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**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-15146 Filed 6-25-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER09-1300-000]

#### GenConn Devon LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

June 19, 2009.

This is a supplemental notice in the above-referenced proceeding of GenConn Devon LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest 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). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is July 20, 2009.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission,

888 First St., NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-15147 Filed 6-25-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER02-2001-012; Docket No. ER07-1250-000]

#### Electric Quarterly Reports; PowerGrid Systems, Inc. Order on Intent To Revoke Market-Based Rate Authority

Issued June 22, 2009.

1. Section 205 of the Federal Power Act (FPA),<sup>1</sup> and the Commission's regulations at 18 CFR Part 35, require, among other things, that all rates, terms, and conditions of jurisdictional services be filed with the Commission. In Order No. 2001, the Commission revised its public utility filing requirements and established a requirement for public utilities, including power marketers, to file Electric Quarterly Reports summarizing the contractual terms and conditions in their agreements for all jurisdictional services (including market-based power sales, cost-based power sales, and transmission service) and providing transaction information (including rates) for short-term and long-term power sales during the most recent calendar quarter.<sup>2</sup>

2. Commission staff's review of the Electric Quarterly Report submittals indicates that one utility with authority to sell electric power at market-based

rates has failed to file its Electric Quarterly Reports. This order notifies PowerGrid Systems, Inc. (PowerGrid) that its market-based rate authorization will be revoked unless it complies with the Commission's requirements within 15 days of the date of issuance of this order.

3. In Order No. 2001, the Commission stated that,

[i]f a public utility fails to file a[n] Electric Quarterly Report (without an appropriate request for extension), or fails to report an agreement in a report, that public utility may forfeit its market-based rate authority and may be required to file a new application for market-based rate authority if it wishes to resume making sales at market-based rates.<sup>3</sup>

4. The Commission further stated that,

[o]nce this rule becomes effective, the requirement to comply with this rule will supersede the conditions in public utilities' market-based rate authorizations, and failure to comply with the requirements of this rule will subject public utilities to the same consequences they would face for not satisfying the conditions in their rate authorizations, including possible revocation of their authority to make wholesale power sales at market-based rates.<sup>4</sup>

5. Pursuant to these requirements, the Commission has revoked the market-based rate tariffs of several market-based rate sellers that failed to submit their Electric Quarterly Reports.<sup>5</sup>

6. As noted above, Commission staff's review of the Electric Quarterly Report submittals identified one public utility with authority to sell power at market-based rates that failed to file Electric Quarterly Reports through the first quarter of 2009. Commission staff contacted this entity to remind it of its regulatory obligations.<sup>6</sup> PowerGrid has not met those obligations.<sup>7</sup> Accordingly, this order notifies PowerGrid that its market-based rate authorization will be revoked unless it complies with the Commission's requirements within 15 days of the issuance of this order.

7. In the event that PowerGrid has already filed its Electric Quarterly Report in compliance with the Commission's requirements, its inclusion herein is inadvertent. We direct PowerGrid, within 15 days of the date of issuance of this order, to make a filing with the Commission identifying

<sup>3</sup> Order No. 2001 at P 222.

<sup>4</sup> *Id.* P 223.

<sup>5</sup> See, e.g., *Electric Quarterly Reports*, 73 Fed. Reg. 31460 (June 2, 2008); *Electric Quarterly Reports*, 115 FERC ¶ 61,073 (2006); *Electric Quarterly Reports*, 114 FERC ¶ 61,171 (2006).

<sup>6</sup> See *PowerGrid Systems, Inc.*, Docket No. ER07-1250-000 (April 22, 2009) (unpublished letter order).

<sup>7</sup> According to the Commission's records, PowerGrid last filed its Electric Quarterly Reports for the 3rd quarter of 2008.

<sup>1</sup> 16 U.S.C. 824d (2006).

<sup>2</sup> *Revised Public Utility Filing Requirements*, Order No. 2001, FERC Stats. & Regs. ¶ 31,127, *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074, *reconsideration and clarification denied*, Order No. 2001-B, 100 FERC ¶ 61,342, *order directing filing*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002), *order directing filing*, Order No. 2001-D, 102 FERC ¶ 61,334 (2003).

itself and providing details about its prior filings that establish that it complied with the Commission's Electric Quarterly Report filing requirements.

8. If PowerGrid does not wish to continue having market-based rate authority, it may file a notice of cancellation with the Commission pursuant to section 205 of the FPA to cancel its market-based rate tariff.

#### *The Commission Orders*

(A) Within 15 days of the date of issuance of this order, PowerGrid shall file with the Commission all delinquent Electric Quarterly Reports. If PowerGrid fails to make this filing, the Commission will revoke its authority to sell power at market-based rates and will terminate its electric market-based rate tariff. The Secretary is hereby directed, upon expiration of the filing deadline in this order, to promptly issue a notice, effective on the date of issuance, listing the public utility whose tariff has been revoked for failure to comply with the requirements of this order and the Commission's Electric Quarterly Report filing requirements.

(B) The Secretary is hereby directed to publish this order in the **Federal Register**.

By the Commission.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-15205 Filed 6-25-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. OR09-10-000]

#### Jayhawk Pipeline, L.L.C.; Notice of Request for Temporary Waiver of Tariff Filing and Reporting Requirements

June 19, 2009.

Take notice that on June 5, 2009, JayHawk Pipeline, L.L.C. (Jayhawk) pursuant to Rule 207(a)(2) of the Commission's Rules of Practice and Procedure, 18 CFR 385.204 (2007), tendered for filing an application for temporary waiver of the Interstate Commerce Act, Section 6 and Section 20 tariff filing and reporting requirements applicable to interstate common carrier pipelines.

Jayhawk stated that their pipeline facilities will be used exclusively for the transportation of crude oil to refineries owned by direct or indirect wholly-owned subsidiaries of National Cooperative Refinery Association to sole shareholder of Jayhawk.

Any person desiring to intervene or to protest this filing must file 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time on Friday, June 26, 2009

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-15143 Filed 6-25-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP09-435-000]

#### Transwestern Pipeline Company, LLC; Notice of Request Under Blanket Authorization

June 22, 2009.

Take notice that on June 17, 2009, Transwestern Pipeline Company, LLC (Transwestern), 711 Louisiana Street,

Houston, Texas 77002-2716, filed in Docket No. CP09-435-000, a prior notice request pursuant to sections 157.205 and 157.210 of the Federal Energy Regulatory Commission's regulations under the Natural Gas Act for authorization to place into service and operate the existing three 4,000 horsepower (HP) reciprocating gas engines, compressors, and ancillary facilities, located in Apache County, Arizona, all as more fully set forth in the application, which is on file with the Commission and open to public inspection. The filing may also be viewed on the Web 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, contact FERC at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (866) 208-3676 or TTY, (202) 502-8659.

Specifically, Transwestern proposes to return to service the existing three 4,000 HP reciprocating gas engines, compressors, and ancillary facilities at Transwestern's Compressor Station 4 that were abandoned under Docket No. CP08-51-000, to insure that Transwestern can maintain the capacity of up to 1,225,000 Dth/d. Transwestern states that during May 2009, Transwestern experienced operating issues with the electric units constructed under Docket No. CP08-51-000, including overheating due to poor ventilation in the compressor building and repairs to one of the electric units. Transwestern states that this proposal will not require any new construction, will have no impact to the quality of the environment, will not be detrimental to services provided, and will not disadvantage Transwestern's customers.

Any questions regarding the application should be directed to Kelly Allen, Manager of Certificates and Reporting, Transwestern Pipeline Company, LLC, 711 Louisiana Street, 9th Floor South Tower, Houston, Texas 77002-2716, or call (281) 714-2056, or by e-mail

[Kelly.Allen@energytransfer.com](mailto:Kelly.Allen@energytransfer.com).

Any person may, within 60 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention. Any person filing to intervene or the Commission's staff may, pursuant to section 157.205 of the Commission's Regulations under the Natural Gas Act (NGA) (18 CFR 157.205) file a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the