

Under section 313(a) of the Federal Power Act, 16 U.S.C. 8251(a), a request for rehearing may be filed only by a party to the proceeding. While North Carolina DENR was an intervenor in the licensing proceedings for the Roanoke Rapids and Gaston Project, party status is not carried over to post-licensing proceedings.² Accordingly, in order for North Carolina DENR, whose water quality division was a consulted agency on the dissolved oxygen monitoring plan, to be a party to this proceeding, it must have filed a motion to intervene pursuant to Rule 214 of the Rules of Practice and Procedure, 18 CFR 385.214, not later than 30 days after issuance of the May 17, 2005 order (June 16, 2005).³ As noted above, North Carolina DENR did not file a notice or motion to intervene and therefore, the request for rehearing is hereby rejected.

This notice constitutes final agency action. Request for rehearing by the Commission of this rejection notice must be filed within 30 days of the date of issuance of this notice, pursuant to 18 CFR 385.713.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. **ER05-713-000, ER05-713-001, and ER05-713-002**]

KRK Energy; Notice of Issuance of Order

July 1, 2005.

KRK Energy (KRK) filed an application for market-based rate authority, with an accompanying rate tariff. The proposed rate tariff provides for the sales of capacity and energy at market-based rates. KRK also requested waiver of various Commission regulations. In particular, KRK requested that the Commission grant blanket approval under 18 CFR part 34 of all future issuances of securities and assumptions of liability by KRK.

On June 29, 2005, pursuant to delegated authority, the Director, Division of Tariffs and Market Development—South, granted the request for blanket approval under part 34. The Director's order also stated that the Commission would publish a separate notice in the **Federal Register**

establishing a period of time for the filing of protests. Accordingly, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by KRK 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, 385.214 (2004).

Notice is hereby given that the deadline for filing motions to intervene or protest is July 29, 2005.

Absent a request to be heard in opposition by the deadline above, KRK is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of KRK, compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of KRK's issuances of securities or assumptions of liability.

Copies of the full text of the Director's Order are available from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426. The Order may also be viewed on the Commission's Web site at <http://www.ferc.gov>, using the eLibrary link. Enter the docket number excluding the last three digits in the docket number filed to access the document. 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. The Commission strongly encourages electronic filings.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. **ER05-6-023, EL04-135-025, EL02-111-043, and EL03-212-039**]

Midwest Independent Transmission System Operator, Inc.; Ameren Services Co., et al.; Notice of Filing

July 1, 2005.

Take notice that on June 24, 2005, PJM Interconnection, L.L.C. (PJM) amended its May 17, 2005 filing in the above-captioned dockets. The May 17, 2005 filing revised Schedule 12 of the PJM open access transmission tariff. Specifically, on May 17 PJM filed two tariff sheets designated as "Fourth Revised Sheet No. 270A." By the June 24 amendment, PJM seeks to designate the second "Fourth Revised Sheet No. 270A," as "Original Sheet No. 270A.01." PJM requests an effective date of June 1, 2005.

PJM states that copies of this filing have been served on all PJM members and the utility regulatory commissions in the PJM region.

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 than 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

² See Joseph M. Keating, 40 FERC ¶ 61,254 (1987).

³ See Pacific Gas and Electric Company, 40 FERC ¶ 61,035 (1987).