

Sample Notice of Succession – Simple Name Change

A market-based rate seller must file a notice of succession when it undergoes a name change. As part of this filing, the market-based rate seller must revise its market-based rate tariff to show the new name. The market-based rate seller must include a clean version of the revised tariff and a redline/strikeout version of the revised tariff showing ALL revisions.

[Current Date]

Federal Energy Regulatory Commission
Office of the Secretary
888 First St. NE
Washington, D.C. 20426

Re: Example Seller, Inc.
Notification of Succession
Docket No. ER08-____-____

Enclosed for filing are an original and six copies of a notice of succession submitted by Example Seller, Inc. (Example Seller).

Example Seller hereby notifies the Commission that, as the result of a name change, Example Seller has succeeded Old Company, L.L.C. Old Company, L.L.C. originally received market-based rate authorization in Docket No. ER07-12234-000. Enclosed is a revised tariff that reflects this name change.

Example Seller requests that the tariff be effective (insert proposed effective date).

Sincerely,

Cynthia F. Kilowatt
Vice President
Apex Power Marketing, Inc.
Suite 9000
1111 Half Street, N.W.
Washington, D.C. 20426-0000

(202) 502-XXXX

Revised Market-Based Tariff

Example Seller, Inc.
FERC Electric Tariff, Original Volume No. 1

Original Sheet No. 1

1) Availability

XYZ Small Gen, Inc. (Seller) makes electric energy, capacity, and ancillary services available under this tariff to any purchaser, except as prohibited below.

2) Rates

All sales shall be made at rates established by agreement between the purchaser and Seller.

3) Compliance with Commission Regulations

Seller shall comply with the provisions of 18 CFR Part 35, Subpart H, as applicable, and with any conditions the Commission imposes in its orders concerning seller's market-based rate authority, including orders in which the Commission authorizes seller to engage in affiliate sales under this tariff or otherwise restricts or limits the seller's market-based rate authority. Failure to comply with the applicable provisions of 18 CFR Part 35, Subpart H, and with any orders of the Commission concerning seller's market-based rate authority, will constitute a violation of this tariff.

4) Limitations and Exemptions Regarding Market-Based Rate Authority

Seller does not have market-based rate authority in the Large Utility, Inc. balancing authority area. (*XYZ Small Gen, Inc.*, 119 FERC 61,2X3 (2001))

5) Ancillary Services

PJM: Seller offers regulation and frequency response service, energy imbalance service, and operating reserve service (which includes spinning, 10-minute, and 30-minute reserves) for sale into the market administered by PJM Interconnection, L.L.C. ("PJM") and, where the PJM Open Access Transmission Tariff permits, the self-supply of these services to purchasers for a bilateral sale that is used to satisfy the ancillary services requirements of the PJM Office of Interconnection.

New York: Seller offers regulation and frequency response service, and operating reserve service (which include 10-minute non-synchronous, 30-minute operating reserves, 10-minute spinning reserves, and 10-minute non-spinning reserves) for sale to purchasers in the market administered by the New York Independent System Operator, Inc.

New England: Seller offers regulation and frequency response service (automatic generator control), operating reserve service (which includes 10-minute spinning reserve, 10-minute non-spinning reserve, and 30-minute operating reserve service) to purchasers within the markets administered by the ISO New England, Inc.

California: Seller offers regulation service, spinning reserve service, and non-spinning reserve service to the California Independent System Operator Corporation ("CAISO") and to others that are self-supplying ancillary services to the CAISO.

Third-party Ancillary Services: Seller offers Regulation Service, Energy Imbalance Service, Spinning Reserves, and Supplemental Reserves. Sales will not include the following: (1) sales to an RTO or an ISO, i.e., where that entity has no ability to self-supply ancillary services but instead depends on third parties; (2) sales to a traditional, franchised public utility affiliated with the third-party supplier, or sales where the underlying transmission service is on the system of the public utility affiliated with the third-party supplier; and (3) sales to a public utility that is purchasing ancillary services to satisfy its own open access transmission tariff requirements to offer ancillary services to its own customers.

Issued By: Cynthia Megawatt
Issued On: January 1, 2006

Effective Date: (insert proposed date)

Redline/Strikeout Revised Market- Based Rate Tariff

1) Availability

XYZ Small Gen, Inc. (Seller) makes electric energy, capacity, and ancillary services available under this tariff to any purchaser, except as prohibited below.

2) Rates

All sales shall be made at rates established by agreement between the purchaser and Seller.

3) Compliance with Commission Regulations

Seller shall comply with the provisions of 18 CFR Part 35, Subpart H, as applicable, and with any conditions the Commission imposes in its orders concerning seller's market-based rate authority, including orders in which the Commission authorizes seller to engage in affiliate sales under this tariff or otherwise restricts or limits the seller's market-based rate authority. Failure to comply with the applicable provisions of 18 CFR Part 35, Subpart H, and with any orders of the Commission concerning seller's market-based rate authority, will constitute a violation of this tariff.

4) Limitations and Exemptions Regarding Market-Based Rate Authority

Seller does not have market-based rate authority in the Large Utility, Inc. balancing authority area. (XYZ Small Gen, Inc., 119 FERC 61,2X3 (2001))

5) Ancillary Services

PJM: Seller offers regulation and frequency response service, energy imbalance service, and operating reserve service (which includes spinning, 10-minute, and 30-minute reserves) for sale into the market administered by PJM Interconnection, L.L.C. ("PJM") and, where the PJM Open Access Transmission Tariff permits, the self-supply of these services to purchasers for a bilateral sale that is used to satisfy the ancillary services requirements of the PJM Office of Interconnection.

New York: Seller offers regulation and frequency response service, and operating reserve service (which include 10-minute non-synchronous, 30-minute operating reserves, 10-minute spinning reserves, and 10-minute non-spinning reserves) for sale to purchasers in the market administered by the New York Independent System Operator, Inc.

New England: Seller offers regulation and frequency response service (automatic generator control), operating reserve service (which includes 10-minute spinning reserve, 10-minute non-spinning reserve, and 30-minute operating reserve service) to purchasers within the markets administered by the ISO New England, Inc.

California: Seller offers regulation service, spinning reserve service, and non-spinning reserve service to the California Independent System Operator Corporation ("CAISO") and to others that are self-supplying ancillary services to the CAISO.

Third-party Ancillary Services: Seller offers Regulation Service, Energy Imbalance Service, Spinning Reserves, and Supplemental Reserves. Sales will not include the following: (1) sales to an RTO or an ISO, i.e., where that entity has no ability to self-supply ancillary services but instead depends on third parties; (2) sales to a traditional, franchised public utility affiliated with the third-party supplier, or sales where the underlying transmission service is on the system of the public utility affiliated with the third-party supplier; and (3) sales to a public utility that is purchasing ancillary services to satisfy its own open access transmission tariff requirements to offer ancillary services to its own customers.

Issued By: Cynthia Megawatt
Issued On: August 1, 2007

Effective Date: (insert proposed date)
~~August 19, 2007~~