

## Panel I

9:30 a.m.–12 p.m.

(Generation Market Power, Transmission Market Power, Vertical Market Power and Barriers to Entry)

David DeRamus, Partner, Bates White, Mark Hegedus, of counsel, Spiegel & McDiarmid, on behalf of American Public Power Association.

Paul Bonavia, President of Commercial Enterprises for Xcel Energy, Robert Weishaar, Partner, McNees, Wallace & Nurick, on behalf of industrial customers.

Mathew Morey, Senior Consultant, Lauritsr.Christensen Associates, on behalf of National Rural Electric Cooperative Association.

Michael Wroblewski, Federal Trade Commission.

## Panel II

1:30 p.m.–4:30 p.m.

(Affiliate Abuse, Other Factors the Commission Should Consider in Granting Market-Based Rates, Other Issues (Substantive and Procedural) That Should be Addressed in the Rulemaking)

Julie Simon, Vice President of Policy, Electric Power Supply Association.

Fred Bryant, General Counsel for Florida Municipal Power Agency, on behalf of Transmission Access Policy Study (TAPS) Group.

Gerald Norlander, Chairman of the Electricity Committee of the National Association of State Utility Consumer Advocates.

Diana Moss, Vice President and Senior Research Fellow, American Antitrust Institute.

[FR Doc. E4–1293 Filed 6–9–04; 8:45 am]

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## DEPARTMENT OF ENERGY

## Federal Energy Regulatory Commission

[Docket Nos. PL04–9–000, EC02–113–000, EC02–113–001, EC03–53–000, and EC03–131–000]

**Conference on Acquisition and Disposition of Merchant Generation Assets by Public Utilities; Cinergy Services, Inc.; Ameren Energy Generating Company and Union Electric Company d/b/a; AmerenUE; Oklahoma Gas and Electric Company NRG McClain LLC; Supplemental Notice of Agenda for Technical Conference**

June 4, 2004.

1. The attachment to this supplemental notice provides additional information concerning the June 10, 2004, technical conference to discuss issues associated with public utilities' acquisition and disposition of merchant generation assets, including the implications for the competitive landscape in general and for a region's

wholesale competition in particular. (See May 11, 2004, Notice of Technical Conference.) While the Commission does not intend the conference discussion to include the merits of any issues pending before the Commission, we have included the docket numbers of contested pending section 203 cases out of an abundance of caution since issues in the conference may overlap with issues in these cases. The conference will begin at 1 p.m. (e.s.t.) and will conclude at approximately 4 p.m. and will be convened in the Commission Meeting Room at the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC. Members of the Commission will attend the conference. All interested persons are invited to attend. Microphones will be available to enable those in the audience to participate in the discussion as issues arise.

2. The conference will be transcribed. Those interested in acquiring the transcript should contact Ace Reporters at 202–347–3700 or 800–336–6646. Transcripts will be placed in the public record 10 days after the Commission receives the transcripts. Additionally, Capitol Connection offers the opportunity for remote listening and viewing of the conference. It is available for a fee, live over the Internet, by phone or via satellite. Persons interested in receiving the broadcast, or who need information on making arrangements, should contact David Reininger or Julia Morelli at Capitol Connection (703–993–3100) as soon as possible or visit the Capitol Connection Web site at <http://www.capitolconnection.org> and click on “FERC.”

3. For more information about the conference, please contact David Hunger at 202–502–8148 or [David.Hunger@ferc.gov](mailto:David.Hunger@ferc.gov).

Linda Mitry,  
*Acting Secretary.*

**Conference on Public Utilities' Acquisition and Disposition of Merchant Generation Assets, June 10, 2004, 1 p.m.–4 p.m.**

## Agenda

Panelists will each be asked to address issues among the following in a five minute overview prepared statement, which will be followed by questions and general discussion:

- Trends in acquisitions of generation facilities owned by independent power producers (IPPs) and affiliated power producers (APPs); characteristics of sellers, buyers and assets and the roles of financial players; who is selling to whom and what is the role of banks and other financial institutions.
- Changing pattern of generation acquisitions by vertically-integrated utilities and their APPs over the past 15 years.

- Competitive effects of vertically integrated utilities acquiring IPP generation assets in short-run and long-run markets.

- Competitive effects of vertically integrated utilities acquiring APP generation assets in short-run and long-run markets; the potential for affiliate abuse; validity of safety net concerns.

- Whether or how the evaluation of the competitive harm under current section 203 review standards (Merger Policy Statement and Order No. 642) and policy needs to be changed to take account of competitive effects of acquisitions of IPPs and APPs.

- Whether the Commission should require an Edgar type standard of review for section 203 affiliate acquisitions.

- Should the Commission consider the effect of buyers' market power (monopsony power) in its review of generation acquisitions? If so, how should it analyze the effect on competition? Does economic dispatch address horizontal market power, vertical market power and/or monopsony power?

- What are the remedies? In particular, can a competitive solicitation prevent harm due to affiliate acquisitions?

Panel I: 1 p.m.–2:15 p.m.

John Hilke, Federal Trade Commission.

Steve Daniel, GDS Associates.

Pete Delaney, Oklahoma Gas and Electric Company.

State Commissioner—TBA.

Peter Kind, CitiGroup.

Break: 2:15 p.m.–2:30 p.m.

Panel II: 2:30 p.m.–3:45 p.m.

David DeRamus, Partner, Bates White.

Mark Huston, Constellation Generation.

Jone-Lin Wang, Cambridge Energy

Research Associates.

Mark Cooper, Consumer Federation of America.

Diana Moss, American Antitrust Institute.

Marji Philips, PSE&G.

Wrap-up: 3:45 p.m.–4 p.m.

[FR Doc. E4–1319 Filed 6–9–04; 8:45 am]

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## DEPARTMENT OF ENERGY

## Federal Energy Regulatory Commission

[Project No. 1893–042]

**Public Service Company of New Hampshire; Notice of Site Visit, Scoping Meetings and Soliciting Scoping Comments**

June 3, 2004.

- a. *Type of Application:* New major license.
- b. *Project No.:* P–1893–042.
- c. *Date filed:* December 30, 2003.
- d. *Applicant:* Public Service Company of New Hampshire (PSNH).
- e. *Name of Project:* Merrimack River Project.
- f. *Location:* On the Merrimack River, in Merrimack and Hillsborough

counties, New Hampshire. The project does not occupy Federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* James J. Kearns, 780 North Commercial Street, P.O. Box 330, Manchester, NH 03105 (603) 634–2936.

i. *FERC Contact:* Steve Kartalia, [Stephen.kartalia@ferc.gov](mailto:Stephen.kartalia@ferc.gov) (202) 502–6131.

j. *Deadline for filing scoping comments:* July 26, 2004.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

Scoping comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-Filing" link.

k. The Merrimack project consists of three developments described below:

The Amoskeag Development consisting of: (1) A 29-foot-high, 710-foot-long concrete gravity dam comprised of: (i) A low crest section with 5-foot-high flashboards; and (ii) a high crest section with 3-foot-high flashboards; (2) a 7-mile-long, 478-acre reservoir; (3) a powerhouse, integral with the dam, containing three generating units with a total installed capacity of 16,000 kW; (4) a 415-foot-long, 34.5-kV double circuit transmission line; and (5) other appurtenances.

The Hooksett Development consisting of: (1) A dam comprised of: (i) A 340-foot-long stone masonry section with 2-foot-high flashboards connected to; (ii) a 250-foot-long concrete section with 2-foot-high flashboards; (2) a 15-foot by 20-foot Taintor gate; (3) a 5.5-mile-long, 405-acre reservoir; (4) a powerhouse containing a single generating unit with an installed capacity of 1,600 kW; and (5) other appurtenances.

The Garvins Falls Development consisting of: (1) An 18-foot-high, 550-foot-long concrete and granite gravity dam comprised of: (i) A low crest section with 3-foot-high flashboards; and (ii) a high crest section with 1.2-foot-high flashboards; (2) an 8-mile-long reservoir; (3) a 500-foot-long water canal with a 10-foot-wide waste gate; (4) two powerhouses, each containing two generating units for a total installed capacity of 12,300 kW; (5) a 340-foot-long, 34.5-kV transmission line; and (6) other appurtenances.

l. A copy of the application is available for review at the Commission

in the Public Reference Room or may 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 field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208–3676, or for TTY, (202) 502–8659. A copy is also available for inspection and reproduction at the address in item h above.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

m. *Scoping Process:* Commission staff intend to prepare an Environmental Assessment (EA) on the project in accordance with the National Environmental Policy Act once the final license application is filed. The EA will consider both site-specific and cumulative environmental impacts and reasonable alternatives to the proposed action.

n. *Scoping Meetings:* Commission staff will conduct a site visit, one agency scoping meeting and one public meeting. The agency scoping meeting will focus on resource agency, Indian Tribes, and non-governmental organization concerns, while the public scoping meeting is primarily for public input. All interested individuals, organizations, resource agencies, and Indian Tribes are invited to attend one or both of the meetings, and to assist the staff in identifying the scope of the environmental issues that should be analyzed in the EA. The times and locations of these meetings are as follows:

#### Site Visit

*When:* Wednesday, June 23, 2004, 10 a.m. to 2 p.m. (e.s.t.).

*Where:* PSNH 5 Rivers auditorium, PSNH Energy Park, 780 North Commercial St., Manchester, NH, RSVP to Applicant Contact (item h) by June 15.

#### Public Scoping Meeting

*When:* Wednesday, June 23, 2004, 7 p.m. to 9 p.m. (e.s.t.).

*Where:* PSNH auditorium in Manchester.

#### Agency Scoping Meeting

*When:* Thursday, June 24, 2004, 10 a.m. to noon (e.s.t.).

*Where:* PSNH auditorium in Manchester.

Copies of the Scoping Document (SD1) outlining the subject areas to be addressed in the EA were distributed to the parties on the Commission(s) mailing list. Copies of the SD1 will be available at the scoping meeting or may be viewed on the Web at <http://www.ferc.gov> using the "eLibrary" link (see item l above).

o. *Objectives:* At the scoping meetings, the staff will: (1) Summarize the environmental issues tentatively identified for analysis in the EA; (2) solicit from the meeting participants all available information, especially quantifiable data, on the resources at issue; (3) encourage statements from experts and the public on issues that should be analyzed in the EA, including viewpoints in opposition to, or in support of, the staff(s) preliminary views; (4) determine the resource issues to be addressed in the EA; and (5) identify those issues that require a detailed analysis, as well as those issues that do not require a detailed analysis.

p. *Procedures:* The meetings are recorded by a stenographer and become part of the formal record of the Commission proceeding on the project.

Individuals, organizations, and agencies with environmental expertise and concerns are encouraged to attend the meeting and to assist the staff in defining and clarifying the issues to be addressed in the EA.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4–1304 Filed 6–9–04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. PL04–6–000; ER03–583–000, ER03–583–001 and ER03–583002; ER03–681–000 and ER03–681–001; ER03–682–000, ER03–682–001 and ER03–682–002; ER03–744–000 and ER03–744–001 (Consolidated); ER03–753–000 (Not Consolidated); ER03–713–000 and ER03–713–001]

**Solicitation Processes for Public Utilities; Entergy Services, Inc. and EWO Marketing, L.P.; Entergy Services, Inc. and Entergy Power, Inc.; Entergy Services, Inc. and Entergy Power, Inc.; Entergy Louisiana, Inc.; Entergy Services, Inc.; and Southern Power Company; Supplemental Notice for Technical Conference**

June 3, 2004.

This supplemental notice provides additional information concerning the technical conference to discuss issues