

(866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Magalie R. Salas,
Secretary.

[FR Doc. E6-6569 Filed 5-1-06; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP04-119-005]

Dominion Transmission, Inc.; Notice of Annual Report on Operational Sales of Gas

April 25, 2006.

Take notice that on April 6, 2006, Dominion filed an Annual Report on Operational Sales of Gas for the period April 1, 2005 through March 31, 2006 in compliance with section 42.D of the General Terms and Conditions (GT&C) of its tariff, which requires Dominion on June 30 of each year to submit its annual report on the sale of gas that is incidental to its operations covering the 12 month period from April 1 to March 31. Dominion reports that it made no operational sales of gas during this period.

Any person desiring to protest this filing must file in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). Protests to this filing 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. Such protests must be filed on or before the date as indicated below. Anyone filing a protest must serve a copy of that document on all the parties to the proceeding.

The Commission encourages electronic submission of protests in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible online at <http://www.ferc.gov>, using the "eLibrary" link and is 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 e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail FERCOnlineSupport@ferc.gov, or call

(866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Protest Date: 5 p.m. eastern time on May 1, 2006.

Magalie R. Salas,
Secretary.

[FR Doc. E6-6562 Filed 5-1-06; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP06-310-000]

El Paso Natural Gas Company; Notice of Proposed Changes in FERC Gas Tariff

April 25, 2006.

Take notice that on April 14, 2006, El Paso Natural Gas Company tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1-A, the following tariff sheet, to become effective June 1, 2006:

Ninth Revised Sheet No. 21.
First Revised Sheet No. 25B.
First Revised Sheet No. 25C.

Any person desiring to intervene or to protest this filing 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). 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed in accordance with the provisions of section 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible online at <http://www.ferc.gov>, using the "eLibrary" link and is 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 e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Magalie R. Salas,
Secretary.

[FR Doc. E6-6568 Filed 5-1-06; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP06-308-001]

Entrega Gas Pipeline LLC; Notice of Correction to Tariff Filing

April 26, 2006.

Take notice that on April 20, 2006, Rockies Express Pipeline LLC (Rockies Express), formerly Entrega Gas Pipeline LLC (Entrega), resubmitted the tariff sheets it filed on April 14, 2006, to correct the effective date contained in the footer of the tariff sheets to May 15, 2006, and to insert the sentence: "Filed to comply with order of the Federal Energy Regulatory Commission, Docket No. CP04-413-000, *et al.*, issued on March 30, 2006, 114 FERC ¶ 61,326" on Sheet Nos. 108, 219 and 244.

Any person desiring to protest this filing must file in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). Protests to this filing 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. Such protests must be filed in accordance with the provisions of section 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing a protest must serve a copy of that document on all the parties to the proceeding.

The Commission encourages electronic submission of protests in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible online at <http://www.ferc.gov>, using the "eLibrary" link and is 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 e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Magalie R. Salas,
Secretary.

[FR Doc. E6-6572 Filed 5-1-06; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER03-775-004; ER00-136-003]

FortisOntario, Inc. and FortisUS Energy Corporation; Order Accepting Notice of Change in Status and Tariff Revision and Providing Guidance

Issued April 25, 2006.

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

1. On July 7, 2005, as amended on March 7, 2006, FortisOntario, Inc. (FortisOntario) and FortisUS Energy Corporation (FortisUS) (collectively, Petitioners) filed a notice of change in status, a request for clarification of the Commission's reporting requirement for changes in status for public utilities with market-based rate authority,¹ and a tariff revision² incorporating the Commission's change in status reporting requirement.³ In this order, the Commission will accept Petitioners' notice of change in status and will accept Petitioners' revised tariff sheets. The Commission also provides guidance concerning foreign sellers with market-based rate authorization.

Background

2. Petitioners state that they are notifying the Commission of a non-material change in status regarding the purchase by their parent, Fortis Inc. (Fortis Parent), of Princeton Light and

Power Company, Limited (Princeton), a Canadian utility. Petitioners state that this change in status does not reflect a departure from the characteristics the Commission relied upon in granting market-based rate authority to either FortisOntario or FortisUS. Petitioners state that they believe that this notice is not required but are submitting it "out of an abundance of caution because Order No. 652 does not, by its express terms, exclude changes in status resulting from the acquisition of electric generation and transmission facilities located wholly outside of the United States."⁴

3. Petitioners state that, as more fully explained in their updated market power analysis accepted by the Commission,⁵ FortisOntario has no generating capacity in the United States and that its only jurisdictional facility is its market-based rate tariff on file with the Commission. Petitioners explain that FortisOntario is a corporation organized under the laws of the province of Ontario, Canada, having its principal place of business in Ontario, Canada. Petitioners state that FortisOntario is a wholly-owned subsidiary of Fortis Parent, a publicly-traded holding company existing under the laws of Newfoundland and Labrador, Canada.⁶

4. FortisUS states that it directly owns a total of approximately 22.5 MW of qualifying small power production facilities (QFs), located in New York. Petitioners explain that FortisUS is wholly-owned by a subsidiary of Fortis Parent, and is a corporation organized under the laws of the State of New York, having its principal place of business in the Canadian city of Charlottetown, Prince Edward Island.

5. Petitioners state that other generation owned by affiliates is located exclusively within Canada, and that none of these affiliates have tariffs or rate schedules on file with the Commission for power sales or transmission of electric energy in the United States. Petitioners explain that they do not possess any transmission facilities in the United States other than step-up transformers and other interconnecting transmission facilities needed to effect sales from the QFs, and that none of these interconnection facilities could be used by any other

party to effectuate sales of electric energy, capacity, or ancillary services at wholesale.

6. Petitioners state that Fortis Parent has acquired Princeton, a utility serving 3,200 customers in British Columbia. Petitioners state that Princeton does not own generation or transmission facilities and is exclusively engaged in the business of distributing electric energy to its customers. Petitioners also state that Princeton's distribution operations are located exclusively within Canada and are not directly interconnected with the United States, and that none of Princeton's facilities could be used by any other party to effectuate sales of electric energy, capacity or ancillary services at wholesale in the United States or the transmission of electric energy, capacity, or ancillary services in the United States.

7. Petitioners further state that Princeton is solely interconnected with and solely obtains its power from FortisBC Inc. (FortisBC), another affiliate, which provides distribution service in surrounding areas of British Columbia, Canada. Petitioners state that FortisBC is primarily a distribution facility and is not directly interconnected to the United States. FortisBC is interconnected with British Columbia Transmission Corporation (BCTC), which is not affiliated with Petitioners or Princeton. BCTC is a corporation owned by the province of British Columbia and is an independent transmission system operator which is interconnected to the United States. Petitioners state that BCTC offers wholesale transmission service under its open access transmission tariff (OATT) that is based on the Commission's Order No. 888 pro forma tariff and is regulated by the British Columbia Utilities Commission.⁷

8. Petitioners assert that Fortis Parent's acquisition of Princeton does not and cannot raise any generation or transmission market power concerns with respect to Petitioners. Petitioners request clarification from the Commission as to whether notification of a change in status is required where generation and/or transmission assets acquired by a jurisdictional facility or its affiliates are located exclusively within Canada and are not and cannot be used to make sales of electric energy

¹ Reporting Requirement for Changes in Status For Public Utilities With Market-Based Rate Authority, Order No. 652, 70 FR 8,253 (February 18, 2005), FERC Stats. & Regs. ¶ 31, 175, order on reh'g, 111 FERC ¶ 61,413 (2005) (Order No. 652).

² FERC Electric Tariff, Second Revised Volume No. 1, Substitute Second Revised Sheet No. 1-1A, First Revised Sheet No. 2-5.

³ This revision is made in compliance with the Commission's order accepting Petitioners' updated market power analysis. *FortisOntario, Inc.* 110 FERC ¶ 61,119 (2005).

⁴ Request for Clarification at 1.

⁵ FortisOntario, Inc., 110 FERC 61,119 (2005).

⁶ On January 31, 2003, the Commission authorized the intracorporate transfer of the jurisdictional assets of Canadian Niagara Power Company to a newly formed entity, FortisOntario, pursuant to an amalgamation under Canadian law. *Canadian Niagara Power Co.*, 102 FERC ¶ 62,068 (2003).

⁷ BCTC operates the British Columbia Hydro and Power Authority's transmission system (BC Hydro). BC Hydro's OATT was reviewed by the Commission in 1997, in *British Columbia Power Exchange Corp.*, 80 FERC ¶ 61,343 (1997). The Commission found that the tariff's terms and conditions were identical to the Commission's pro forma tariff in all material respects.