

commencement of participation in NEPOOL by XENERGY.

Comment date: March 21, 2000, in accordance with Standard Paragraph E at the end of this notice.

31. Soyland Power Cooperative, Inc.

[Docket No. ER00-1736-000]

Take notice that on February 29, 2000, Soyland Power Cooperative, Inc. (Soyland), tendered for filing with the Federal Energy Regulatory Commission (the Commission) proposed changes to its Rate Schedule A, designated as Supplement No. 2 to its Rate Schedules.

Soyland requests an effective date of February 1, 2000, for the proposed change to its Rate Schedule A. Accordingly, Soyland requests waiver of the Commission's regulations. Rate Schedule A is the formulary rate under which Soyland recovers the costs associated with its service to its Members pursuant to the Wholesale Power Contract that Soyland has with each Member.

Comment date: March 21, 2000, in accordance with Standard Paragraph E at the end of this notice.

32. Virginia Electric and Power Company

[Docket No. ER00-1737-000]

Take notice that on February 29, 2000, Virginia Electric and Power Company (Virginia Power), tendered for filing an Amended and Restated Market-Based Sale Tariff.

Virginia Power requests authorization to sell power at market-based rates at wholesale entities for resale outside the Company's service territory; and to both affiliated and non-affiliated energy service providers who are participating in Virginia's Retail Access Pilot Program. Virginia Power also proposes to correct two errors which it has identified in its currently filed tariff.

Copies of the filing were served upon the public utility's jurisdictional customers and Virginia State Corporation Commission.

Comment date: March 21, 2000, in accordance with Standard Paragraph E at the end of this notice.

33. Bangor Hydro-Electric Company

[Docket No. ER00-1738-000]

Take notice that on February 29, 2000, Bangor Hydro-Electric Company (Bangor Hydro), tendered pursuant to Section 205 of the Federal Power Act and Part 35 of the Commission's Regulations, revisions to its Open Access Transmission Tariff (OATT) to clarify its retail rate schedules.

Bangor Hydro proposes that the filing become effective March 1, 2000.

Comment date: March 21, 2000, in accordance with Standard Paragraph E at the end of this notice.

34. Phelps Dodge Energy Services, LLC

[Docket No. ER00-1739-000]

Take notice that on February 29, 2000, Phelps Dodge Energy Services, LLC (PDES), tendered for filing an "umbrella" Service Agreement between PDES and Tucson Electric Power Company (TEP) under which PDES will make short-term sales of capacity and energy to TEP, pursuant to PDES' market-based rate tariff, which was approved by the Commission in Green Power Partners I, LLC, *et al.*, 88 FERC ¶ 61,005 (1999).

Comment date: March 21, 2000, in accordance with Standard Paragraph E at the end of this notice.

35. Southwest Power Pool, Inc.

[Docket No. ER00-1740-000]

Take notice that on February 29, 2000, Southwest Power Pool, Inc. (SPP), tendered for filing an executed service agreement for firm point-to-point transmission service under the SPP Tariff with Southwestern Public Service Company (SPS).

SPP requests an effective date of January 1, 2002 for this agreement.

Copies of this filing were served upon SPS.

Comment date: March 21, 2000, in accordance with Standard Paragraph E at the end of this notice.

36. FirstEnergy Operating Companies and Duquesne Light Company

[Docket No. ER00-1741-000]

Take notice that on February 29, 2000, the FirstEnergy Operating Companies and Duquesne Light Company (collectively, Parties), tendered for filing under Section 205 of the Federal Power Act an Ancillary Services Service Agreement under which Duquesne Light Company may purchase certain ancillary services from the FirstEnergy Operating Companies.

The Parties request an effective date of May 1, 2000, for the agreement.

A copy of the filing was served upon the Pennsylvania Public Utility Commission and the Public Utilities Commission of Ohio.

Comment date: March 21, 2000, in accordance with Standard Paragraph E at the end of this notice.

37. Madison Windpower, LLC

[Docket No. ER00-1742-000]

Take notice that on February 29, 2000, Madison Windpower, LLC (Madison), tendered for filing, pursuant to Section 205 of the Federal Power Act, and Part

35 of the Commission's Regulations, a Petition for authorization to make sales of capacity, energy, and certain Ancillary Services at market-based rates and to reassign transmission capacity. Madison is constructing a nominally rated 11.55 MW wind-powered generating facility located in the Town of Madison in Madison County, New York.

Comment date: March 21, 2000, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest such filing 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 and 385.214). All such motions or protests should be filed on or before the comment date. 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 motion to intervene. Copies of these filings are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

David P. Boergers,
Secretary.

[FR Doc. 00-5855 Filed 3-9-00; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Western Area Power Administration

Post-2004 Resource Pool-Loveland Area Projects

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of proposed allocation procedures and call for applications.

SUMMARY: Western Area Power Administration (Western), a Federal power marketing agency of the Department of Energy, is publishing this notice of proposed procedures to implement Subpart C—Power Marketing Initiative of the Energy Planning and Management Program Final Rule, 10 CFR part 905. The Energy Planning and Management Program (Program), which was developed in part to implement section 114 of the Energy Policy Act of 1992, became effective on November 20,

1995. Subpart C of the Program provides for establishing project-specific resource pools and allocating power from these pools to new preference customers. These proposed procedures, in conjunction with the Loveland Area Projects Final Post-1989 Marketing Plan (Post-1989 Marketing Plan) will establish the framework for allocating power from the resource pool to be established for the Loveland Area Projects (LAP).

DATES: The comment period on the proposed procedures begins today and ends June 8, 2000. To be assured of consideration, Western must receive all written comments by the end of the comment period. Western will hold public information forums and public comment forums on the proposed procedures on March 14, 21, and 23, 2000, at the following locations and times:

1. March 14, 2000, information forum begins at 10 a.m. Comment forum immediately following in Northglenn, Colorado.
2. March 21, 2000, information forum begins at 10 a.m. Comment forum immediately following in Casper, Wyoming.
3. March 23, 2000, information forum begins at 10 a.m. Comment forum immediately following in Topeka, Kansas.

ADDRESSES: Send written comments regarding these proposed procedures to: Mr. Joel K. Bladow, Regional Manager, Rocky Mountain Customer Service Region, Western Area Power Administration, P.O. Box 3700, Loveland, CO 80539-3003. All documentation developed or retained by Western for the purpose of developing these procedures will be available for inspection and copying at the Rocky Mountain Customer Service Region Office, at 5555 East Crossroads Boulevard., Loveland, CO 80538-8986.

Public information and comment forums will be held at:

1. Holiday Inn Denver-Northglenn, 10 East 120th Avenue, Northglenn, Colorado.
2. The Events Center, 1 Events Drive, Casper, Wyoming.
3. Holiday Inn Topeka West, 605 Fairlawn Road, Topeka, Kansas.

FOR FURTHER INFORMATION CONTACT: Ron Steinbach, Power Marketing Manager, 970-490-7322; David Holland, Contracts and Energy Services Manager, 970-490-7259; or Susan Steshyn, Public Utilities Specialist, 970-490-7237. Written requests for information should be sent to Rocky Mountain Customer Service Region, Western Area Power

Administration, P.O. Box 3700, Loveland, CO 80539-3003. After all public comments have been thoroughly considered, Western will prepare and publish Final Post-2004 Resource Pool Allocation Procedures in the **Federal Register**.

SUPPLEMENTARY INFORMATION: Western published the Final Rule for the Program, 60 FR 54151, October 20, 1995. The rule became effective on November 20, 1995. The goal of the Program is to require planning and efficient electric energy use by Western's long-term firm power customers and to extend Western's firm power resource commitments. One aspect of the Program is to establish project-specific power resource pools when existing resource commitments expire and allocate power from these pools to new preference customers. Existing resource commitments for LAP expire on September 30, 2004. In accordance with the Program, 96 percent of the firm power resources available in 2004 was extended to existing customers. The remaining 4 percent will be placed in a resource pool from which power allocations to new customers will be made following these proposed procedures and the Post-1989 Marketing Plan, 48 FR 38279, August 23, 1983. The Proposed Post-2004 Resource Pool Allocation Procedures for LAP address (1) eligibility criteria; (2) how Western plans to allocate the pool resources to new customers as provided for in the Program; and (3) the terms and conditions under which Western will sell the allocated power.

I. Amount of Pool Resources

Western proposes to allocate up to 4 percent of the LAP long-term firm hydroelectric resource available as of October 1, 2004, as firm power (firm power). Present hydrologic studies indicate that about 28 MW will be available for the summer season and about 24 MW will be available for the winter season. Firm power means firm capacity and associated energy allocated by Western and subject to the terms and conditions specified in Western's long term firm power electric service contracts.

II. General Eligibility Criteria

Western proposes to apply the following general eligibility criteria to applicants seeking an allocation of firm power under the proposed Post-2004 Resource Pool Allocation Procedures.

A. Eligible applicants must be preference entities as defined by section 9c of the Reclamation Project Act of

1939, 43 U.S.C. 485h(c), as amended and supplemented.

B. Eligible applicants must be located within the currently established LAP marketing area.

C. Eligible applicants must not be currently receiving benefits from a current LAP firm power allocation. Eligible Native American applicants are not subject to this requirement.

D. Eligible utility and nonutility applicants must be able to use the firm power directly or be able to sell it directly to retail customers.

E. Eligible applicants that are municipalities, cooperatives, public utility districts, and public power districts, must have utility status by September 30, 2000. Utility status means that the entity has responsibility to meet load growth, has a distribution system, and is ready, willing, and able to purchase Federal power from Western on a wholesale basis.

F. Eligible Native American applicants must be Native American Tribes as defined in the Indian Self Determination Act of 1975, 25 U.S.C. 450b, as amended.

III. General Allocation Criteria

Western proposes to apply the following general allocation criteria to applicants seeking an allocation of firm power under the proposed Post-2004 Resource Pool Allocation Procedures.

A. Allocations of firm power will be made in amounts as determined solely by Western in exercising its discretion under Reclamation Law.

B. An allottee will have the right to purchase such firm power only after executing an electric service contract between Western and the allottee.

C. Firm power allocated under these procedures will be available only to new eligible applicants in LAP's existing marketing area. This marketing area includes parts of Colorado, Kansas, Nebraska, and Wyoming. LAP's marketing area is specifically defined as the portion of Colorado east of the Continental Divide, Mountain Parks Rural Electric Association's service territory in Colorado west of the Continental Divide, the portion of Kansas located in the Missouri River Basin, and the portion of Kansas west of the eastern borders of the counties intersected by the 100th Meridian, the portion of Nebraska west of the 101st Meridian, and Wyoming east of the Continental Divide.

D. Allocations made to Native American Tribes will be based on estimated or actual load developed by the Native American Tribes. Western will adjust inconsistent estimates during the allocation process. Western is

willing to assist tribes in developing load estimating methods assuring consistent Native American Tribe load estimates across the region.

E. Allocations made to qualified utility and nonutility applicants will be based on 1998–99 winter season and 1999 summer season loads. Western will apply the Post-1989 Marketing Plan criteria to these loads.

F. Firm capacity and energy will be based upon the applicant's seasonal system load factor.

G. Any electric service contract offered by Western to an applicant shall be executed by the applicant within six (6) months from the date of offer, unless otherwise agreed to in writing by Western.

H. The initial resource pool will be dissolved subsequent to the closing date for executing firm power contracts. Firm power not under contract will be used as Western determines.

I. The minimum allocation shall be 100 kilowatts (kW).

J. The maximum allocation for qualified utility and nonutility applicants shall be 5,000 kilowatts (kW).

K. Contract rates of delivery shall be subject to adjustment in the future as provided for in the Program.

L. Western retains the right to provide the economic benefits of its resources directly to tribes, if unanticipated obstacles to delivering hydropower benefits to Native American Tribes arise.

IV. General Contract Principles

Western proposes to apply the following general contract principles to all applicants receiving an allocation of firm power under the proposed Post-2004 Resource Pool Allocation Procedures.

A. Western, at its discretion and sole determination, reserves the right to adjust the contract rate of delivery on 5 years' notice in response to changes in hydrology and river operations. Any such adjustments shall only take place after a public process.

B. Western shall assist allottees to obtain third-party transmission arrangements to deliver firm power allocated under these proposed procedures; nonetheless, each allottee is ultimately responsible for obtaining its own delivery arrangements.

C. Contracts entered into under the proposed Post-2004 Resource Pool Allocation Procedures shall provide for Western to furnish firm electric service effective from the October 2004 billing period, through the September 2024 billing period.

D. The contracts entered into as a result of these proposed procedures

shall incorporate Western's standard provisions for power sales contracts, integrated resource planning, and the general power contract provisions.

V. Applications for Firm Power

Applications for an allocation of firm power under these proposed procedures must be submitted in writing to the Regional Manager, Rocky Mountain Customer Service Region. The application consists of two parts, a Letter of Interest and Applicant Profile Data (APD), which must be received in Western's Rocky Mountain Customer Service Region at P.O. Box 3700, Loveland, Colorado 80539–3003, in accordance with the requirements listed here.

A. Letter of Interest

Each applicant should submit to the Regional Manager, Rocky Mountain Customer Service Region, a Letter of Interest in receiving firm power no later than close of business on June 9, 2000. A Letter of Interest does not obligate an applicant in any way. If an applicant is eligible for an allocation under these proposed procedures, an electric service contract between Western and the allottee will be the binding document.

B. Applicant Profile Data

To remain eligible for an allocation, each applicant must submit two typed copies of the APD to Western's Rocky Mountain Customer Service Region no later than close of business on September 6, 2000. The content and format of the APD follows. Requested information should be submitted in the sequence listed. The applicant must provide all requested information or the most reasonable available estimate. The applicant should note any requested information that does not apply. Western is not responsible for errors in data, missing data, or missing pages. All items in the APD should be answered as if prepared by the organization seeking the allocation.

1. Applicant:

a. Applicant's name and address.

b. Person(s) representing applicant: Please provide the name, address, title, and telephone number of such person(s).

c. Type of organization: For example, municipality, rural electric cooperative, Native American Tribe, state agency, or Federal agency. Please provide a brief description of the organization that will interact with Western contract and billing matters and whether the organization owns and operates its own electric utility system.

d. Applicable law under which the organization was established.

2. Loads:

a. Utility and Nonutility Applicants:
i. If applicable, number and type of customers served; *i.e.*, residential, commercial, industry, military base, agricultural.

ii. The actual monthly maximum demand in (kilowatts) and energy use (in kilowatthours) during the 1998–99 winter season (October 1998 through March 1999) and the 1999 summer season (April 1999 through September 1999).

b. Native American Tribe Applicants: Estimated maximum demand in kilowatts with a description of the method and basis for this estimated demand.

3. Resources:

a. A list of current power supplies, including the applicant's own generation and purchases from others. For each supply, provide capacity and location.

b. Status of power supply contracts, including contract termination date. Indicate whether power supply is on a firm basis or some other type of arrangement.

4. Transmission:

a. Points of delivery: Provide the preferred point(s) of delivery on Western's system or a third party's system and the required service voltage.

b. Transmission arrangements: Describe the transmission arrangements necessary to deliver firm power to the requested points of delivery.

5. Other Information:

The applicant may provide any other information pertinent to receiving an allocation.

6. Signature:

The signature and title of an appropriate official who is able to attest to the validity of the APD and who is authorized to submit the request for allocation.

C. Western's Consideration of Applications

1. When Western receives the APD, Western will verify that the general eligibility criteria set forth in section II have been met, and that all items requested in the APD have been provided.

a. Western will request in writing additional information from any applicant whose APD is determined to be deficient. The applicant shall have 15 days from the date on Western's letter of request to provide the needed information in writing.

b. If Western determines that the applicant does not meet the general eligibility criteria, Western will send a letter explaining why the applicant did not qualify.

c. If the applicant has met the eligibility criteria, Western will determine the amount of firm power to be allocated pursuant to the general allocation criteria set forth in section III. Western will send a draft contract to the applicant for review which identifies the terms and conditions of the offer and the amount of firm power allocated to the applicant.

2. All firm power shall be allocated according to the procedures in the general allocation criteria set forth in section III.

3. Western reserves the right to determine the amount of firm power to allocate to an applicant, as justified by the applicant in its APD.

VI. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* (Act), requires Federal agencies to perform a regulatory flexibility analysis if a proposed regulation is likely to have a significant economic impact on a substantial number of small entities. Western has determined that (1) this rulemaking relates to services offered by Western, and, therefore, is not a rule within the purview of the Act, and (2) the impacts of an allocation from Western would not cause an adverse economic impact on a substantial number of such entities. The requirements of this Act can be waived if the head of the agency certifies that the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. By his execution of this **Federal Register** notice, Western's Administrator certifies that no significant economic impact on a substantial number of small entities will occur.

VII. Review Under the Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980, 44 U.S.C. 3501-3520, Western has received approval from the Office of Management and Budget (OMB) to collect customer information in this rule, under control number 1910-1200.

VIII. Review Under the National Environmental Policy Act

Western has completed an environmental impact statement on the Program, pursuant to the National Environmental Policy Act of 1969 (NEPA). The Record of Decision was published in the **Federal Register** on October 12, 1995 (60 FR 53181). Western's NEPA review will assure all environmental effects related to these procedures have been analyzed.

IX. Determination Under Executive Order 12866

DOE has determined that this is not a significant regulatory action because it does not meet the criteria of Executive Order 12866, 58 FR 51735. Western has an exemption from centralized regulatory review under Executive Order 12866; accordingly, no clearance of this notice by OMB is required.

Dated: February 25, 2000.

Michael S. Hacsakaylo,

Administrator.

[FR Doc. 00-5948 Filed 3-9-00; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Western Area Power Administration

Boulder Canyon Project-Firm Power Services Base Charge and Rates

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of proposal to extend rate setting formula.

SUMMARY: Western Area Power Administration's (Western) Desert Southwest Customer Service Region is initiating a rate adjustment process for the Boulder Canyon Project (BCP). Western proposes to extend the existing rate setting formula, and approve the proposed base charge and rates for FY 2001. This **Federal Register** notice begins the formal rate adjustment process for the proposed base charge and rates.

DATES: The consultation and comment period begins today and ends June 8, 2000. Western will hold a public information forum on April 13, 2000, beginning at 10 a.m. MST, at the Desert Southwest Customer Service Regional Office to explain the proposed base charge and rates. Western will receive oral and written comments at a public comment forum on May 9, 2000, beginning at 10 a.m. MST, also to be held at the Desert Southwest Customer Service Regional Office.

ADDRESSES: Send written comments to: Mr. J. Tyler Carlson, Regional Manager, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005-6457, or by e-mail: carlson@wapa.gov. Western must receive written comments by the end of the consultation and comment period to be assured consideration. The Desert Southwest Customer Service Regional Office is located at 615 South 43rd Avenue, Phoenix, Arizona.

FOR FURTHER INFORMATION CONTACT: Mr. Maher A. Nasir, Rates Team Lead, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005-6457, (602) 352-2768, or by e-mail: nasir@wapa.gov.

SUPPLEMENTARY INFORMATION: Annual base charge and rates adjustments are required by the existing rate setting formula approved by the Federal Energy Regulatory Commission (FERC) on April 19, 1996. The existing rate schedule was placed into effect on November 1, 1995. Western proposes to extend the existing rate setting formula through September 30, 2005, and approve the proposed base charge and rates for FY 2001. The proposed base charge for FY 2001 is \$49,460,974. The proposed forecasted energy rate is 5.70 mills per kilowatt-hour (kWh), and the proposed forecasted capacity rate is \$1.02 per kilowatt-month (kWmonth). The existing base charge is \$46,145,334. The existing forecasted energy rate is 4.59 mills per kWh, and the existing forecasted capacity rate is \$0.95 per kWmonth. The projected base charge and rates adjustments are due to increases in the annual operating expenses and will be explained during the rate adjustment process. All brochures, studies, comments, letters, memorandums, and other documents made or kept by Western in developing the proposed base charge and rates will be made available to all power customers and interested parties. The extension of the existing rate schedule and proposed firm power services base charge and rates are scheduled to become effective October 1, 2000.

Under Amendment No. 3 to Delegation Order No. 0204-108, published November 10, 1993 (58 FR 59716), the Secretary of Energy delegated (1) the authority to develop long-term power and transmission rates on a nonexclusive basis to Western's Administrator; and (2) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to FERC. In Delegation Order No. 0204-172, effective November 24, 1999, the Secretary of Energy delegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary. Existing DOE procedures for public participation in power rate adjustments are located at 10 CFR part 903, effective on September 18, 1985 (50 FR 37835).

The proposed firm power services base charge and rates for BCP are being established pursuant to the Department of Energy Organization Act (42 U.S.C.