

documents must be filed by providing the original and eight copies to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

*o. Agency Comments*—Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Magalie R. Salas,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 1971-079—Idaho]

#### Idaho Power Company; Notice of Designation of Certain Commission Personnel as Non-Decisional

September 23, 2004.

Commission staff members James Hastreiter (Office of Energy Projects 503-552-2760; [james.hastreiter@ferc.gov](mailto:james.hastreiter@ferc.gov)) and Merrill Hathaway (Office of General Counsel; 202-502-8825; [merrill.hathaway@ferc.gov](mailto:merrill.hathaway@ferc.gov)) are assigned to help resolve environmental and other issues associated with development of a settlement agreement for the Hells Canyon Project.

As “non-decisional” staff, Messrs. Hastreiter and Hathaway will not participate in an advisory capacity in the Commission's review of any offer of settlement or settlement agreement, or deliberations concerning the disposition of the relicense application.

Different Commission “advisory staff” are assigned to review any offer of settlement or settlement agreement, and to process the relicense application, including providing advice to the Commission with respect to the agreement and the application. Non-decisional staff and advisory staff are prohibited from communicating with

one another concerning the settlement and the relicense application.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-2427 Filed 9-29-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL04-135-000]

#### Order Instituting Section 206 Proceeding

Issued September 27, 2004.

Before Commissioners: Pat Wood, III, Chairman; Nora Mead Brownell, Joseph T. Kelliher, and Suedeene G. Kelly.

Midwest Independent Transmission System Operator, Inc., PJM Interconnection, L.L.C., and all transmission owners providing access to their transmission facilities under Midwest Independent Transmission System Operator, Inc. or PJM Interconnection, L.L.C. Tariffs and all other public utility transmission owners in these regions (including the entities identified below): Alliant Energy Corporate Services, Inc. on behalf of:

Interstate Power and Light Company  
Ameren Services Company on behalf of:  
Union Electric Company and  
Central Illinois Public Service Company  
Central Illinois Light Company  
Aquila, Inc. (formerly UtiliCorp United, Inc.)  
Cinergy Services, Inc.  
Cincinnati Gas & Electric Company  
PSI Energy, Inc.  
Union Light Heat & Power Company  
City Water, Light & Power (Springfield, IL)  
Dairyland Power Cooperative  
FirstEnergy Corporation on behalf of:  
American Transmission Systems, Inc.  
Great River Energy  
GridAmerica LLC  
Illinois Power Company  
Indiana Municipal Power Agency  
Indianapolis Power & Light Company  
International Transmission Company  
Hoosier Energy Rural Electric Cooperative  
Lincoln Electric (Neb.) System  
LG&E Energy Corporation on behalf of:  
Kentucky Utilities Company  
Louisville Gas & Electric Company  
Michigan Electric Transmission Company, LLC

Michigan Public Power Agency  
Minnesota Power, Inc.  
Montana-Dakota Utilities Company  
Northern Indiana Public Service Company  
Northwestern Wisconsin Electric Company  
Otter Tail Power Company  
Southern Illinois Power Cooperative  
Southern Indiana Gas & Electric Cooperative  
Southern Minnesota Municipal Power Agency  
Superior Water, Light & Power Company  
Sunflower Electric Power Corporation  
Wabash Valley Power Association, Inc.  
Wolverine Power Supply Cooperative

Xcel Energy Services, Inc. on behalf of:

Northern States Power Company  
(Minnesota)

Northern States Power Company  
(Wisconsin)

Allegheny Electric Cooperative, Inc.

Allegheny Power

American Electric Power Service Corporation on behalf of:

Appalachian Power Company  
Columbus Southern Power Company  
Indiana Michigan Power Company  
Kentucky Power Company  
Kingsport Power Company  
Ohio Power Company  
Wheeling Power Company

Atlantic City Electric Company

Baltimore Gas & Electric Company

Dayton Power and Light Company

Delmarva Power & Light Company

Dominion Virginia Power Company

Exelon Corporation on behalf of:

Commonwealth Edison Company  
Commonwealth Edison Company of Indiana, Inc.

Jersey Central Power & Light Company

Metropolitan Edison Company

Old Dominion Electric Cooperative

PECO Energy Company

Pennsylvania Electric Company

Public Service Electric & Gas Company

PPL Electric Utilities Corporation

Potomac Electric Power Company

Rockland Electric Company

UGI Utilities, Inc.

1. In this order, we are instituting a Federal Power Act section 206<sup>1</sup> proceeding to implement a new long-term transmission pricing structure intended to eliminate seams in the PJM Interconnection, L.L.C. (PJM) and Midwest Independent Transmission System Operator System, Inc. (Midwest ISO) regions, and establish a refund effective date of December 1, 2004. This order will provide the mechanism by which the Commission will implement a new pricing structure to replace existing through and out rates. This order benefits customers by ensuring a smooth transition in eliminating seams.

#### I. Background

2. In earlier orders in this proceeding, the Commission ordered the elimination of regional through and out rates between PJM and Midwest ISO regions effective April 1, 2004,<sup>2</sup> and also found unjust and unreasonable the through and out rates of individual public utilities that had not yet become members of PJM or the Midwest ISO effective April 1, 2004.<sup>3</sup> The Commission directed compliance filings to eliminate the through and out rates for new transactions, and allowed two-

<sup>1</sup> 16 U.S.C. 824e (2000).

<sup>2</sup> Midwest Independent Transmission System Operator, Inc., *et al.*, 104 FERC ¶ 61,105, *order on reh'g*, 105 FERC ¶ 61,212 (2003).

<sup>3</sup> Ameren Services Company, *et al.*, 105 FERC ¶ 61,216 (2003).