

appropriate action to be taken but will not serve to make protests parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of these filing are on file with the Commission and are available for public inspection. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

**David P. Boergers,**  
*Secretary.*

[FR Doc. 01-6423 Filed 3-14-01; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL00-95-012]

#### **San Diego Gas & Electric Company, Complainant v. Sellers of Energy and Ancillary Services Into Markets Operated by the California Independent System Operator and the California Power Exchange, Respondents; Notice of Opportunity for Comment on Staff Recommendation on Prospective Market Monitoring and Mitigation for the California Wholesale Electric Market**

March 9, 2001.

Take notice that the Commission staff has prepared a recommendation for prospective market monitoring and mitigation for the California wholesale electric market. The recommendations are those of the staff of the Federal Energy Regulatory Commission and do not necessarily reflect the views of the Commission or any of its Commissioners. Parties in this proceeding may file comments on the staff recommendation by March 22, 2001. Documents previously filed in Docket No. EL00-95-000, *et al.*, need not be refiled in this sub-docket and no additional petitions for intervention are required for parties in Docket No. EL00-95-000, *et al.*, to participate in this sub-docket.

Copies of this document are available for public inspection in the Public Reference Room of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC, 20426. This document may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> or <http://www.ferc.fed.us/electric/bulkpower.htm> (call 202-208-2222 for assistance). Comments may be filed electronically via the internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions

on the Commission's web site at <http://www.ferc.fed.us/efi/doorbell.htm>.

**David P. Boergers,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP01-100-000]

#### **Western Gas Resources, Inc.; Notice of Petition for Declaratory Order**

March 9, 2001.

Take notice that on March 7, 2001, Western Gas Resources, Inc. (Western), 12200 N. Pecos Street, Denver, CO 80234, filed a petition for declaratory order in Docket No. CP01-100-000, requesting that the Commission declare that the acquisition of certain natural gas pipeline, gathering, treating and compression facilities from Northern Natural Gas Company (Northern) by Western's intrastate pipeline affiliate, Western Gas Resources—Texas, Inc. (WGR-Tx), and the subsequent ownership and operation of such facilities by WGR-Tx an/or Western, will be exempt from the Commission's jurisdiction under the Natural Gas Act either pursuant to section 1(b) of the statute or by virtue of their ownership by, and operation as part of, the intrastate pipeline system of WGR-Tx, an intrastate pipeline company as defined by section 2(16) of the Natural Gas Policy Act of 1978, all as more fully set forth in the petition which is on file with the Commission and open to public inspection. This filing may be viewed on the web at <http://www.ferc.us/online/rims.htm> (call 202-208-2222).

Any questions concerning this application may be directed to John B. Rudolph, at (202) 973-1200.

Northern has submitted an application in Docket No. CP01-89-000 for abandonment of these facilities pursuant to section 7(b) of the NGA. Western indicates that the facilities are located adjacent to Western's existing Gomez and Mitchell Processing and Treating Plants in Pecos County, Texas. Western states that Western's and WGR-Tx's Mitchell/Gomez gathering and treating facilities are currently both physically connected into the Northern Gomez Compressor Station by Northern pipelines running between these two Western/WGR-Tx treating plants and the Northern Gomez Station; and thus, these two plants are, to a degree, already

operationally dependent on these Northern pipelines and compression facilities. Western states that WGR-Tx's acquisition and reconfiguration of these pipeline and compression facilities, together with certain other Northern pipelines/gathering lines in this general geographic area will enhance the operational flexibility of the Mitchell/Gomez gathering and treating facilities, enable greater access of deliveries from these facilities to intrastate markets, and provide WGR-Tx and Western greater operational control of facilities which are already a physically integrated part of their gas gathering and treating operations in this field production area.

Therefore, Western seeks a Commission order declaring that, following Northern's abandonment of the aforementioned natural gas pipeline and compression facilities together with certain treating and dehydration facilities and four (4) additional short lateral lines, WGR-Tx's acquisition, and its and/or Western's subsequent ownership and operation of such facilities as part of the Mitchell/Gomez gathering/treating facility complex, will be exempt from the Commission's jurisdiction under the NGA, either by reason of the NGA's section 1(b) gathering exemption, or because such facilities will be owned and operated as part of WGR-Tx's intrastate system subject to the jurisdiction of the Texas Railroad Commission.

Any person desiring to be heard or to make protest with reference to said petition should on or before March 30, 2001, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. The Commission's rules require that protestors provide copies of their protests to the party or parties directly involved. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's rules. Comments and protests may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.fed.us/efi/doorbell.htm>.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Commission by sections 7 and 15 of the NGA and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Western to appear or be represented at the hearing.

**David P. Boergers,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EG01-138-000, et al.]

#### Perryville Energy Partners, L.L.C., et al.; Electric Rate and Corporate Regulation Filings

March 8, 2001.

Take notice that the following filings have been made with the Commission:

##### 1. Perryville Energy Partners, L.L.C.

[Docket No. EG01-138-000]

Take notice that on March 5, 2001, Perryville Energy Partners, L.L.C., (Applicant) a Delaware limited liability company, with its principal office located at 11140 North Highway 165, Sterlington, Louisiana 71280, filed with the Federal Energy Regulatory Commission (Commission) an Application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's regulations and Section 32 of the Public Utility Holding Company Act of 1935, as amended.

Applicant is a Delaware limited liability company and is an indirect subsidiary of Cleco Corporation and an indirect subsidiary of the Southern Company. Applicant is developing both a simple and combined cycle gas fueled generating plant with a nominal 726 MW net capacity in Ouachita Parish, Louisiana, near the City of Perryville

(the Facility) and will make sales of electric energy and capacity at wholesale from that Facility.

Copies of the Application have been served upon the Louisiana Public Service Commission and the Securities and Exchange Commission.

*Comment date:* March 29, 2001, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

##### 2. Axia Energy, L.P. v. Southwest Power Pool

[Docket No. EL01-46-000]

Take notice that on March 6, 2001, Axia Energy, L.P. (Axia) tendered for filing a complaint against the Southwest Power Pool (SPP) alleging a violation of Axia's right of first refusal under section 2.2 of the SPP's Open Access Transmission Tariff.

*Comment date:* March 21, 2001, in accordance with Standard Paragraph E at the end of this notice.

##### 3. Lockport Energy Associates, L.P.

[Docket No. EL01-48-000]

Take notice that on March 5, 2001, Lockport Energy Associates, L.P. (LEA) tendered for filing a petition for declaratory order. LEA requests an order declaring that its qualifying facility (QF) status maintained under the Public Utility Regulatory Policies Act of 1978 (PURPA) will not be jeopardized if its affiliate, Lockport Merchant Associates, LLC (LMA), constructs, owns and operates one or two 47 MW gas-fired single cycle combustion turbines on land adjacent to LEA's facility and utilizes LEA's electric interconnection facilities, gas pipeline distribution facilities, water and sewer lines, and control room facilities and personnel. In addition, LEA requests that the Commission find that it need not file an Open Access Transmission Tariff if it allows LMA to use its electric interconnection facilities.

A copy of this filing was served upon the New York State Public Service Commission and New York State Electric & Gas Corporation.

*Comment date:* April 4, 2001, in accordance with Standard Paragraph E at the end of this notice.

##### 4. Carolina Power & Light Company

[Docket No. ER01-1371-000]

Take notice that on March 2, 2001, Carolina Power & Light Company (CP&L) tendered for filing an executed Service Agreement with Aquila Energy Marketing Corporation under the provisions of CP&L's Market-Based

Rates Tariff, FERC Electric Tariff No. 4. This Service Agreement supersedes the un-executed Agreement originally filed in Docket No. ER98-3385-000 and approved effective May 18, 1998.

CP&L is requesting an effective date of February 5, 2001 for this Agreement.

Copies of the filing were served upon the North Carolina Utilities Commission and the South Carolina Public Service Commission.

*Comment date:* March 23, 2001, in accordance with Standard Paragraph E at the end of this notice.

##### 5. Cogen Lyondell, Inc., Cogen Power, Inc., Oyster Creek Limited, Dynegy Power Corp., AES Deepwater, Inc., Baytown Energy Center, L.P., Channel Energy Center, L.P., Clear Lake Cogeneration, L.P., Corpus Christi Cogeneration, L.P., Pasadena Cogeneration, L.P., Texas City Cogeneration, L.P., Calpine Corporation, Conoco, Inc., The Dow Chemical Company, Gregory Power Partners, L.P.

[Docket No. EL01-49-000]

Take notice that on March 5, 2001, Cogen Lyondell, Inc., et al. tendered for filing pursuant to Rule 207, 18 CFR 385.207, a petition for a declaratory order regarding the impact of Section 210 of the Public Utility Regulatory Policies Act of 1978 on certain utility restructurings in Texas.

*Comment date:* March 30, 2001, in accordance with Standard Paragraph E at the end of this notice.

##### 6. PJM Interconnection, L.L.C.

[Docket No. ER01-1115-001]

Take notice that on March 5, 2001, PJM Interconnection, L.L.C. (PJM) submitted for filing (1) an amended Notice of Cancellation of the Interconnection Agreement Between The NYPP Group And The PJM Group designated as PJM Group Rate Schedule FERC No. 5 and also as NYPP Group Rate Schedule FERC No. 3, specifying that the supplement to the agreement designated as Pennsylvania-New Jersey-Maryland Interconnection Supplement No. 2 to Rate Schedule FERC No. 5, New York Power Pool Supplement No. 8 to Rate Schedule FERC No. 3, and Consolidated Edison Company of New York, Inc. Rate Schedule FERC No. 128 referred to as the PARS Facilities Agreement is not cancelled and remains in effect; and (2) an amended Unscheduled Transmission Agreement revising the termination provision to allow either party to terminate the agreement upon six months written notice to the other party or by mutual agreement in writing.