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**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 01-30800 Filed 12-12-01; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL02-38-000]

#### Nevada Power Company and Sierra Pacific Power Company, Complainants v. American Electric Power Services Corporation, Respondent; Notice of Complaint

December 7, 2001.

Take notice that on December 6, 2001, Nevada Power Company (NPC) and Sierra Pacific Power Company (SPPC) (collectively, the Nevada companies) filed a complaint requesting that the Commission mitigate unjust and unreasonable prices in sales contracts between NPC and American Electric Power Services Corporation (AEP) and between SPPC and AEP entered into in late 2000 and the first half of 2001 for delivery after January 1, 2002.

The Nevada companies request that the Commission set a refund effective date of 60 days from the date of filing of their complaint.

Copies of the Nevada companies' filing were served on AEP and the Public Utilities Commission of Nevada.

The Nevada Companies have requested privileged treatment of certain information in the complaint, and have filed privileged and public copies of the complaint, a request for privileged treatment, and a protective agreement.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest 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). All such motions or protests must be filed on or before December 26, 2001. 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 motion to intervene. Answers to the complaint shall also be due on or before December 26, 2001. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL02-35-000]

#### Niagara Mohawk Power Corporation Operator Corporation, Complainant v. Rochester Gas & Electric Corporation, Respondent; Notice of Complaint

December 7, 2001.

Take notice that on December 6, 2001, Niagara Mohawk Power Corporation (Niagara Mohawk) filed with the Federal Energy Regulatory Commission (Commission) a Complaint against Rochester Gas & Electric Corporation., pursuant to section 206 of the Federal Power Act (FPA) 16 U.S.C. 824e (1194), and Rules 206 of the Commission's Rules of Practice and Procedure, 18 CFR 385.206. The Complaint states that Rochester Gas & Electric Corporation has breached a jurisdictional agreement between the parties entitled "Exit Agreement", dated June 8, 1998, and filed with the Commission in Docket No. ER99-3359.

Niagara Mohawk states that this filing has been served upon Rochester Gas & Electric Corporation and the New York Public Service Commission.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest 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). All such motions or protests must be filed on or before December 26, 2001. 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 motion to intervene. Answers to the complaint shall also be due on or before December 26, 2001. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 01-30802 Filed 12-12-01; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL02-37-000]

#### NSTAR Electric & Gas Corporation, Complainant v. ISO New England, Inc., and Parties to Market Rule 17, Section 17.3.2.2 (b) Agreements, Respondents; Notice of Complaint

December 7, 2001.

Take notice that on December 6, 2001, NSTAR Electric & Gas Corporation filed a Complaint against the ISO New England, Inc. and Parties to Section 17.3.2.2(b) Agreements seeking referrals of amounts collected in excess of filed rates since May of 1999.

Copies of said filing have been served upon NEPOOL Participants, the ISO New England, Inc., as well as upon the utility regulatory agencies of the six New England States.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest 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). All such motions or protests must be filed on or before December 26, 2001. 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 motion to intervene. Answers to the complaint shall also be due on or before December 26, 2001. Copies of this filing are on file

with the Commission and are available for public inspection. This filing may also be viewed on the Web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 01-30806 Filed 12-12-01; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP02-32-000]

#### Texas Eastern Transmission, LP; Notice of Application

December 7, 2001.

Take notice that on November 28, 2001, Texas Eastern Transmission, LP (Texas Eastern), 5400 Westheimer Court, Houston, Texas 77056-5310, filed in the captioned docket an application for a certificate of public convenience and necessity and related authorizations pursuant to section 7 of the Natural Gas Act (NGA), as amended, and the Commission's Rules and Regulations thereunder. Texas Eastern requests the following:

(i) A certificate of public convenience and necessity to construct, install, own, operate and maintain certain facilities, known as the Texas Eastern Incremental Market Expansion Project (TIME Project), necessary to provide 100,000 dekatherms per day (Dth/d) of firm natural gas transportation service to New Jersey Natural Gas Company (New Jersey Natural);

(ii) authorization to establish an initial NGA section 7(c) recourse rate using the incremental facilities proposed, as described in the application; and

(iii) other waivers, authorities, and relief as may be proper as appropriate to implement the proposal;

all as more thoroughly described in the application on file with the Commission and open to public inspection. This filing may be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (please call (202) 208-2222 for assistance).

Texas Eastern is requesting that the Commission issue a preliminary determination by March 13, 2002 and a final certificate by June 12, 2002 to enable Texas Eastern to meet New Jersey

Natural's in-service date of November 1, 2002.

The name, address, and telephone number of the person to whom correspondence and communications concerning this Application should be addressed is: Steven E. Tillman, Director of Regulatory Affairs, Texas Eastern Transmission, LP, P.O. Box 1642, Houston, Texas 77251-1642, Phone: (713) 627-5113, Fax: (713) 627-5947.

Texas Eastern proposes to: (i) Construct, install, own, operate, and maintain a new 10,000 HP electric driven compressor unit at the existing Lambertville Compressor Station in Hunterdon County, New Jersey; (ii) construct, own, operate, and maintain four new segments of 36-inch diameter pipeline loops in Perry, Lebanon, Berks, and Bucks counties, Pennsylvania, totaling approximately 15.8 miles; (iii) perform compression upgrades of 8,600 horsepower, from 13,400 to 22,000 horsepower, at each of two existing compressor stations, the Entriaken in Huntingdon County, Pennsylvania, and the Armagh Indiana County, Pennsylvania; and (iv) upgrade the existing meter and regulation station M&R No. 70058 in Richmond County, New York, to accommodate the increased flow at this location.

Additionally, Texas Eastern seeks authorization to render the new firm transportation service pursuant to Texas Eastern's existing Firm Rate Schedule FT-1. Texas Eastern's proposed initial FT-1 recourse rate is an incremental reservation rate designed to recover all costs associated with the new facilities, estimated to be \$75.2 Million. Texas Eastern states that Texas Eastern and New Jersey Natural have agreed to a negotiated rate for firm transportation service of up to 100,000 Dth/d under the FT-1 Service Agreement in accordance with the negotiated rate authority contained in section 29 of the General Terms and Conditions of Texas Eastern's FERC Gas Tariff.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before December 28, 2001, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and

will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission may issue a preliminary determination on non-environmental issues prior to the completion of its review of the environmental aspects of the project. This preliminary determination typically considers such issues as the need for the project and its economic effect on existing customers of the applicant, on other pipelines in the area, and on landowners and communities. For example, the Commission considers the extent to which the applicant may need to exercise eminent domain to obtain rights-of-way for the proposed project and balances that against the non-environmental benefits to be provided by the project. Therefore, if a person has comments on community