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All filings must: (1) Bear in all capital letters the title "COMMENTS", "REPLY COMMENTS", "RECOMMENDATIONS", "TERMS AND CONDITIONS", or "PRESCRIPTIONS"; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions, or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Each filing must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b), and 385.2010.

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n. *Procedural schedule:* The Commission staff proposes to issue an Environmental Assessment (EA) rather than issuing a draft and final EA. Staff intends to allow at least 30 days for entities to comment on the EA, and will take into consideration all comments received on the EA before final action is taken on the license application. The application will be processed according to the following schedule, but revisions to the schedule may be made as appropriate:

Issue Notice of availability of the EA: March 31, 2006.

Ready for Commission decision on the application: May 30, 2006.

Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

**Magalie R. Salas,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER05-1501-000]

#### California Independent System Operator Corporation; Notice of Technical Conference Agenda

December 1, 2005.

As announced in the Notice of Technical Conference issued on November 21, 2005, the Commission Staff will convene a technical conference on Wednesday, December 7, 2005, from 9:30 a.m. to 5 p.m. (EST), at the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC, in a room to be announced at a later date. The technical conference will address the issues identified in the interventions and protests filed in this docket, as well as the responses in the CAISO's answer to those interventions and protests.

Please take notice of the conference agenda below:

- I. Opening remarks by Commission Staff
- II. Presentation by the CAISO
- III. Discussion
- IV. Comments from Staff

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For more information about the conference, including participant access information, please contact: Connie Caldwell at (202) 502-6489 or [connie.caldwell@ferc.gov](mailto:connie.caldwell@ferc.gov), or Marion Whitaker at (202) 502-8264 or [marion.whitaker@ferc.gov](mailto:marion.whitaker@ferc.gov).

**Magalie R. Salas,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM05-30-000]

#### Rules Concerning Certification of the Electric Reliability Organization; and Procedures for the Establishment, Approval, and Enforcement of Electric Reliability Standards; Notice of Second Technical Conference

December 1, 2005.

As announced in a Notice of Technical Conferences issued on November 3, 2005, in the above referenced proceeding, a second technical conference will be held in the offices of the Commission, 888 First Street, NE., Washington, DC. All interested persons may attend, and registration is not required. This will be a staff conference, but Commissioners may attend.

The second technical conference will take place on December 9, 2005 from 9:30 a.m. until approximately 3 p.m. (EST) and will be held in the Commission Meeting Room on the second floor of the Commission. Attached is the agenda for this conference.

This second technical conference will address how to establish electric reliability standards, state roles in reliability, and issues related to compliance and enforcement of standards, and North American perspectives of these issues. It follows up on issues discussed in the first technical conference of November 18, 2005, which addressed current and possible future procedures for establishment and approval of electric reliability standards.

Transcripts of the conference will be immediately available from Ace Reporting Company (202-347-3700 or 1-800-336-6646) for a fee. They will be available for the public on the Commission's eLibrary system seven calendar days after the Commission receives the transcript.

A free Webcast of this event is available through <http://www.ferc.gov>. Anyone with Internet access who desires to view this event can do so by navigating to [www.ferc.gov](http://www.ferc.gov)'s Calendar of Events and locating this event in the Calendar. The event will contain a link to its Webcast. The Capitol Connection provides technical support for the Webcasts. It also offers access to this event via television in the DC area and via phone bridge for a fee. If you have any questions, visit <http://www.CapitolConnection.org> or contact

Danelle Perkowski or David Reininger at 703-993-3100.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an e-mail to [accessibility@ferc.gov](mailto:accessibility@ferc.gov) or call toll free 866-208-3372 (voice) or 202-208-1659 (TTY), or send a FAX to 202-208-2106 with the required accommodations.

For more information about the conference, please contact Mary Cain at (202) 502-6337 ([mary.cain@ferc.gov](mailto:mary.cain@ferc.gov)) or Sarah McKinley at (202) 502-8004 ([sarah.mckinley@ferc.gov](mailto:sarah.mckinley@ferc.gov)).

**Magalie R. Salas,**  
Secretary.

### **Appendix A—Second Technical Conference on Electric Reliability Standards; Reliability Standards; States Role in Reliability; Compliance and Enforcement of Standards Agenda**

December 9, 2005.

9:30 a.m.—Opening Remarks

Joseph Kelliher, Commission Chairman.

9:45 a.m.—Introductions

Joseph McClelland, Director, Division of Reliability, Office of Markets, Tariffs, and Rates, Commission.

10 a.m.—Panel I: Establishing and Processing Electric Reliability Standards.

The Energy Policy Act of 2005 (EPAct 2005) authorizes the Commission to approve standards that provide for reliable operation of the bulk power system and to remand those that do not.

The panelists will provide insight into the following questions:

- What criteria should be used to determine reliability standards?
- How should “best practices” be incorporated into developing reliability standards?
- What process should the Commission use in evaluating reliability standards?
- What are the implications for the Electricity Reliability Organization (ERO) if a reliability standard is remanded?
- What process should be used by the ERO for handling remanded reliability standards?
- How are entities such as distribution providers, load serving entities, generator owners, generator operators, etc. covered by the reliability standards approved by the Commission?

Participants:

Natural Resources Canada (invited).  
Energy Regulatory Commission Mexico (invited).

North American Electric Reliability Council (invited).

ISO/RTO Council (invited).

North American Energy Standards Board (invited).

Electric Power Supply Association (invited).

11:15 a.m.—Break.

11:30 a.m.—Panel II: State and Provincial Role in Reliability.

EPAct 2005 states that it does not preempt the authority of any state to take action

to ensure the safety, adequacy, and reliability of electric service within that state, as long as such action is not inconsistent with any reliability standard. It also directs the Commission to establish a regional advisory body of at least two-thirds of the states within a region petition. A regional advisory body shall be composed of one member from each participating state in the region, appointed by the Governor of each state, and may include representatives of agencies, states, and provinces outside the United States.

The panelists will provide insight into the following questions:

- What role should states and provinces play with regard to reliability standards?
- How should the Commission receive input for approval of reliability standards from the states, provinces, Regional Entities, and ERO?
- What test should the Commission use to determine whether a state-developed rule conflicts with reliability standards?
- When should Regional Advisory Bodies be convened and for what purpose?
- What role should the states, provinces, Regional Entities, ERO, and the Commission play in determining resource adequacy?

Participants:

Florida Public Service Commission (invited).

New York Public Service Commission (invited).

Western Governors Association (invited).  
Alberta Department of Energy (invited).

National Association of Regulatory Utility Commissioners (invited).

Southwest Power Pool Regional State Committee (invited).

National Association of State Utility Consumer Advocates (invited).

Organization of Midwest ISO States (invited).

1 p.m.—1:45 p.m.—LUNCH

1:45 p.m.—Panel III: Compliance and Enforcement.

EPAct 2005 gives the ERO the power to enforce reliability standards with penalties for violation of standards approved by the Commission, and to file notice and record of the proceeding with the Commission. Penalties shall be subject to review by the Commission. The Commission may take such action as is necessary or appropriate against the ERO or a regional entity to ensure compliance with a reliability standard or any Commission order affecting the ERO or a regional entity.

The panelists will discuss the following questions:

- What process should be used to monitor reliability standards compliance and determine violations?
- How should the ERO coordinate and oversee the regional entities' compliance efforts?
- How should penalties be determined? How should violations be disclosed?
- What data should the Commission and the ERO collect to enforce reliability standards?

- Should there be different levels of penalties for different types of reliability standards?
- How do self-regulatory organizations assure compliance, conduct investigations, and coordinate enforcement with federal agencies?

Participants:

North American Electric Reliability Council (invited).

Institute for Nuclear Power Operation (invited).

U.S. Securities and Exchange Commission (invited).

National Association of Securities Dealers (invited).

Edison Electric Institute (invited).

3 p.m.—Closing Remarks.

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## **DEPARTMENT OF ENERGY**

### **Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

### **Records Governing Off-the Record Communications; Public Notice**

December 1, 2005.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the