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**Magalie R. Salas,**

*Secretary.*

[FR Doc. 05-15395 Filed 8-2-05; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP05-520-000]

#### Eastern Shore Natural Gas Company; Notice of Penalty Sharing Report

July 29, 2005.

Take notice that on July 26, 2005, Eastern Shore Natural Gas Company (Eastern Shore) tendered for filing a report detailing the distribution of penalty revenue sharing amounts to affected buyers.

Eastern Shore states that copies of the filing have been served upon the recipients of the refund and their respective state commissions.

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 on or before the date as indicated below. 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 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time August 5, 2005.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-4187 Filed 8-2-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. RP04-248-007 and RP04-251-008]

#### El Paso Natural Gas Company; Notice of Compliance Filing

July 29, 2005.

Take notice that on July 25, 2005, El Paso Natural Gas Company (EPNG) tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1A, the following tariff sheets to become effective May 1, 2005:

Second Substitute Original Sheet No. 136  
Second Substitute Original Sheet No. 137

EPNG states that the filing is being made in compliance with the Commission Order dated May 27, 2005, in the above listed proceeding. EPNG states that these tariff sheets are revised to suspend the Rate Schedule PAL penalty provisions when EPNG is unable to schedule PAL nominations.

EPNG states that copies of the filing were served on parties on the official service list in the above-captioned proceedings.

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.

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**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-4173 Filed 8-2-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[EL05-132-000]

#### Exelon Generation Company, LLC, AmerGen Energy Company, LLC, Commonwealth Edison Company, Unicom Power Marketing, Inc., PECO Energy Company, Exelon Energy Company, Exelon Edgar, LLC, Exelon West Medway, LLC, Exelon Wyman, LLC, Exelon New Boston, LLC, Exelon Framingham, LLC, and Exelon New England Power Marketing, L.P.; Notice of Institution of Proceeding and Refund Effective Date

July 7, 2005.

On July 5, 2005, the Commission issued an order that instituted a proceeding in Docket No. EL05-132-000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, concerning the continued justness and reasonableness of the market-based rates charged by Exelon Corporation (Exelon Generation Company, LLC) and its affiliates, AmerGen Energy Company, LLC, Commonwealth Edison Company, Unicom Power Marketing, Inc., Exelon Edgar, LLC, Exelon Framingham, LLC, Exelon West Medway, LLC, Exelon Wyman, LLC, and Exelon New Boston, LLC, Exelon New England Power Marketing, L.P., PECO Energy Company, and Exelon Energy Company's *Exelon*

*Corporation, et al*, 112 FERC ¶61,027 (2005).

The refund effective date in Docket No. EL05-132-000, established pursuant to section 206(b) of the FPA, will be 60 days from the date of publication of this notice in the **Federal Register**.

**Magalie R. Salas**,

*Secretary.*

[FR Doc. 05-15386 Filed 8-2-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project 11301-010]

#### Fall Line Hydro Company, Inc.; Notice Rejecting Request for Rehearing

July 29, 2005.

On July 18, 2005, Fall Line Hydro Company, Inc. filed a request for rehearing of a June 8, 2005, Commission staff order denying extension of time to commence construction for the Carters Reregulation Dam Project No. 11301. The project is located at the U.S. Army Corps of Engineers' Carters Reregulation Dam and Reservoir on the Cossawattee River near the town of Calhoun, in Murray County, Georgia.

Pursuant to section 313(a) of the Federal Power Act, 16 U.S.C. 8251(a), an aggrieved party must file a request for rehearing within thirty days after the issuance of the Commission's Order, in this case no, later than July 8, 2005. Because the 30-day rehearing deadline is statutory based it cannot be extended and Fall Line Hydro Company, Inc.'s request for rehearing must be rejected as untimely.

This notice constitutes final agency action. Requests for rehearing by the Commission of this rejection notice may be filed within 30 days of the date of issuance of this notice, pursuant to 18 CFR 385.712.

**Magalie R. Salas**,

*Secretary.*

[FR Doc. E5-4164 Filed 8-2-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP05-519-000]

#### Florida Gas Transmission Company; Notice of Proposed Changes in FERC Gas Tariff

July 29, 2005.

Take notice that on July 22, 2005, Florida Gas Transmission Company (FGT) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, the following tariff sheets, to become effective August 1, 2005:

Seventy-First Revised Sheet No. 8A, Sixty-Third Revised Sheet No. 8A.01, Sixty-Third Revised Sheet No. 8A.02, Twenty-Third Revised Sheet No. 8A.04, Sixty-Sixth Revised Sheet No. 8B, Fifty-Ninth Revised Sheet No. 8B.01, Fifteenth Revised Sheet No. 8B.02.

FGT states that the tariff sheets listed above are being filed pursuant to section 27.A.2.b of the general terms and conditions of FGT's tariff, which provides for flex adjustments to FGT's base fuel reimbursement charge percentage.

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.

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Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Magalie R. Salas**,

*Secretary.*

[FR Doc. E5-4185 Filed 8-2-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 7264]

#### Fox River Paper Company, N.E.W. Hydro, Inc.; Notice of Authorization for Continued Project Operation

July 7, 2005.

On January 22, 2003, Fox River Paper Company and N.E.W. Hydro, Inc., licensees for the Middle Appleton Dam Project No. 7264, filed an application for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's regulations thereunder. Project No. 7264 is located on the Fox River in Outagamie County, Wisconsin.

The license for Project No. 7264 was issued for a period ending June 30, 2005. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year to year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.