Corporation

[Docket No. ER99-3931-000]

Take notice that on August 2, 1999, New York State Electric & Gas Corporation (NYSEG), tendered for filing Service Agreements between NYSEG and Duke Energy Trading and Marketing, L.L.C. (DETM) and NRG Power Marketing, Inc., (Customer). These Service Agreements specify that the Customer has agreed to the rates, terms and conditions of the NYSEG open access transmission tariff filed July 9, 1997 and effective on November 27, 1997, in Docket No. ER97-2353-000.

NYSEG requests waiver of the Commission's sixty-day notice requirements and an effective date of July 30, 1999 for the Service Agreements. NYSEG has served copies

of the filing on The New York State Public Service Commission and on the Customer.

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

### 12. CL Power Sales One, L.L.C.; CL Power Sales Three, L.L.C.; CL Power Sales Four, L.L.C.; CL Power Sales Five, L.L.C.; TXU Energy Trading; Mid-American Power, L.L.C.; WPS Power Development, Inc.; Unilit Resources, Inc.; Engage Energy US, L.P.; and NEV East, L.L.C.

[Docket No. ER95-892-045; Docket Nos. ER98-895-006; ER96-1858-013; ER96-1088-026; ER97-2462-008; ER97-654-011; and ER97-4652-007]

Take notice that on July 30, 1999, the above-mentioned power marketers/or public utilities tendered for filing quarterly reports with the Commission in above-referenced proceedings for information only. These filings are available for public inspection and copying in the Public Referenced Room or on the web at [www.ferc.fed.us/online/rims.htm](http://www.ferc.fed.us/online/rims.htm) for viewing and downloading (call 202-208-2222 for assistance).

### 13. Virginia Electric and Power Company

[Docket No. ER99-3932-000]

Take notice that on August 2, 1999, Virginia Electric and Power Company (Virginia Power), tendered for filing a Service Agreements for Non-Firm and Firm Point-to-Point Transmission Service to Consumers Energy Company under the Open Access Transmission Tariff to Eligible Purchasers dated July 14, 1997. Under the Service Agreements, Virginia Power will provide point-to-point service to the Transmission Customer under the rates, terms and conditions of the Open Access Transmission Tariff.

Virginia Power requests an effective date of August 2, 1999, the date of filing of the Service Agreements.

Copies of the filing were served upon Consumers Energy Company, the Virginia State Corporation Commission and the North Carolina Utilities Commission.

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

### 14. MidAmerican Energy Company

[Docket No. ER99-3935-000]

Take notice that on August 2, 1999, MidAmerican Energy Company tendered for filing a proposed change in its Rate Schedule for Power Sales, FERC Electric Rate Schedule, Original Volume No. 5. The proposed change consists of

certain reused tariff sheets consistent with the quarterly filing requirement.

MidAmerican states that it is submitting these tariff sheets for the purpose of complying with the requirements set forth in Southern Company Services, Inc., 75 FERC 61,130 (1996), relating to quarterly filings by public utilities of summaries of short-term market-based power transactions. The tariff sheets contain summaries of such transactions under the Rate Schedule for Power Sales for the applicable quarter.

MidAmerican proposes an effective date of the first day of the applicable quarter for the rate schedule change. Accordingly, MidAmerican requests a waiver of the 60-day notice requirement for this filing. MidAmerican states that this date is consistent with the requirements of the Southern Company Services, Inc., order and the effective date authorized in Docket No. ER96-2459-000.

Copies of the filing were served upon MidAmerican's customers under the Rate Schedule for Power Sales and the Iowa Utilities Board, the Illinois Commerce Commission and the South Dakota Public Utilities Commission.

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

### 15. Cleco Energy LLC

[Docket No. ER99-3947-000]

Take notice that on August 2, 1999, Cleco Energy LLC (Cleco Energy), Cleco Evangeline LLC (Cleco Evangeline), Cleco Marketing, & Trading LLC (CMT), tendered for filing their petition to the Commission for acceptance of Amendment No. 1 to Rate Schedule FERC No. 1 (Market-Based Rate Schedule), Supplement No. 1, Original Sheet Nos. 1-2, which the Commission accepted in its Order, issued February 17, 1998, in the captioned docket. In Cleco Energy's proposed amendment, Cleco Energy proposes to supersede Original Sheet Nos. 1-2 with Revised Sheet No. 1.

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

### 16. South Carolina Electric & Gas Company

[Docket No. ER99-3929-000]

Take notice that on August 2, 1999, South Carolina Electric & Gas Company (SCE&G), tendered for filing a service agreement establishing Alabama Municipal Electric Authority (AMEA) as a customer under the terms of SCE&G's Negotiated Market Sales Tariff.

SCE&G requests an effective date of one day subsequent to the date of filing. Accordingly, SCE&G requests waiver of the Commission's notice requirements.

Copies of this filing were served upon AMEA and the South Carolina Public Service Commission.

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

### 17. Cleco Energy LLC

[Docket No. ER99-3946-000]

Take notice that on August 2, 1999, Cleco Energy LLC (formerly CLECO ENERGY, L.L.C.) (Cleco Energy), petitioned the Commission for acceptance of Amendment No. 1 to Rate Schedule FERC No. 1, Original Sheet Nos. 1-9, which the Commission accepted in its Order, issued February 17, 1998, in the captioned docket. In Cleco Energy's proposed amendment, Cleco Energy proposes to supersede Original Sheet Nos. 1-9 with Revised Sheet Nos. 1-2.

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

### 18. InPower Marketing Corp.

[Docket No. ER99-3964-000]

Take notice that on August 2, 1999, InPower Marketing Corp. (InPower), tendered for filing a petition for Commission acceptance of InPower's Rate Schedule No. 1; the granting of certain blanket approvals, including the authority to sell electricity at market-based rates, and the waiver of certain Commission Regulations.

InPower intends to engage in wholesale electric power and energy purchases and sales as a marketer. InPower is not in the business of generating or transmitting electric power.

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

### 19. Jersey Central Power & Light Company, Metropolitan Edison Company and Pennsylvania Electric Company

[Docket No. ER99-2388-001]

Take notice that on August 2, 1999, Jersey Central Power & Light Company, Metropolitan Edison Company and Pennsylvania Electric Company (collectively, GPU Energy), tendered for filing a compliance filing in response to the Commission's letter order dated July 1, 1999 in the above-referenced docket. (Green Power Partners I LLC, *et al.*, 88 FERC ¶ 61,005 (1999)).

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

### 20. Avista Corp.

[Docket No. ER99-3408-000]

Take notice that on August 2, 1999, Avista Corp., tendered for filing a clarification of the rates under an executed service agreement with Cogentrix Energy Power Marketing, Inc., for Dynamic Capacity and Energy Service at cost-based rates under Avista Corp.'s FERC Electric Tariff, Original Volume No. 10. The service agreement was filed with the Commission on June 29, 1999.

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

### 21. Citizens Utilities Company

[Docket No. ES99-55-000]

Take notice that on August 2, 1999, Citizens Utilities Company (Applicant), tendered for filing an application pursuant to Section 204 of the Federal Power Act requesting an order authorizing, for the maximum period, the issuance by the Applicant of: (I) Up to (a) \$1,000,000,000 principal amount of unsecured promissory notes outstanding at any one time (Promissory Notes), (b) \$1,000,000,000 aggregate principal amount of debt securities (Longer Term Debt Securities) with a final maturity or maturities of not less than nine months nor more than 50 years, (c) 80,000,000 shares of common stock of Applicant (Common Stock) (subject to adjustment for stock splits, stock dividends, recapitalizations and similar changes after the date of this Application), and \$400,000,000 liquidation value of preferred stock of Applicant (Preferred Stock), and (d) \$1,000,000,000 of assumption of obligations and liabilities as guarantor of obligations of its subsidiaries subject to an overall limitation, at any time, of the securities to be issued under (a), (b), (c) and (d) of \$1,000,000,000, and; (II) up to an additional \$3,000,000,000 principal amount of unsecured promissory notes outstanding at any one time for the purposes of temporary bridge financing that may be required for Applicant to meet its obligations arising under agreements for the acquisition of local exchange telephone access lines.

Applicant also requests, upon the issuance of authorization, that the Applicant's authority under Docket No. ES98-21-000 be canceled. The Applicant further requests that the foregoing be exempted from the competitive bidding and negotiated

placement requirements of 18 CFR Part 34.

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

**22. Atlanta Gas Light Services, Inc.; Calpine Power Services Company; Watts Works, L.L.C.; PP&L EnergyPlus Co., LLC; OST Energy Trading Inc.; Southern Energy Trading and Marketing, Inc.; Southern Company Energy Marketing L.P.; PG&E Energy Trading—Power; Cinergy Capital & Trading, Inc.; British Columbia Power Exchange Corporation; CinCap IV, LLC; Strategic Energy L.L.C.; Hinson Power Company; Progress Power Marketing, Inc.; Western Systems Power Pool; and NEV California, L.L.C.**

[Docket Nos. ER97-542-008; ER94-1545-018; ER98-4608-004; ER95-976-017; ER97-4024-009; ER91-195-039; and

Take notice that on July 30, 1999, the above-mentioned power marketers/or public utilities tendered for filing quarterly reports with the Commission in above-referenced proceedings for information only. These filings are available for public inspection and copying in the Public Referenced Room or on the web at [www.ferc.fed.us/online/rims.htm](http://www.ferc.fed.us/online/rims.htm) for viewing and downloading (call 202-208-2222 for assistance).

### 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, D.C. 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 202-208-2222 for assistance).

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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