

the extent to which the applicant may need to exercise eminent domain to obtain rights-of-way for the proposed project and balances that against the non-environmental benefits to be provided by the project. Therefore, if a person has comments on community and landowner impacts from this proposal, it is important either to file comments or to intervene as early in the process as possible.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filing.

Comment Date: January 29, 2004.

Linda Mitry,

Acting Secretary.

[FR Doc. E4-107 Filed 01-23-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00-426-018]

Texas Gas Transmission, LLC; Notice of Filing of Negotiated Rate Agreement

January 16, 2004.

Take notice that on January 7, 2004, Texas Gas Transmission, LLC (Texas Gas), submitted for filing an addendum to a negotiated rate agreement with Tennessee Valley Authority (TVA).

Texas Gas states that the purpose of this filing is to submit an addendum to the TVA negotiated rate agreement, which corrects an erroneously referenced loan contract number. Both Texas Gas and TVA accepted and agreed to the addendum, thereby acknowledging the correction and upholding all other provisions of the October 21, 2003, negotiated rate agreement.

Texas Gas states that copies of this filing are being mailed to all parties on the official service list in this docket, to Texas Gas's official service list, to Texas Gas's jurisdictional customers, and to interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with section 154.210 of the Commission's Regulations. 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. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676, or TTY, contact (202) 502-8659. The Commission strongly encourages electronic filings. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the e-Filing link.

Linda Mitry,

Acting Secretary.

[FR Doc. E4-108 Filed 1-23-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP04-139-000]

Virginia Natural Gas, Inc., Complainant v. Columbia Gas Transmission Corporation, Respondent; Notice of Complaint

January 14, 2004.

Take notice that on January 13, 2004, Virginia Natural Gas, Inc. (VNG) pursuant to rule 206 of the rules of practice and procedure of the Federal Energy Regulatory Commission (Commission), 18 CFR 385.206 (2003), filed a Complaint against Columbia Gas Transmission Corporation (Columbia). VNG alleges that Columbia violated Sections 4, 5, and 7(b) of the Natural Gas Act, 15 U.S.C. 717c, 717d, and 717f(b), and the Commission's regulations applicable to open-access transportation of natural gas, 18 CFR 284, Columbia's Tariff, and Columbia's service agreements with VNG when Columbia:

- Reduced by 75 percent, for a period beginning February 20, 2003, and extending through the end of the 2002-2003 heating season, Liquefaction Demand under Columbia's Rate Schedule X-133, providing for natural gas liquefaction, storage, vaporization and delivery service to VNG, for reasons of claimed "*force majeure*" when, in fact, the reason was the innate inability of Columbia's facilities to perform

consistently with the requirements of Columbia's certificate;

- With respect to deliveries to VNG's Southern System, failed on five separate occasions during the 2002-03 heating season, to meet Minimum Daily Pressure Obligations set out, pursuant to Columbia's Tariff, in Columbia's service agreements with VNG under Columbia's Rate Schedules FTS and SST; and

- Curtailed, severely if not entirely, VNG's storage withdrawals under Columbia's Rate Schedule FSS providing for firm storage service when Columbia's inability to perform is traceable to Columbia's own operating practices, including, during the critical period, offering service under its PAL Rate Schedule providing for interruptible parking and lending service.

VNG states that Columbia's violations harmed VNG by requiring VNG to take extraordinary and costly measures to continue to serve the customers, including high priority customers, that depend upon VNG's Southern System and requiring VNG to forego numerous asset value maximization opportunities.

By way of remedy, VNG requests the Commission to order Columbia, pursuant to section 16 of the NGA, 15 U.S.C. 717o, to make a monetary payment to VNG to prevent Columbia's unjust enrichment and to place VNG in the position VNG would have occupied absent Columbia's violations. Additionally, VNG also requests the Commission to require Columbia to take all necessary actions, including the construction or repair of facilities without additional cost to VNG or Columbia's other shippers, to ensure that Columbia has the requisite facilities in place to meet Columbia's firm obligations to VNG each and every day. VNG also requests the Commission to grant VNG any other relief the Commission believes is appropriate under the circumstances. Lastly, VNG requests, pursuant to 18 CFR 1b.8(a), that the Commission issue, pursuant to 18 CFR 1b.5, an Order of Investigation setting a formal, public investigation into whether Columbia unlawfully subordinated firm storage service to interruptible service.

Any person desiring to be heard or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., 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). 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. The answer to the complaint and all comments, interventions or protests must be filed on or before the comment date. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. The answer to the complaint, comments, protests and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

Comment Date: January 29, 2004.

Magalie R. Salas,
Secretary.

[FR Doc. E4-101 Filed 01-23-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of New Docket Prefix "TS"

January 15, 2004.

Notice is hereby given that a new docket prefix—Transmission Standards or "TS" has been established to identify filings and issuances related to Standards of Conduct for Transmission Providers under Order No. 2004. The TS docket prefix must be used for filings relating to the Standards of Conduct under Order No. 2004, including all informational filings, compliance filings and requests for waiver or exemption.

Magalie R. Salas,
Secretary.

[FR Doc. E4-104 Filed 01-23-04; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EC04-52-000, *et al.*]

Covanta Energy Corporation, *et al.*; Electric Rate and Corporate Filings

January 15, 2004.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

1. Covanta Energy Corporation, Covanta Fairfax, Inc., Covanta Haverhill Associates, Covanta Union, Inc., Covanta Onondaga, Limited Partnership, Danielson Holding Corporation

[Docket No. EC04-52-000]

Take notice that on January 13, 2004 Covanta Energy Corporation (Covanta), Covanta Fairfax, Inc., Covanta Haverhill Associates, Covanta Union, Inc., Covanta Onondaga, Limited Partnership and Danielson Holding Corporation (Danielson) (collectively, the Applicants) filed with the Federal Energy Regulatory Commission an application pursuant to section 203 of the Federal Power Act for authorization to indirectly dispose of certain jurisdictional facilities in connection with Danielson's purchase of all shares of Covanta common stock in accordance with a plan of reorganization filed with the United States Bankruptcy Court for the Southern District of New York.

Applicants respectfully request that the Commission approve this transfer no later than February 24, 2004.

Comment Date: February 3, 2004.

2. Duquesne Power, L.P.

[Docket No. EG04-21-000]

On December 15, 2003, Duquesne Power, L.P. (Duquesne Power) filed a request for a refund of filing fee in the above-referenced proceeding. In its filing, Duquesne Power states that it inappropriately paid to the Commission a filing fee of \$870,000.

On December 8, 2003, Duquesne Power filed an application for Determination of Status as an Exempt Wholesale Generator (EWG) pursuant to section 32 of the Public Utility Holding Company Act of 1935, as amended. With its application, Duquesne Power paid the \$870.00 filing fee pursuant to 18 CFR 381.801 (2003). Section 381.801 states that the filing fee is "applicable to applicants who will not become public utilities as defined in section 201(e) of the Federal Power Act (FPA) upon sale of energy as wholesale." Duquesne

Power will be a public utility as defined in section 201(e) of the FPA upon the sale of electric energy at wholesale, and thus no fee is required in connection with its application.

For good cause shown, the request is granted and the refund will be processed accordingly. The refund will be made payable to "Duquesne Power, L.P." and will be forwarded to Paul Silverman, Skadden, Arps, Slate, Meagher & Flom LLP, 1440 New York Avenue, NW., Washington, DC 20005-2111.

3. Rolling Hills Landfill Gas, LLC

[Docket No. EG04-30-000]

On January 13, 2004, Rolling Hills Landfill Gas, LLC (Rolling Hills), a Delaware limited liability company, with its principal place of business at 578 Longview Road, Boyerstown, Pennsylvania 19512, filed with the Federal Energy Regulatory Commission an application for a determination of exempt wholesale generator status pursuant to Part 365 of the Commission's regulations.

Rolling Hills states that copies of the application have been served upon the Securities and Exchange Commission and the Virginia State Corporation Commission.

Rolling Hills states that it will own or lease and operate an approximately 6 MW facility in Berks County, Pennsylvania. The facility is expected to commence commercial operations in August 2004.

Comment Date: February 3, 2004.

4. Fauquier Landfill Gas, LLC

[Docket No. EG04-31-000]

On January 13, 2004 Fauquier Landfill Gas, LLC (Fauquier), a Delaware limited liability company, with its principal place of business at Box 1017, Warrenton, Virginia, 20186, filed with the Federal Energy Regulatory Commission an application for a determination of exempt wholesale generator status pursuant to Part 365 of the Commission's regulations.

Fauquier states that copies of the application have been served upon the Securities and Exchange Commission and the Virginia State Corporation Commission.

Applicant will own or lease and operate an approximately 3 MW facility in Fauquier County, Virginia. The facility is expected to commence commercial operations in April 2004.

Comment Date: February 3, 2004.