

and procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before December 21, 2001. Protests will be considered by the Commission to determine 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 also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). 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.

Linwood A. Watson, Jr.,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 12020-000 Illinois]

Marseilles Hydro Power LLC; Notice of Rejection of Notices of Intent To File Competing Applications and Waiver of Section 4.36

December 11, 2001.

Pursuant to the notice of acceptance of application for the Marseilles Hydroelectric Project, issued August 16, 2001 by the Federal Energy Regulatory Commission (Commission), the following filings have been received: (1) Marseilles Land and Water Company (MLWC) September 18, 2001 filing for waiver of the requirements of § 4.36 of the Commission's regulations establishing deadlines for the filing of applications with an initial preliminary permit application; and (2) the three October 15, 2001 notices of intent to file competing development applications filed by MLWC, Fountainhead Properties LLC, and City of Oglesby, Illinois, respectively.

Background

On May 14, 2001, Marseilles Hydro Power LLC (MHP) filed its application for license for the Marseilles Hydroelectric Project, FERC No. 12020, pursuant to the notice of intent it had filed in response to the Commission's notice of filing of an application for preliminary permit, FERC Project No.

11863, by MLWC. The Commission issued a public notice that MHP's application for license for Project No. 12020 had been accepted for filing on August 16, 2001. The above mentioned subsequent filings were filed with the Commission.

Commission Conclusions

The Commission has previously addressed the situation of when an application for license may be filed in competition with an initial permit application.¹ The Commission has clearly specified that license applications filed in competition with an initial permit application are to be filed in response to the notice of the initial preliminary permit application, not subsequent notices of a competing license application as claimed by MLWC.

Therefore, the Commission rejects the pleadings of (1) MLWC's filing for waiver of the requirements of § 4.36; and (2) the three October 15, 2001 notices of intent to file competing development applications filed by MLWC, Fountainhead Properties LLC, and City of Oglesby, Illinois, respectively.

This notice constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of this issuance of this notice, pursuant to 18 CFR 385.713.

Linwood A. Watson, Jr.,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP02-117-000]

Nautilus Pipeline Company, L.L.C.; Notice of Proposed Changes in FERC Gas Tariff

December 11, 2001.

Take notice that on December 3, 2001, Nautilus Pipeline Company, L.L.C. (Nautilus) tendered for filing as part of its FERC Gas Tariff, Original Volume No. 1, the following tariff sheets to become effective on January 1, 2002:

First Revised Sheet No. 24
First Revised Sheet No. 257

Nautilus states that the purpose of this filing is to provide existing and new shippers an opportunity, under certain

specified circumstances, to release all or a part of production from a lease that was previously dedicated to Nautilus.

Nautilus states that a copy of this filing has been served upon its customers.

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 § 385.214 or § 385.211 of the Commission's rules and regulations. All such motions or protests must be filed in accordance with § 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. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01-31080 Filed 12-17-01; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP01-267-002]

Northern Border Pipeline Co.; Notice of Compliance Filing

December 11, 2001.

Take notice that on November 28, 2001, Northern Border Pipeline Company (Northern Border) tendered for filing to become part of its FERC Gas Tariff, First Revised Volume No. 1, the following tariff sheets effective April 1, 2001:

Second Revised Sheet No. 177
Fourth Revised Sheet No. 250A
Fifth Revised Sheet No. 251
Fifth Revised Sheet No. 253
Fourth Revised Sheet No. 266

Northern Border states that the purpose of this filing is to comply with the Commission's order dated November 8, 2001 in Docket No. RP01-267-001 (97 FERC ¶ 61,162).

¹ Order No. 413, FERC Stats. & Regs. Preambles 1982-1985, section 30,632 (March 20, 1985); and *Tropicana*, 65 FERC section 61,904 (1993).

Northern Border states that copies of this filing have been served on all parties on the Commission's service list for this proceeding.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with § 385.211 of the Commission's rules and regulations. All such protests must be filed in accordance with § 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. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). 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.

Linwood A. Watson, Jr.,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP02-116-000]

Northwest Pipeline Corp.; Notice of Proposed Changes in FERC Gas Tariff

December 11, 2001.

Take notice that on December 3, 2001, Northwest Pipeline Corporation (Northwest) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, the following tariff sheets, with an effective date of January 1, 2002:

Eighth Revised Sheet No. 6
Fifteenth Revised Sheet No. 14
Fifth Revised Sheet No. 15
Second Revised Sheet No. 115
Second Revised Sheet No. 116
Third Revised Sheet No. 117
Second Revised Sheet No. 118
First Revised Sheet No. 119
Eighth Revised Sheet No. 200
Third Revised Sheet No. 215
Eighth Revised Sheet No. 231
Fifth Revised Sheet No. 245
Fourth Revised Sheet No. 303-A
Original Sheet No. 359
Third Revised Sheet No. 360
Second Revised Sheet No. 361

First Revised Sheet No. 362

Northwest states that the purpose of this filing is to add a new rate schedule, Rate Schedule DEX-1, to Northwest's tariff for the deferred exchange of storage gas. This proposed rate schedule provides a mechanism for Northwest to increase the level of its system balancing gas in a particular gas storage facility without using mainline capacity to transport the gas from a storage facility on another part of its system.

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 § 385.214 or § 385.211 of the Commission's rules and regulations. All such motions or protests must be filed in accordance with § 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. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01-31079 Filed 12-17-01; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG01-44-000]

Oildale Energy LLC; Notice of Application for Commission Determination of Exempt Wholesale Generator Status

December 12, 2001.

Take notice that on December 6, 2001, Oildale Energy LLC (Applicant) filed with the Federal Energy Regulatory Commission (Commission) an Application for Determination of Exempt Wholesale Generator Status pursuant to part 365 of the Commission's regulations and section

32 of the Public Utility Holding Company Act of 1935, as amended.

Applicant is a California limited liability company that owns and operates a gas-fired topping-cycle cogeneration facility located in Oildale, Kern County, California (Facility) that operates in simple-cycle mode. The Facility produces steam and utilizes a high temperature fluid that is also supplied to the steam host as a heat transfer medium. The Facility generally produces about 40.6MW (gross) and 40.0 MW (net) of electricity and approximately 70,000 lbs/hr of high pressure steam while producing 30,000 lbs/hr of low pressure steam, and approximately 75 MMBtu/hr of thermal energy. The principal components of the Facility are a steam injected GE LM6000 gas turbine and a waste heat recovery steam generator capable of producing high and low pressure steam as well as heating a high temperature fluid. The Facility as currently configured includes certain transmission interconnection facilities necessary to effect the sale of electric energy at wholesale and interconnect the Facility to the transmission grid. All of the electricity generated by the Facility is sold exclusively at wholesale.

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, 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). All such motions and protests should be filed on or before January 2, 2002. Protests will be considered by the Commission to determine 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 also be viewed on the Commission's web site at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). 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.

Linwood A. Watson, Jr.,

Acting Secretary.

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