

P-2619, 008, Nantahala Power & Light Company  
 P-2639, 011, Wisconsin Electric Power Company  
 P-2645, 104, Erie Boulevard Hydropower, L.P.  
 P-2651, 019, Indiana Michigan Power Company  
 P-2661, 014, Pacific Gas and Electric Company  
 P-2669, 027, USGen New England, Inc.  
 P-2670, 017, Northern States Power Company  
 P-2686, 026, Nantahala Power & Light Company  
 P-2687, 020, Pacific Gas and Electric Company  
 P-2692, 027, Nantahala Power & Light Company  
 P-2696, 016, Erie Boulevard Hydropower, L.P.  
 P-2697, 012, Northern States Power Company  
 P-2698, 027, Nantahala Power & Light Company  
 P-2701, 041, Erie Boulevard Hydropower, L.P.  
 P-2713, 060, Erie Boulevard Hydropower, L.P.  
 P-2735, 069, Pacific Gas and Electric Company  
 P-2740, 045, Duke Power, a Division of Duke Energy Corporation  
 P-2837, 017, Erie Boulevard Hydropower, L.P.  
 P-4472, 022, Erie Boulevard Hydropower, L.P.  
 P-5984, 038, Erie Boulevard Hydropower, L.P.  
 P-7320, 022, Erie Boulevard Hydropower, L.P.  
 P-7387, 015, Erie Boulevard Hydropower, L.P.  
 P-11408, 036, Erie Boulevard Hydropower, L.P.

H-2.  
 Docket# P-18, 064, Idaho Power Company

H-3.  
 Docket# P-2899, 102, Idaho Power Company and Milner Dam, Inc.

H-4.  
 Docket# P-4515, 010, Eric R. Jacobson  
 Other#s P-4515, 014, Eric R. Jacobson

H-5.  
 Omitted

H-6.  
 Docket# P-2145, 041, Public Utility District No. 1 of Chelan County, Washington

H-7.  
 Docket# P-2114, 091, Public Utility District No. 2 of Grant County, Washington

H-8.  
 Docket# P-11907, 000, Town of Bristol, New Hampshire

H-9.  
 Docket# P-11901, 000, Town of Bristol, New Hampshire

#### Energy Projects—Certificates

C-1.  
 Omitted

C-2.  
 Docket# CP98-200, 004, National Fuel Gas Supply Corporation

C-3.  
 Docket# RM99-5, 003, Regulations Under the Outer Continental Shelf Lands Act Governing the Movement of Natural Gas and Facilities on the Outer Continental Shelf

C-4.  
 Docket# CP01-90, 001, El Paso Natural Gas Company  
 Other#s RP00-336, 004, El Paso Natural Gas Company

C-5.  
 Docket# CP00-387, 001, PNM Gas Services, a Division of Public Service Company of New Mexico and PNM Electric and Gas Services, Inc.  
 Other#s CP00-388, 001, PNM Gas Services, a Division of Public Service Company of New Mexico and PNM Electric and Gas Services, Inc.  
 CP00-397, 001, PNM Gas Services, a Division of Public Service Company of New Mexico and PNM Electric and Gas Services, Inc.

#### Miscellaneous

M-1.  
 Docket# RM01-10, 000, Standards of Conduct for Transmission Providers

M-2.  
 Docket# RM01-11, 000, Electronic Service

**David P. Boergers,**

*Secretary.*

[FR Doc. 01-22831 Filed 9-10-01; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Southwestern Power Administration

#### Robert Douglas Willis Power Rate Schedule

**AGENCY:** Southwestern Power Administration, DOE.

**ACTION:** Notice of rate increase.

**SUMMARY:** Pursuant to Delegation Order No. 0204-172, November 24, 1999, the Deputy Secretary of Energy has approved and placed into effect on an interim basis Rate Order No. SWPA-46 which increases the power rate for the Robert Douglas Willis Hydropower (Robert D. Willis) Project pursuant to the following Robert D. Willis Rate Schedule:

Rate Schedule RDW-01, Wholesale Rates for Hydro Power and Energy Sold to Sam Rayburn Municipal Power Agency (Contract No. DE-PM75-85SW00117)

**FOR FURTHER INFORMATION CONTACT:** Mr. Forrest E. Reeves, Assistant Administrator, Office of Corporate Operations, Southwestern Power Administration, Department of Energy, One West Third Street, Tulsa, OK 74103-3519, (918) 595-6696, [reeves@swpa.gov](mailto:reeves@swpa.gov).

**SUPPLEMENTARY INFORMATION:** The existing hydroelectric power rate for the

Robert D. Willis project is \$337,932 per year. The rate was approved on a final basis by the Federal Energy Regulatory Commission on January 20, 2000, for the period ending September 30, 2003. The FY 2001 Robert D. Willis Power Repayment Studies indicates the need for an increase in the annual rate by \$15,768 or 4.7 percent beginning October 1, 2001.

The Administrator, Southwestern Power Administration (Southwestern) has followed Title 10, Part 903 Subpart A, of the Code of Federal Regulations, "Procedures for Public Participation in Power and Transmission Rate Adjustments and Extensions" (Part 903) in connection with the proposed rate schedule. On May 11, 2001, Southwestern published notice in the **Federal Register**, 66 FR 24132, of a 90-day comment period, together with a Public Information Forum and a Public Comment Form, to provide an opportunity for customers and other interested members of the public to review and comment on a proposed rate increase for the Robert D. Willis project. Both public forums were canceled when no one expressed an intention to participate. Written comments were accepted through August 9, 2001. One comment was received from Gillis & Angley, Counsellors at Law, on behalf of Sam Rayburn Municipal Power Agency (SRMPA), which stated that SRMPA (the sole customer) had no objection to the proposed rate adjustment.

Information regarding this rate proposal, including studies and other supporting material, is available for public review and comment in the offices of Southwestern Power Administration, Suite 1400, One West Third Street, Tulsa, Oklahoma 74103.

Following review of Southwestern's proposal within the Department of Energy, I approved Rate Order No. SWPA-46, which increases the existing Robert D. Willis rate to \$353,700 per year for the period October 1, 2001, through September 30, 2005.

Dated: August 29, 2001.

**Francis S. Blake,**  
*Deputy Secretary.*

#### Order Confirming, Approving and Placing Increased Power Rate Schedule in Effect on an Interim Basis

[Rate Order No. SWPA-46]

Pursuant to sections 301(b) and 302(a) of the Department of Energy Organization Act, Public Law 95-91, the functions of the Secretary of the Interior and the Federal Power Commission under section 5 of the Flood Control Act of 1944, 16 U.S.C. 825s, for the Southwestern Power Administration

(Southwestern) were transferred to and vested in the Secretary of Energy. By Delegation Order No. 0204-108, effective December 14, 1983, 48 FR 55664, the Secretary of Energy delegated to the Deputy Secretary of Energy on a non-exclusive basis the authority to confirm, approve and place power and transmission rates into effect on an interim basis, and delegated to the Federal Energy Regulatory Commission (FERC) on an exclusive basis the authority to confirm, approve and place in effect on a final basis, or to disapprove power and transmission rates. Amendment No. 1 to Delegation Order No. 0204-108, effective May 30, 1986, 51 FR 19744, revised the delegation of authority to confirm, approve and place power and transmission rates into effect on an interim basis by delegating such authority to the Under Secretary of Energy. This delegation was reassigned to the Deputy Secretary of Energy by Department of Energy (DOE) Notice 1110.29, dated October 27, 1988, and clarified by Secretary of Energy Notice SEN-10-89, dated August 3, 1989, and subsequent revisions. By Amendment No. 2 to Delegation Order No. 0204-108, effective August 23, 1991, 56 FR 41835, the Secretary of the Department of Energy delegated to the Assistant Secretary, Conservation and Renewable Energy, the authority which was previously delegated to the Deputy Secretary in that Delegation Order. By Amendment No. 3 to Delegation Order No. 0204-108, effective November 10, 1993, the Secretary of Energy re-delegated to the Deputy Secretary of Energy, the authority to confirm, approve and place power and transmission rates of the Power Marketing Administrations into effect on an interim basis. By notice, dated April 15, 1999, the Secretary of Energy rescinded the authority of the Deputy Secretary of Energy under Delegation Order No. 0204-108. By Delegation Order No. 0204-172, effective November 24, 1999, the Secretary of Energy again provided interim rate approval authority to the Deputy Secretary of Energy.

### Background

Dam B (Town Bluff Dam), located on the Neches River in eastern Texas downstream from the Sam Rayburn Dam, was originally constructed in 1951 by the U.S. Army Corps of Engineers (Corps) and provides streamflow regulation of releases from the Sam Rayburn Dam. The Lower Neches Valley Authority contributed funds toward construction of both projects and makes established annual payments for the

right to withdraw up to 2000 cubic feet of water per second from Town Bluff Dam for its own use. Power was legislatively authorized at the project, but installation of hydroelectric facilities was deferred until justified by economic conditions. A determination of feasibility was made in a 1982 Corps study. In 1983, the Sam Rayburn Municipal Power Agency (SRMPA) proposed to sponsor and finance the development at Town Bluff Dam in return for the output of the project to be delivered to its member municipalities and participating member cooperatives of the Sam Rayburn Dam Electric Cooperative. Since the hydroelectric facilities at the Town Bluff Dam have been completed, the facilities have been renamed the Robert Douglas Willis Hydropower Project (Robert D. Willis).

The Robert D. Willis rate is unique in that it excludes the costs associated with the hydropower design and construction performed by the Corps, because all funds for these costs were provided by SRMPA. Under the Southwestern/SRMPA power sales Contract No. DE-PM75-85SW00117, SRMPA will continue to pay all annual operating and marketing costs, as well as expected capital replacement costs, through the rate paid to Southwestern, and will receive all power and energy produced at the project for a period of 50 years.

The existing rate for the Robert D. Willis project was approved by the Federal Energy Regulatory Commission (FERC) on January 20, 2000, for the period October 1, 1999, through September 30, 2003.

### Discussion

The 2001 Current Robert D. Willis PRS tests the adequacy of the existing rate, based on the latest cost evaluation period extending from FY 2001 through FY 2005, to cover annual expenses for marketing, operation and maintenance, and to amortize additions to plant and major replacements of the generating facilities. The Current PRS for the Robert D. Willis project, using the existing annual rate of \$337,932, indicates that the legal requirements to repay all costs will not be met without additional revenue. This shortfall is primarily a result of increased operations and maintenance expenses estimated by the Corps. The Revised PRS shows that an additional \$15,768 (4.7 percent) annually is needed to satisfy repayment criteria. Accordingly, Southwestern developed a rate schedule with a proposed annual rate of \$353,700 that would satisfy repayment criteria.

Pursuant to Title 10, Part 903, Subpart A of the Code of Federal Regulations (10

CFR 903.21), "Procedures for Public Participation in Power and Transmission Rate Adjustments and Extensions", 50 FR 37837, the Administrator, published notice in the **Federal Register** on May 11, 2001, 66 FR 24132, announcing a 90-day period for public review and comment concerning the proposed interim rate increase. Southwestern provided notice of the **Federal Register**, together with supporting data, to the customer and interested parties for review and comment during the formal period of public participation. In addition, prior to the formal 90-day public participation process, Southwestern met with the customer and their representative to discuss with them preliminary information on the proposed rate adjustment. As there was no request for public forums, none were held. One formal comment was received on behalf of the sole customer SRMPA, that expressed no objection to the proposed rate.

Upon conclusion of the comment period, Southwestern finalized the Power Repayment Studies and rate schedule for the proposed annual rate of \$353,700 which is the lowest possible rate needed to satisfy repayment criteria. This rate represents an increase of 4.7 percent over the existing rate.

Information regarding this rate increase, including studies and other supporting material, is available for public review and comment in the offices of Southwestern Power Administration, One West Third Street, Tulsa, Oklahoma 74103-3519.

### Comments and Responses

Southwestern received one written comment in which the customer representative expressed no objection to the proposed rate adjustment.

### Other Issues

There were no other issues raised during the informal meeting or during the formal public participation period.

### Administrator's Certification

The FY 2001 Revised Robert D. Willis PRS indicates that the annual power rate of \$353,700 will repay all costs of the project, including amortization of additions to plant and major replacements of the generating facilities consistent with provisions of the Department of Energy (DOE) Order No. RA 6120.2. In accordance with Delegation Order No. 0204-172, November 24, 1999, and Section 5 of the Flood Control Act of 1944, the Administrator has determined that the proposed Robert D. Willis power rate is consistent with applicable law and the

lowest possible rate consistent with sound business principles.

### Environment

The environmental impact of the rate increase proposal was evaluated in consideration of DOE's guidelines for implementing the procedural provisions of the National Environmental Policy Act, 10 CFR 1021, and was determined to fall within the class of actions that are categorically excluded from the requirements of preparing either an Environmental Impact Statement or an Environmental Assessment.

### Order

In view of the foregoing and pursuant to the authority delegated to me by the Secretary of Energy, I hereby confirm, approve and place in effect on an interim basis, for the period October 1, 2001, through September 30, 2005, the annual Robert D. Willis rate of \$353,700 for the sale of power and energy from Robert D. Willis project to the Sam Rayburn Municipal Power Agency, under Contract No. DE-PM75-85SW00117, as amended. This rate shall remain in effect on an interim basis through September 30, 2005, or until the FERC confirms and approves the rate on a final basis.

Dated: August 29, 2001.

**Francis S. Blake,**

*Deputy Secretary.*

[FR Doc. 01-22698 Filed 9-10-01; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Southwestern Power Administration

#### Sam Rayburn Dam Power Rate Schedules

**AGENCY:** Southwestern Power Administration, DOE.

**ACTION:** Notice of rate decrease.

**SUMMARY:** Pursuant to Delegation Order No. 0204-172, November 24, 1999, the Deputy Secretary of Energy has approved and placed into effect on an interim basis Rate Order No. SWPA-47 which decreases the power rate for the Sam Rayburn Dam Hydropower Project (Rayburn) pursuant to the following Sam Rayburn Dam Rate Schedule:

Rate Schedule SRD-01, Wholesale Rates for Hydro Power and Energy Sold to Sam Rayburn Dam Electric Cooperative, Inc., (Contract No. DE-PM75-92SW00215)

**FOR FURTHER INFORMATION CONTACT:** Mr. Forrest E. Reeves, Assistant Administrator, Office of Corporate Operations, Southwestern Power Administration, Department of Energy,

One West Third Street, Tulsa, OK 74103-3519, (918) 595-6696, [reeves@swpa.gov](mailto:reeves@swpa.gov).

**SUPPLEMENTARY INFORMATION:** The existing hydroelectric power rate for the Rayburn project is \$2,168,136 per year. The rate was approved on a final basis by the Federal Energy Regulatory Commission on December 7, 1994, for the period ending September 30, 1998. The rate was extended for three years, in one-year intervals, with the most recent effective October 1, 2000, through September 30, 2001, in accordance with the Secretary of Energy's interim approval, dated September 15, 2000, 65 FR 55953. The FY 2001 Rayburn Power Repayment Studies indicate the need for a decrease in the annual rate of \$90,504, or 4.2 percent beginning October 1, 2001.

The Administrator, Southwestern Power Administration (Southwestern) has followed Title 10, Part 903 Subpart A, of the Code of Federal Regulations, "Procedures for Public Participation in Power and Transmission Rate Adjustments and Extensions" (Part 903) in connection with the proposed rate schedule. On May 11, 2001, Southwestern published notice in the **Federal Register**, 66 FR 24132, of a 90-day comment period, together with a Public Information Forum and a Public Comment Forum, to provide an opportunity for customers and other interested members of the public to review and comment on a proposed rate decrease for the Rayburn project. Both public forums were canceled when no one expressed an intention to participate. Written comments were accepted through August 9, 2001. Only one comment was received from Gillis & Angley, Counsellors at Law, on behalf of Sam Rayburn Dam Electric Cooperative, Inc. (SRDEC), which stated that SRDEC (the sole customer) had no objection to the proposed rate adjustment.

Information regarding this rate proposal, including studies and other supporting material, is available for public review and comment in the offices of Southwestern Power Administration, Suite 1400, One West Third Street, Tulsa, Oklahoma 74103.

Following review of Southwestern's proposal within the Department of Energy, I approved Rate Order No. SWPA-47, which decreases the existing Rayburn rate to \$2,077,632 per year for the period October 1, 2001, through September 30, 2005.

Dated: August 29, 2001.

**Francis S. Blake,**  
*Deputy Secretary.*

#### Order Confirming, Approving and Placing Decreased Power Rate Schedule in Effect on an Interim Basis

[Rate Order No. SWPA-47]

Pursuant to sections 301(b) and 302(a) of the Department of Energy Organization Act, Public Law 95-91, the functions of the Secretary of the Interior and the Federal Power Commission under section 5 of the Flood Control Act of 1944, 16 U.S.C. 825s, for the Southwestern Power Administration (Southwestern) were transferred to and vested in the Secretary of Energy. By Delegation Order No. 0204-108, effective December 14, 1983, 48 FR 55664, the Secretary of Energy delegated to the Deputy Secretary of Energy on a non-exclusive basis the authority to confirm, approve and place power and transmission rates into effect on an interim basis, and delegated to the Federal Energy Regulatory Commission (FERC) on an exclusive basis the authority to confirm, approve and place in effect on a final basis, or to disapprove power and transmission rates. Amendment No. 1 to Delegation Order No. 0204-108, effective May 30, 1986, 51 FR 19744, revised the delegation of authority to confirm, approve and place into effect on an interim basis power and transmission rates by delegating such authority to the Under Secretary of Energy. This delegation was reassigned to the Deputy Secretary of Energy by Department of Energy (DOE) Notice 1110.29, dated October 27, 1988, and clarified by Secretary of Energy Notice SEN-10-89, dated August 3, 1989, and subsequent revisions. By Amendment No. 2 to Delegation Order No. 0204-108, effective August 23, 1991, 56 FR 41835, the Secretary of the Department of Energy delegated to the Assistant Secretary, Conservation and Renewable Energy, the authority which was previously delegated to the Deputy Secretary in that Delegation Order. By Amendment No. 3 to Delegation Order No. 0204-108, effective November 10, 1993, the Secretary of Energy re-delegated to the Deputy Secretary of Energy, the authority to confirm, approve and place into effect on an interim basis power and transmission rates of the Power Marketing Administrations. By notice, dated April 15, 1999, the Secretary of Energy rescinded the authority of the Deputy Secretary of Energy under Delegation Order No. 0204-108. By Delegation Order No. 0204-172, effective