

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****Combined Notice of Filings #1**

November 3, 2005.

Take notice that the Commission received the following electric rate filings.

Docket Numbers: ER01–1527–009; ER01–1529–009.

Applicants: Nevada Power Co.; Sierra Pacific Power Company.

Description: Nevada Power Co. & Sierra Pacific Power Co. notifies FERC of developments constituting a non-material change in status relating to Applicants' market rate authority.

Filed Date: 10/28/2005.

Accession Number: 20051102–0117.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER05–1181–001.

Applicants: PJM Interconnection L.L.C.

Description: PJM Interconnection, LLC submits the revisions to the PJM Amended and Restated Operating Agreement in compliance with FERC's 8/31/05 Order.

Filed Date: 10/28/2005.

Accession Number: 20051101–0013.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER05–1468–001.

Applicants: Ridge Generating Station Limited Partnership.

Description: Ridge Generating Station, Limited Partnership submits supplemental descriptive information re market-based rate schedule and a streamlined generation market power analysis pertaining to the Lakeland Electric control area.

Filed Date: 10/28/2005.

Accession Number: 20051101–0014.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–74–000.

Applicants: Commonwealth Edison Company.

Description: Commonwealth Edison Co. submits a notice of cancellation, as Attachment A, regarding the cancellation of ComEd Rate Schedule 80.

Filed Date: 10/28/2005.

Accession Number: 20051101–0021.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–75–000.

Applicants: NRG McClain LLC.

Description: NRG McClain LLC submits a notice of cancellation of its FERC Rate Schedule 1.

Filed Date: 10/28/2005.

Accession Number: 20051101–0022.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–76–000.

Applicants: LSP-Nelson Energy LLC.

Description: LSP-Nelson Energy LLC submits notice canceling LSP-Nelson's FERC Rate Schedule 1.

Filed Date: 10/28/2005.

Accession Number: 20051101–0023.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–77–000.

Applicants: Illinois Municipal Electric Agency.

Description: The Illinois Municipal Electric Agency submits an initial Rate Schedule No. 1 & supporting cost data to establish its annual revenue requirements for providing Reactive Supply & Voltage Control from Generation Sources etc.

Filed Date: 10/28/2005.

Accession Number: 20051101–0024.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–78–000.

Applicants: PJM Interconnection, L.L.C.

Description: PJM Interconnection, LLC submits Schedule 9–OPSI, an amendment to the PJM FERC Electric Tariff, Sixth Revised Volume No. 1.

Filed Date: 10/28/2005.

Accession Number: 20051101–0025.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–79–000.

Applicants: Styrka Energy Master Fund LLC.

Description: Styrka Energy Master Fund, LLC files to cancel its FERC market based rate tariff, Original Rate Schedule No. 1.

Filed Date: 10/28/2005.

Accession Number: 20051101–0026.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–80–000.

Applicants: New York State Electric & Gas Corporation.

Description: New York State Electric & Gas Corp. submits a supplement to Rate Schedule FERC No. 72 Facilities Agreement with the Municipal Board of the Village of Bath.

Filed Date: 10/28/2005.

Accession Number: 20051101–0027.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–81–000.

Applicants: Styrka Energy Fund LLC.

Description: Styrka Energy Fund LLC submits a cancellation to its Original Rate Schedule FERC No.1, effective 2/24/04.

Filed Date: 10/28/2005.

Accession Number: 20051101–0028.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–82–000.

Applicants: Wisconsin Public Service Corp.

Description: Wisconsin Public Service Corp. submits its Eighth Revised Service Agreement No. 9 with Washington Island Electric Cooperative under FERC Electric Tariff, Fifth Revised Volume No. 1, effective 10/1/05.

Filed Date: 10/28/2005.

Accession Number: 20051101–0029.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–83–000.

Applicants: Exelon Corporation.

Description: Exelon Corp on behalf of Commonwealth Edison Co submits notice of cancellation of Original Service Agreement C1059, FERC Electric Tariff, Sixth Revised Volume No. 1, effective 10/13/05.

Filed Date: 10/28/2005.

Accession Number: 20051101–0030.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–84–000.

Applicants: Wisconsin Electric Power Company.

Description: Wisconsin Electric Power Co's submits a Notice of Cancellation of its FERC Electric Tariff, Rate Schedule No. 84, effective 1/1/06.

Filed Date: 10/28/2005.

Accession Number: 20051101–0032.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–85–000.

Applicants: Vermont Electric Power Company, Inc.

Description: Vermont Electric Power Co submits revisions to the VELCO 1991 Transmission Agreement, effective 1/1/06.

Filed Date: 10/28/2005.

Accession Number: 20051101–0031.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–86–000.

Applicants: New York State Electric & Gas Corporation.

Description: New York State Electric & Gas Corp submits supplement to Rate Schedule FERC No. 117—Facilities Agreement with Delaware County Electric Cooperative, etc.

Filed Date: 10/28/2005.

Accession Number: 20051101–0010.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06–87–000.

Applicants: Styrka Energy Fund Ltd.

Description: Styrka Energy Fund Ltd files to cancel its FERC market based rate tariff, Original Rate Schedule FERC No. 1, and requests waiver of any

obligation to file the quarterly report for the quarter ending December 2005.

Filed Date: 10/28/2005.

Accession Number: 20051101-0011.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06-88-000.

Applicants: El Paso Electric Company.

Description: El Paso Electric Co submits notice of cancellation & a cancellation tariff sheet for the purpose of canceling a Transaction Agreement with Southwestern Public Service Co.

Filed Date: 10/28/2005.

Accession Number: 20051101-0012.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER06-96-000.

Applicants: American Electric Power Service Corporation.

Description: AEP on behalf of Southwestern Electric Power Co submits the executed Second Power Supply Agreement with East Texas Electric Coop, Inc. *et al.*

Filed Date: 10/28/2005.

Accession Number: 20051102-0367.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Docket Numbers: ER99-830-013; ER04-925-005.

Applicants: Merrill Lynch Capital Services, Inc.; Merrill Lynch Commodities, Inc.

Description: Merrill Lynch Commodities, Inc & Merrill Lynch Capital Services, Inc reports the change in status in connection with the transfer of equity interests in Granite Ridge I SPE, LLC etc.

Filed Date: 10/28/2005.

Accession Number: 20051101-0015.

Comment Date: 5 p.m. Eastern Time on Friday, November 18, 2005.

Any person desiring to intervene or to protest in any of the above proceedings 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) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other and the Applicant.

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 proceedings 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Magalie R. Salas,

Secretary.

[FR Doc. E5-6632 Filed 11-28-05; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL06-16-000]

Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations; Order Proposing Revisions to Market-Based Rate Tariffs and Authorizations

Issued November 21, 2005.

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

1. The Commission issues this order pursuant to section 206 of the Federal Power Act (FPA) ¹ to propose repeal of the Market Behavior Rules, which are currently included in all public utility sellers' market-based rate tariffs and authorizations.² The central purpose of

the Market Behavior Rules is to prohibit market manipulation. In the Energy Policy Act of 2005 (EPAct 2005),³ Congress enacted new section 222 of the FPA which specifically bars manipulation in connection with the purchase or sale of wholesale electric energy or transmission services and authorizes the Commission to promulgate rules and regulations prohibiting market manipulation. In a Notice of Proposed Rulemaking (NOPR) issued October 20, 2005, the Commission has proposed rules to implement the new statutory anti-manipulation provisions.⁴ We propose repealing the Market Behavior Rules once we have issued final regulations implementing the anti-manipulation provisions of EPAct 2005 and have incorporated other aspects of the Market Behavior Rules in appropriate Commission orders, rules, and regulations. We are also requesting comment on whether the Market Behavior Rules should be repealed prospectively.

Background

2. On November 17, 2003, acting pursuant to section 206 of the FPA, we amended all market-based rate tariffs and authorizations to include the Market Behavior Rules. We determined that sellers' market-based tariffs and authorizations to make sales at market rates would be unjust and unreasonable unless they included clearly-delineated rules governing market participant conduct, and that the Market Behavior Rules fairly apprised market participants of their obligations in competitive power markets and were just and reasonable.⁵

3. Market Behavior Rule 1 requires sellers to follow Commission-approved rules and regulations in organized power markets. These rules and regulations are part of the tariffs of Independent System Operators (ISO) or Regional Transmission Organizations (RTO), and sellers' agreements to operate within ISOs and RTOs bind them to follow the applicable rules and regulations of the organized market.

4. Market Behavior Rule 2 prohibits "actions or transactions that are without a legitimate business purpose and that are intended to or foreseeably could

(the Market Behavior Rules Order). The Market Behavior Rules are currently on appeal. See *Cinergy Marketing & Trading, L.P. v. FERC*, Nos. 04-1168 *et al.* (DC Cir., appeal filed April 28, 2004).

³ Energy Policy Act of 2005, Public Law No. 109-58, 119 Stat. 594 (2005).

⁴ *Prohibition of Energy Market Manipulation*, 113 FERC ¶ 61,067 (2005) (NOPR).

⁵ Market Behavior Rules Order, 105 FERC ¶ 61,218 at PP 3, 158-74.

¹ 16 U.S.C. 824e (2000).

² *Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations*, "Order Amending Market-Based Rate Tariffs and Authorizations," 105 FERC ¶ 61,218 (2003), *reh'g denied*, 107 FERC ¶ 61,175 (2004) at Appendix A