

**United States Court of Appeals  
For the District of Columbia Circuit**

**No. 03-1398**

**September Term, 2004**

Alternate Power Source, Inc.  
Petitioner

Federal Energy Regulatory Commission  
Respondent

Western Massachusetts Electric Company,  
Intervenor

**On Petition for Review of Orders of the Federal Energy  
Regulatory Commission**

BEFORE: Edwards and Henderson, Circuit Judges, and Williams, Senior  
Circuit Judge

**J U D G M E N T**

The petition for review of orders of the Federal Energy Regulatory Commission was considered on the briefs and the appendix filed by the parties. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

**ORDERED** and **ADJUDGED** by the Court that the petition for review is denied. Petitioner has identified no reversible error in the orders under review regarding the filed rate doctrine, § 24 of the NEPOOL OATT, and Petitioner's request for a hearing. All other objections are dismissed for lack of jurisdiction because the Petitioner did not properly preserve them in its request for rehearing.

Pursuant to DC Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

**FOR THE COURT:**  
Mark J. Langer, Clerk

