

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 comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

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, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5 p.m. Eastern Time on August 21, 2009.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. E9-19128 Filed 8-10-09; 8:45 am]
BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ES09-31-001]

Entergy Texas, Inc.; Notice of Filing

August 4, 2009.

Take notice that on July 28, 2009, Entergy Texas, Inc. filed a supplement providing additional explanation to its April 30, 2009 application.

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, 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 comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

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.

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Comment Date: 5 p.m. Eastern Time on August 7, 2009.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. E9-19130 Filed 8-10-09; 8:45 am]
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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER02-2001-013, Docket No. ER08-19-000, Docket No. ER04-197-000, Docket No. ER06-792-000, Docket No. ER04-848-000, Docket No. ER00-167-000, Docket No. ER06-298-000]

Electric Quarterly Reports, Energy Algorithms, LLC, Forest Energy Partners, LLC, Norge Power Marketing Corporation, Ohms Energy Company, LLC, Strategic Energy Management Corp., The Energy Group of America Inc.; Order on Intent To Revoke Market-Based Rate Authority

Issued August 5, 2009.

Before Commissioners: Jon Wellinghoff, Chairman; Sudeen G. Kelly, Marc Spitzer, and Philip D. Moeller.

1. Section 205 of the Federal Power Act (FPA), 16 U.S.C. 824d (2006), and 18 CFR Part 35 (2009), 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.¹

2. Commission staff's review of the Electric Quarterly Report submittals indicates that six utilities with authority to sell electric power at market-based rates have failed to file their Electric Quarterly Reports. This order notifies these public utilities that their market-based rate authorizations will be revoked unless they comply 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.²

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.³

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.⁴

6. As noted above, Commission staff's review of the Electric Quarterly Report submittals identified six public utilities with authority to sell power at market-based rates that failed to file Electric

¹ 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 filings*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002) *order directing filings*, Order No. 2001-D, 102 FERC ¶ 61,334 (2003).

² Order No. 2001 at P 222.

³ *Id.* P 223.

⁴ See, e.g., *Electric Quarterly Reports*, 73 FR 31,460 (June 2, 2008), *Notice of Revocation of Market-Based Rate Tariff*; *Electric Quarterly Reports*, 115 FERC ¶ 61,073 (2006), *Electric Quarterly Reports*, 114 FERC ¶ 61,171 (2006).

Quarterly Reports for the first quarter of 2009. Commission staff contacted these entities to remind them of their regulatory obligations.⁵ None of the public utilities listed in the caption of this order has met those obligations.⁶ Accordingly, this order notifies these public utilities that their market-based rate authorizations will be revoked unless they comply with the Commission's requirements within 15 days of the issuance of this order.

7. In the event that any of the above-captioned market-based rate sellers has already filed its Electric Quarterly Report in compliance with the Commission's requirements, its inclusion herein is inadvertent. Such market-based rate seller is directed, within 15 days of the date of issuance of this order, to make a filing with the Commission identifying itself and providing details about its prior filings that establish that it complied with the Commission's Electric Quarterly Report filing requirements.

8. If any of the above-captioned market-based rate sellers do not wish to continue having market-based rate authority, they may file a notice of cancellation with the Commission pursuant to section 205 of the FPA to cancel their market-based rate tariff.

The Commission orders:

(A) Within 15 days of the date of issuance of this order, each public utility listed in the caption of this order shall file with the Commission all delinquent Electric Quarterly Reports. If a public utility fails to make this filing, the Commission will revoke that public utility's 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 utilities whose tariffs have been revoked for failure to comply with the requirements of this order and the Commission's Electric Quarterly Report filing requirements.

⁵ See *Energy Algorithms, LLC*, Docket No. ER08-19-000 (June 17, 2009) (unpublished letter order); *Forest Energy Partners, LLC*, Docket No. ER04-197-000 (June 17, 2009) (unpublished letter order); *Norge Power Marketing Corporation*, Docket No. ER06-792-000 (June 17, 2009) (unpublished letter order); *Ohms Energy Company, LLC*, Docket No. ER04-848-000 (June 17, 2009) (unpublished letter order); *Strategic Energy Management Corp.*, Docket No. ER00-167-000 (June 17, 2009) (unpublished letter order); *The Energy Group of America Inc.*, Docket No. ER06-298-000 (June 17, 2009) (unpublished letter order).

⁶ According to the Commission's records, the companies subject to this order last filed their Electric Quarterly Reports for the 4th quarter of 2008.

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

By the Commission,
Nathaniel J. Davis, Sr.,
Deputy Secretary.
 [FR Doc. E9-19139 Filed 8-10-09; 8:45 am]
BILLING CODE P

DEPARTMENT OF ENERGY

Western Area Power Administration

Request for Interest for Purchase of Long-Term Firm Electrical Energy With Capacity or Non-Firm Electrical Energy

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of Availability of Request for Interest for Purchase of Long-Term Firm Electrical Energy with Capacity or Non-Firm Electrical Energy.

SUMMARY: The Western Area Power Administration (Western), a Federal power marketing agency of the Department of Energy, announces the availability of a Request for Interest (RFI) for the Purchase of Long-Term Firm Electrical Energy with Capacity or Non-Firm Electrical Energy. Western seeks to determine whether suppliers are interested in providing Western with long-term firm energy with capacity, non-firm energy, or a combination of the two for a contract term to exceed five years but terminating no later than September 2024. The energy would be delivered to Western's Rocky Mountain Region's (RMR) Loveland Area Projects (LAP) at one or more of four points of delivery located within the Western Area Colorado Missouri (WACM) balancing authority.

DATES: Responses to the RFI must be received by Western on or before 4 p.m. MDT September 10, 2009.

ADDRESSES: Send written responses to: Regional Manager, Rocky Mountain Customer Service Region, Western Area Power Administration, 5555 East Crossroads Boulevard, Loveland, CO 80538-8986. Comments may be delivered by certified mail, commercial mail, e-mail LAPlongtermRFI@wapa.gov, or fax 970-461-7204.

FOR FURTHER INFORMATION CONTACT: For further information or to obtain a copy of the RFI, please contact Mr. John Gierard, Western Area Power Administration, Rocky Mountain Customer Service Region, Federal Power Programs, P.O. Box 3700, Loveland, CO 80539-3003, (970) 461-7445, fax (970) 461-7204, or e-mail

LAPlongtermRFI@wapa.gov. The RFI is also available on Western's Web site at <http://www.wapa.gov/fedreg/FRNpdfs/RMR2009 Long-Term Resource RFI.pdf>.

SUPPLEMENTARY INFORMATION: Responses to the RFI will allow Western to determine how it chooses to supplement LAP Federal hydroelectric generation. Delivery points and maximum amounts of monthly on-peak and off-peak firm electrical energy with capacity or non-firm electrical energy are listed in the RFI. The RFI does not specify a maximum price for firm electrical energy with capacity or non-firm electrical energy.

Dated: July 31, 2009.

Timothy J. Meeks,
Administrator.

[FR Doc. E9-19225 Filed 8-10-09; 8:45 am]
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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD09-8-000]

Transmission Planning Processes Under Order No. 890; Supplemental Notice of Technical Conferences

August 3, 2009.

On June 30, 2009, the Commission issued a notice scheduling staff technical conferences to examine the transmission planning processes that are being conducted pursuant to Order No. 890.¹ As stated in the June 30 notice, these technical conferences are intended to meet the Commission's commitment that its staff would conduct an assessment of the Order No. 890 transmission planning processes. The focus of the 2009 regional technical conferences will be: (1) To determine the progress and benefits realized by each transmission provider's transmission planning process, obtain customer and other stakeholder input, and discuss any areas that may need improvement; (2) to examine whether existing transmission planning processes adequately consider needs and solutions on a regional or interconnection-wide basis to ensure adequate and reliable supplies at just and reasonable rates; and (3) to explore whether existing processes are sufficient to meet emerging challenges to the

¹ *Preventing Undue Discrimination and Preference in Transmission Service*, Order No. 890, FERC Stats. & Regs. ¶ 31,241, *order on reh'g*, Order No. 890-A, FERC Stats. & Regs. ¶ 31,261 (2007), *order on reh'g*, Order No. 890-B, 123 FERC ¶ 61,299 (2008), *order on reh'g*, Order No. 890-C, 126 FERC ¶ 61,228 (2009).