

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

[Docket No. EG99-5-000, et al.]

**Bear Swamp II LLC, et al.; Electric Rate and Corporate Regulation Filings**

October 2, 1998.

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

**1. Bear Swamp II LLC**

[Docket No. EG99-5-000]

Take notice that on October 1, 1998, Bear Swamp II LLC (Applicant) 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.

The Applicant is the beneficial owner of Bear Swamp Generating Trust No. 2, a Delaware business trust created to purchase an undivided interest in the Bear Swamp Facility, an approximately 597 megawatt (MW) fully automated pumped storage electric power generating facility on the Deerfield River in the towns of Rowe and Florida, Massachusetts.

*Comment date:* October 23, 1998, 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. New England Power Company**

[Docket No. ER98-4409-000]

Take notice that on September 29, 1998, New England Power Company (NEP), filed an amendment to its August 31, 1998, filing in this docket.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

**3. TransAlta Energy Marketing (U.S.) Inc.**

[Docket No. ER98-4651-000]

Take notice that on September 29, 1998, TransAlta Energy Marketing (U.S.) Inc. (TEMUS), filed an amendment to its filing in the above-captioned docket.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

**4. Public Service Company of New Mexico**

[Docket No. ER98-4677-000]

Take notice that on September 29, 1998, Public Service Company of New Mexico (PNM), tendered for filing a mutual netting/close-out agreement between PNM and Enserch Energy Services, Inc. (Enserch).

PNM requested waiver of the Commission's notice requirement so that service under the PNM/Enserch netting agreement may be effective as of September 25, 1998.

Copies of the filing were served on Enserch and the New Mexico Public Utility Commission.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

**5. Public Service Company of New Mexico**

[Docket No. ER98-4678-000]

Take notice that on September 29, 1998, Public Service Company of New Mexico (PNM), tendered for filing a mutual netting/close-out agreement between PNM and Illinova Energy Partners (Illinova).

PNM requested waiver of the Commission's notice requirement so that service under the PNM/Illinova netting agreement may be effective as of September 28, 1998.

Copies of the filing were served on Illinova and the New Mexico Public Utility Commission.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

**6. Public Service Company of New Mexico**

[Docket No. ER98-4679-000]

Take notice that on September 29, 1998, Public Service Company of New Mexico (PNM), tendered for filing a mutual netting/close-out agreement between PNM and Tractebel Energy Marketing, Inc., (Tractebel).

PNM requested waiver of the Commission's notice requirement so that service under the PNM/Tractebel netting agreement may be effective as of September 25, 1998.

Copies of the filing were served on Tractebel and the New Mexico Public Utility Commission.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

**7. Consolidated Edison Company of New York, Inc.**

[Docket No. ER98-4680-000]

Take notice that on September 29, 1998, Consolidated Edison Company of New York, Inc. (Con Edison), tendered for filing a Supplement to its Rate Schedule, Con Edison Rate Schedule FERC No. 123, a facilities agreement with Central Hudson Gas and Electric Corporation (CH). The Supplement provides for a decrease in the monthly carrying charges.

Con Edison has requested that this decrease take effect as of July 1, 1998.

Con Edison states that a copy of this filing has been served by mail upon CH.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

**8. American Electric Power Service Corporation**

[Docket No. ER98-4681-000]

Take notice that on September 29, 1998, the American Electric Power Service Corporation (AEPSC), tendered for filing service agreements under the Wholesale Market Tariff of the AEP Operating Companies (Power Sales Tariff) with Central Illinois Public Service Company and TransAlta Energy Marketing (U.S.) Inc. The Power Sales Tariff was accepted for filing effective October 10, 1997 and has been designated AEP Operating Companies' FERC Electric Tariff Original Volume No. 5.

AEPSC respectfully requests waiver of notice to permit the service agreements to be made effective for service as specified in the submittal letter to the Commission with this filing.

A copy of the filing was served upon the Parties and the State Utility Regulatory Commissions of Indiana, Kentucky, Michigan, Ohio, Tennessee, Virginia and West Virginia.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

**9. Illinois Power Company**

[Docket No. ER98-4682-000]

Take notice that on September 29, 1998, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 62526, tendered for filing a Power Sales Tariff, Unexecuted Service Agreement under which Vitrol Gas & Electric, LLC, 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 September 1, 1998.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

**10. New England Power Company**

[Docket No. ER98-4683-000]

Take notice that on September 28, 1998, New England Power Company (NEP), tendered for filing service agreements (and related Network Operating Agreements) for Network Integration Transmission Service under NEP's Open Access Transmission Tariff, FERC Electric Tariff, Original Volume No. 9 (Tariff No. 9) between NEP and: (i) USGen New England, Inc.; (ii) PG&E

Energy Services, and (iii) Boston Edison Company.

NEP seeks effective date of September 1, 1998, the date service commenced, for the service agreements. NEP respectfully requests waiver of the Commission's 60-day advance notice requirements.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### **11. Washington Water Power Company**

[Docket No. ER98-4684-000]

Take notice that on September 29, 1998, Washington Water Power, tendered for filing with the Federal Energy Regulatory Commission pursuant to 18 CFR Section 35.13, an unexecuted Service Agreement under WWP's FERC Electric Tariff First Revised Volume No. 9, with Illinova Energy Partners.

WWP requests waiver of the prior notice requirements and that the unexecuted Service be accepted for filing effective August 29, 1998.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### **12. ACN Power, Inc.**

[Docket No. ER98-4685-000]

Take notice that on September 29, 1998, ACN Power, Inc. (ACN Power), petitioned the Commission for acceptance of ACN Power Rate Schedule FERC 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.

ACN Power intends to engage in wholesale electric power and energy purchases and sales as a marketer. ACN Power is not in the business of generating or transmitting electric power. ACN Power is a wholly-owned subsidiary of ACN Utility Services, Inc. ACN Utility Services, Inc., is a wholly owned subsidiary of American Communications Network, Inc., which is primarily engaged in the marketing of long distance telephone, paging and internet services.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### **13. Northern Indiana Public Service Company**

[Docket No. ER98-4686-000]

Take notice that on September 29, 1998, Northern Indiana Public Service Company tendered for filing an executed Standard Transmission Service Agreement for Non-Firm Point-to-Point Transmission Service between

Northern Indiana Public Service Company and PG&E Energy Trading—Power, L.P., (PGET).

Under the Transmission Service Agreement, Northern Indiana Public Service Company will provide Point-to-Point Transmission Service to PGET pursuant to the Transmission Service Tariff filed by Northern Indiana Public Service Company in Docket No. OA96-47-000 and allowed to become effective by the Commission.

Northern Indiana Public Service Company has requested that the Service Agreement be allowed to become effective as of September 30, 1998.

Copies of this filing have been sent to the Indiana Utility Regulatory Commission and the Indiana Office of Utility Consumer Counselor.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### **14. Tampa Electric Company**

[Docket No. ER98-4687-000]

Take notice that on September 29, 1998, Tampa Electric Company (Tampa Electric), tendered for filing a letter agreement with the Reedy Creek Improvement District (RCID) that provides for termination of an existing letter of commitment between them, and a notice of termination of the letter of commitment.

Tampa Electric proposes that the letter agreement be made effective on September 30, 1998, and the termination of the letter of commitment be made effective on October 1, 1998, and therefore requests waiver of the Commission's notice requirements.

Copies of the letter agreement and the notice of termination have been served on RCID and the Florida Public Service Commission.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### **15. Northern Indiana Public Service Company**

[Docket No. ER98-4688-000]

Take notice that on September 29, 1998, Northern Indiana Public Service Company tendered for filing an executed Sales Service Agreement and an executed Standard Transmission Service Agreement for Non-Firm Point-to-Point Transmission Service between Northern Indiana Public Service Company and OGE Energy Resources, Inc., (OERI).

Under the Transmission Service Agreement, Northern Indiana Public Service Company will provide Point-to-Point Transmission Service to OERI pursuant to the Open-Access

Transmission Tariff filed by Northern Indiana Public Service Company in Docket No. OA96-47-000 and allowed to become effective by the Commission. Under the Sales Service Agreement, Northern Indiana Public Service Company will provide general purpose energy and negotiated capacity to OERI pursuant to the Wholesale Sales Tariff filed by Northern Indiana Public Service Company in Docket No. ER95-1222-000 as amended by the Commission's order in Docket No. ER97-458-000 and allowed to become effective by the Commission. Northern Indiana Public Service Company has requested that the Service Agreements be allowed to become effective as of September 30, 1998.

Copies of this filing have been sent to the Indiana Utility Regulatory Commission and the Indiana Office of Utility Consumer Counselor.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### **16. PJM Interconnection, LLC**

[Docket No. ER98-4689-000]

Take notice that on September 29, 1998, PJM Interconnection, LLC (PJM), tendered for filing one executed service agreement with Old Dominion Electric Cooperative for network integration transmission service under the PJM Open Access Transmission Tariff. PJM requests a waiver of 18 CFR 35.3 to permit an effective date of September 1, 1998, for the Service Agreement.

Copies of this filing were served upon Old Dominion Electric Cooperative and the pertinent state electric utility regulatory commissions.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### **17. New England Power Company**

[Docket No. ER98-4699-000]

Take notice that on September 29, 1998, New England Power Company (NEP), tendered for filing an Amendment to its FERC Rate Schedule No. 489, NEP's Nuclear Wholesale Agreement with USGen New England, Inc.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

#### **18. Tampa Electric Company**

[Docket No. ER98-4700-000]

Take notice that on September 29, 1998, Tampa Electric Company (Tampa Electric), tendered for filing an amendment to its contract for the sale and purchase of capacity and energy with the Reedy Creek Improvement

District (RCID). Tampa Electric proposes that the amendment be made effective on November 28, 1998.

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

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

**19. Allegheny Power Service Corporation, on behalf of Monongahela Power Co., The Potomac Edison Company and West Penn Power Company (Allegheny Power)**

[Docket No. OA97-117-007]

Take notice that on September 29, 1998, Allegheny Power Service Corporation on behalf of Monongahela Power Company, The Potomac Edison Company and West Penn Power Company and their Utility and Nonutility Affiliates (Allegheny Power) tendered for filing a revision to their Standards of Conduct. This filing is intended to comply with the Commission's order issued on July 31, 1998, in Docket No. OA97-117-001.

Copies of the filing have been provided to the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the Maryland Public Service Commission, the Virginia State Corporation Commission, the West Virginia Public Service Commission, and all parties of record.

*Comment date:* October 19, 1998, in accordance with Standard Paragraph E at the end of this notice.

**Standard Paragraphs**

E. Any person desiring to be heard or to protest said 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 18 CFR 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.

**David P. Boergers,**  
*Secretary.*

[FR Doc. 98-27001 Filed 10-7-98; 8:45 am]

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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. ER98-899-000, et al.]

**California Independent System Operator Corporation, et al.; Electric Rate and Corporate Regulation Filings**

September 30, 1998.

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

**1. California Independent System Operator Corporation**

[Docket Nos. ER98-899-000 and ER98-1923-001]

Take notice that on September 25, 1998, the California Independent System Operator Corporation (ISO), tendered for filing the revised and executed Uniform Distribution Company Operating Agreement between the City of Anaheim and the ISO for acceptance by the Commission. The ISO states that this filing revises the Uniform Distribution Company Operating Agreement, as directed by the Commission, to comply with the Commission's order issued December 17, 1997 in *Pacific Gas and Electric Co.*, 81 FERC ¶ 61,320 (1997).

The ISO states that this filing has been served on all parties listed on the official service list in the above-referenced dockets.

*Comment date:* October 15, 1998, in accordance with Standard Paragraph E at the end of this notice.

**2. Clinton Energy Management Services, Inc.**

[Docket No. ER98-4653-000]

Take notice that on September 25, 1998, Clinton Energy Management Services, Inc., submitted a filing, in compliance with the Commission's Order of September 4, 1998, in Docket No. ER98-3934-000.

*Comment date:* October 15, 1998, in accordance with Standard Paragraph E at the end of this notice.

**3. California Independent System Operator Corporation**

[Docket No. ER98-4654-000]

Take notice that on September 25, 1998, the California Independent System Operator Corporation (ISO), tendered for filing a Meter Service Agreement for Scheduling Coordinators between the ISO and the City of Anaheim (Anaheim) for acceptance by the Commission.

The ISO states that this filing has been served on Anaheim and the California Public Utilities Commission.

*Comment date:* October 15, 1998, in accordance with Standard Paragraph E at the end of this notice.

**4. New York State Electric & Gas Corporation**

[Docket No. ER98-4655-000]

Take notice that on September 25, 1998, that New York State Electric & Gas Corporation (NYSEG), tendered for filing a supplement and amendment to its Agreement with Consolidated Edison Company of New York, Inc. (Con Edison), designated Rate Schedule FERC No. 87. The supplement is made pursuant to the rate update provisions of the rate schedule.

NYSEG requests an effective date of September 1, 1998, and therefore requests waiver of the Commission's notice requirements.

Copies of the filing were served upon Consolidated Edison Company of New York and on the Public Service Commission of the State of New York.

*Comment date:* October 15, 1998, in accordance with Standard Paragraph E at the end of this notice.

**5. Northern States Power Company (Minnesota Company), Northern States Power Company (Wisconsin Company)**

[Docket No. ER98-4656-000]

Take notice that on September 25, 1998, Northern States Power Company (Minnesota) and Northern States Power Company (Wisconsin) (collectively known as NSP), tendered for filing an Electric Service Agreement between NSP and Rainbow Energy Marketing Corporation (Customer). This Electric Service Agreement is an enabling agreement under which NSP may provide to Customer the electric services identified in NSP Operating Companies Electric Services Tariff original Volume No. 4.

NSP requests that this Electric Service Agreement be made effective on August 31, 1998.

*Comment date:* October 15, 1998, in accordance with Standard Paragraph E at the end of this notice.

**6. Northern States Power Company (Minnesota Company), Northern States Power Company (Wisconsin Company)**

[Docket No. ER98-4657-000]

Take notice that on September 25, 1998, Northern States Power Company (Minnesota) and Northern States Power Company (Wisconsin) (collectively known as NSP), tendered for filing a Short-Term Market-Based Electric Service Agreement between NSP and Rainbow Energy Marketing Corporation (Customer).

NSP requests that this Short-Term Market-Based Electric Service