

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Docket No. RP04-354-001]****Texas Gas Transmission, LLC; Notice of Compliance Filing**

August 12, 2004.

Take notice that, on August 9, 2004, Texas Gas Transmission, LLC (Texas Gas) submitted a compliance filing pursuant to a letter order issued July 28, 2004, in Docket No. RP04-354-000.

Texas Gas states that the purpose of this filing is to submit additional revised tariff sheets to remove all remaining references to the Gas Research Institute Surcharge from Texas Gas' tariff, as ordered by the Commission.

Texas Gas states that copies of this filing are being mailed to all parties on the service list in this docket, to Texas Gas's official service list, to Texas Gas's jurisdictional customers, and to interested State commissions.

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 § 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 on-line 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.

Linda Mitry,
Acting Secretary.

[FR Doc. E4-1852 Filed 8-19-04; 8:45 am]

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Project No. 2816-030]****Vermont Electric Generation & Transmission Cooperative, Inc., North Hartland, LLC; Notice Rejecting Request for Rehearing**

August 13, 2004.

1. On June 22, 2004, the Director, Division of Hydropower Administration and Compliance, Office of Energy Projects, issued an order which granted an extension of time to North Hartland, LLC (North Hartland) to submit copies of the instruments of conveyance as required by the order approving transfer of the North Hartland Project No. 2816 to North Hartland. On July 15, 2004, the Vermont Department of Public Service (Vermont DPS) filed a request for rehearing of that order.

2. Pursuant to section 313(a) of the Federal Power Act, 16 U.S.C. 825l(a), a request for rehearing may be filed only by a party to the proceeding. In order for Vermont DPS to be a party to the proceeding, it must have filed a motion to intervene pursuant to Rule 214 of the Rules of Practice and Procedure, 18 CFR 385.214.¹ Vermont DPS has not filed a motion to intervene in this proceeding (the request for extension of time to file conveyance instruments). Since Vermont DPS is not a party to this proceeding, its request for rehearing is rejected.

3. Vermont DPS' rehearing request would have been rejected in any event. With regard to post-licensing proceedings, the Commission entertains motions to intervene only where the filing entails a material change in the plan of development or in the terms of the license; would adversely affect the rights of property holders in a manner not contemplated by the license; or involves an appeal by an agency or entity specifically given a consultation role.² The timing of a compliance filing is an administrative matter between the licensee and the Commission, and does not alter the substantive obligations of

the licensee.³ It therefore does not give rise to an opportunity for intervention and rehearing.

4. 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.

[FR Doc. E4-1878 Filed 8-19-04; 8:45 am]

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DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Docket No. EL04-43-002, et al.]****Tenaska Power Services, Co., et al.; Electric Rate and Corporate Filings**

August 12, 2004.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

1. Tenaska Power Services, Co. v. Midwest Independent Transmission System Operator, Inc.; Cargill Power Markets, LLC v. Midwest Independent Transmission System Operator, Inc.

[Docket Nos. EL04-43-002, EL04-46-002 (Not Consolidated)]

Take notice that on August 9, 2004, Midwest Independent Transmission System Operator, Inc. submitted a compliance filing pursuant to the Commission's order issued June 23, 2004, in Docket Nos. EL04-43-001 and EL04-46-001, 107 FERC ¶ 61,308.

Comment Date: 5 p.m. eastern time on August 30, 2004.

2. Entergy Services, Inc.

[Docket No. ER91-569-023]

Take notice that, on August 9, 2004, Entergy Services, Inc. (ESI), on behalf of Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., and Entergy New Orleans, Inc. (collectively, Entergy), submitted a compliance filing under protest pursuant to the Commission's orders issued on April 14, 2004, in Docket No. ER96-2495-016, *et al.*, 107 FERC ¶ 61, 018 and July 8, 2004, in Docket No. ER96-2495-018, *et al.*, 1008 FERC ¶ 61,026.

³ City of Tacoma, Washington, 89 FERC ¶ 61,058 (1999). The only exception would be if the license articles specifically state that Vermont DPS must be consulted on extensions of deadlines set forth in the articles. *Id.* At 61,194 n. 9. Such is not the case here.

¹ See Pacific Gas and Electric Company, 40 FERC ¶ 61,035 (1987).

² Kings River Conservation District, 36 FERC ¶ 61,365 (1986).