

its Open Access Transmission Tariff (OATT), FERC Electric Tariff, Second Revised Volume No. 1 in order to accommodate the participation of independent transmission companies (ITCs) in the Midwest ISO. The Midwest ISO has requested an effective date of December 23, 2002.

The Midwest ISO has requested waiver of the requirements set forth in 18 CFR 385.2010. The Midwest ISO has electronically served a copy of this filing upon all Midwest ISO Members, Member representatives of Transmission Owners and Non-Transmission Owners, the Midwest ISO Advisory Committee participants, Policy Subcommittee participants, as well as all state commissions within the region. In addition, the filing has been electronically posted on the Midwest ISO's Web site at [www.midwestiso.org](http://www.midwestiso.org) under the heading "Filings to FERC" for other interested parties in this matter. The Midwest ISO will provide hard copies to any interested parties upon request.

*Comment Date:* November 14, 2002.

### 3. American Electric Power Service Corporation

[Docket No. ER03-87-000]

Take notice that on October 25, 2002, the American Electric Power Service Corporation (AEPSC) tendered for filing an executed Interconnection and Operation Agreement between Appalachian Power Company and Mirant Danville, LLC. The agreement is pursuant to the AEP Companies' Open Access Transmission Service Tariff (OATT) that has been designated as the Operating Companies of the American Electric Power System FERC Electric Tariff Third Revised Volume No. 6, effective July 31, 2001.

AEP requests an effective date of December 23, 2002. A copy of the filing was served upon Mirant Danville and Virginia State Corporation Commission.

*Comment Date:* November 15, 2002.

### 4. Cleco Utility Group, Cleco Utility Group, Inc. Docket No. OA97-325-002

[Docket No. OA97-282-002]

Take notice that on October 25, 2002, Cleco Power LLC submitted a filing in compliance with the Federal Regulatory Commission's September 25, 2002 Order.

*Comment Date:* November 25, 2002.

### Standard Paragraph

Any person desiring to intervene or to protest this filing should file 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). 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. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. Protests and interventions 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 under the "e-Filing" link. The Commission strongly encourages electronic filings.

**Linwood A. Watson, Jr.,**  
*Deputy Secretary.*

[FR Doc. 02-28303 Filed 11-5-02; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. EG03-9-000, et al.]

### Twelvepole Creek, LLC, et al.; Electric Rate and Corporate Filings

October 30, 2002.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

#### 1. Twelvepole Creek, LLC

[Docket No. EG03-9-000]

Take notice that on October 28, 2002, Twelvepole Creek, LLC (Twelvepole Creek) tendered for filing an application for a new determination of exempt wholesale generator status, pursuant to section 32(a)(1) of the Public Utility Holding Company Act of 1935, as amended, (PUHCA), 15 U.S.C. 79z-5a(a)(1) (2000), and Section 365.8 of the regulations of the Federal Energy Regulatory Commission (Commission), 18 CFR 365.8.

Twelvepole Creek is a Delaware limited liability company that leases and operates an approximately 504-MW electric generating facility located in

Wayne County, West Virginia. Twelvepole Creek states that it will be engaged directly, or indirectly through one or more affiliates as defined in Section 2(a)(11)(B) of PUHCA, and exclusively in the business of operating an eligible facility, and selling electric energy at wholesale.

*Comment Date:* November 20, 2002.

#### 2. Edison Source

[Docket No. ER02-2563-001]

Take notice that on October 3, 2002, Edison Source tendered for filing with the Federal Energy Regulatory Commission (Commission) an amendment to its filing in the above-referenced docket concerning the termination of the PX Participation Agreement with the California Power Exchange Corporation, dated March 17, 1998, and its Addendum, dated March 17, 1998; and withdrawing Edison Source's Standing Request Relating to inter-Scheduling Coordinator Trades, dated June 5, 1998.

Edison Source requests that the above termination and withdrawal become effective October 16, 2002. *Comment Date:* November 12, 2002.

#### 3. MidAmerican Energy Company

[Docket No. ER03-12-001]

Take notice that on October 28, 2002, MidAmerican Energy Company (MidAmerican), filed with the Commission a revised filing of the Electric Transmission Interconnection Agreement between Iowa Public Service Company n/k/a MidAmerican Energy Company, dated March 1, 1991, incorporating the Fifth Amendment to the Agreement, dated June 28, 2002, which was filed on October 3, 2002.

MidAmerican requests an effective date of the later of the effective date of the acceptance of this Agreement by the Commission or the approval of this Agreement, incorporating the Fifth Amendment by the Administrator of the Rural Utilities Service or the successor in interest to the Administrator, if the approval of the Administrator or such successor is required by law. MidAmerican has served a copy of the filing on the Iowa Utilities Board, the Illinois Commerce Commission and the South Dakota Public Utilities Commission. *Comment Date:* November 18, 2002.

#### 4. Liberty Electric Power, LLC

[Docket No. ER03-88-000]

Take notice that on October 28, 2002 Liberty Electric Power, LLC (Liberty) tendered for filing, pursuant to section 205 of the Federal Power Act (16 U.S.C. 824d), and Part 35 of the Federal Energy

Regulatory Commission Rules of Practice and Procedure, a rate schedule for reactive power to be provided to the PJM Interconnection, LLC transmission grid. Liberty requests an effective date of December 1, 2002. *Comment Date:* November 18, 2002.

#### Standard Paragraph

Any person desiring to intervene or to protest this filing should file 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). 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. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. Protests and interventions 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 under the "e-Filing" link. The Commission strongly encourages electronic filings.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

[FR Doc. 02-28304 Filed 11-5-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12200-000]

#### Notice of Application Accepted for Filing and Soliciting Motions To Intervene, Protests, and Comments

October 31, 2002.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Preliminary Permit.

b. *Project No.:* 12200-000.

c. *Date filed:* June 10, 2002.

d. *Applicant:* McKay Hydro, LLC.

e. *Name of Project:* McKay Dam Project.

f. *Location:* On McKay Creek, in Umatilla County, Oregon utilizing the McKay Dam administered by the U.S. Bureau of Reclamation.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Mr. Brent L. Smith, President, Northwest Power Services, Inc., P.O. Box 535, Rigby, ID 83442, (208)745-0834.

i. *FERC Contact:* Robert Bell, (202) 502-6062.

j. *Deadline for filing comments, protests, and motions to intervene:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Comments, protests, and interventions 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 under the "e-Filing" link. The Commission strongly encourages electronic filings. Please include the project number (P-12200-000) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Project:* The proposed project would utilize the existing U.S. Bureau of Reclamation's McKay Dam and would consist of: (1) A proposed intake structure, (2) a proposed 250-foot-long, 48-inch-diameter steel penstock, (3) a proposed powerhouse containing one generating unit having an installed capacity of 1 MW, (4) a proposed 1-mile-long, 25 kV transmission line, and (5) appurtenant facilities.

Applicant estimates that the average annual generation would be 4.56 GWh and would be sold to a local utility.

1. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number

field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail [FERCONLINESUPPORT@FERC.GOV](mailto:FERCONLINESUPPORT@FERC.GOV). For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at McKay Hydro, LLC, 975 South State Highway, Logan, UT 84321, (435) 752-2580.

m. *Competing Preliminary Permit:* Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

n. *Competing Development Application:* Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

o. *Notice of Intent:* A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

p. *Proposed Scope of Studies Under Permit:* A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation