

the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the date as indicated below. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* March 21, 2005.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E5-909 Filed 3-4-05; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. ER04-509-000, ER04-509-001, ER04-509-002, ER04-509-003, ER04-509-004, ER04-1250-000, ER04-1250-001, ER04-1250-002, ER04-1250-003, and EL05-62-000]

#### Delmarva Power & Light Company; PJM Interconnection, LLC; Notice of Initiation of Proceeding and Refund Effective Date

February 28, 2005.

On February 25, 2005, the Commission issued an order in the above-referenced dockets initiating a proceeding in Docket No. EL05-62-000 under section 206 of the Federal Power Act. 110 FERC ¶ 61,186 (2005).

The refund effective date in Docket No. EL05-62-000, established pursuant to section 206 of the Federal Power Act,

will be 60 days following publication of this notice in the **Federal Register**.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E5-911 Filed 3-4-05; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP02-63-002, CP05-75-000]

#### Tri-State Ethanol Co., LLC; Tri-State Financial Co., LLC d/b/a North Country Ethanol; Notice of Application

February 28, 2005.

Take notice that on February 24, 2005, Tri-State Financial Co., LLC, d/b/a North Country Ethanol, (North Country), 47333 104th Street, P.O. Box 78, Rosholt, South Dakota, 57260, and Tri-State Ethanol Co., LLC, (Tri-State Ethanol) filed with the Commission an application pursuant to section 7(b) and 7(c) of the Natural Gas Act to abandon, by sale, Tri-State Ethanol's facilities, located in Roberts County, South Dakota and Richland County, North Dakota, originally authorized under CP02-63-001, to North Country due to bankruptcy proceedings. North Country also requests temporary authorization, pursuant to § 157.17, to operate the subject facilities. Additionally, North Country seeks Commission approval of the permanent transfer of the certificate of public convenience and necessity issued by the Commission to Tri-State Ethanol in Docket No. CP02-63-001.

Also, on February 25, 2005, North Country filed an amendment requesting the Commission to include in any authorizations the ability to transport gas solely on behalf of North Country. Finally, on February 25, 2005, North Country filed a supplement to its application detailing the economic and employment impacts the facilities have on the county in which the facilities are located, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing may also be viewed on the Web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or TTY, contact (202) 502-8659.

On February 28, 2002, Tri-State Ethanol was issued a certificate (98

FERC ¶ 61,220 (2002)) to own and the operate subject facilities, consisting of a 10.5-mile, 4.5-inch diameter pipeline, located in Richland County, North Dakota and terminating at Tri-State's ethanol facility near Rosholt, in Roberts County, South Dakota. North Country states that although Tri-State Ethanol received its certificate and approval to place the subject delivery line into service, a fire and explosion at the plant occurred on December 31, 2002, and service on the certificated facilities never commenced. Also, North Country asserts that financial difficulties stemming from the fire and explosion forced Tri-State Ethanol to file on May 23, 2003, with the United States Bankruptcy Court for the District of South Dakota (Northern Div.) in Case No. 03-10194, for reorganization under Chapter 11 of the Bankruptcy Code. On July 29, 2004, the proceeding was converted to a liquidation under Chapter 7 of the Bankruptcy Code pursuant to an order of the Bankruptcy Court. Subsequently, a court-supervised auction of Tri-State Ethanol's assets, including the Plant and certificated delivery line was conducted. On December 22, 2004, the Bankruptcy Court issued an order approving the sale of numerous Tri-State assets to North Country and the transfer of various permits and governmental authorizations related to the acquired assets. The subject application implements the arrangements approved by the Bankruptcy Court.

Any questions concerning the application should be directed to Kevin K. Crago, General Manager, Tri-State Financial Co., LLC, 47333 104th Street, P.O. Box 78, Rosholt, South Dakota, 57260, or call (605) 537-4585.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the

proceeding can ask for court review of Commission orders in the proceeding.

The Commission strongly encourages electronic filings of comments, protests, and interventions via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-Filing" link.

*Comment Date:* March 9, 2005.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-914 Filed 3-4-05; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EG05-47-000, et al.]

#### CER Termobahia, LLC, et al.; Electric Rate and Corporate Filings

February 28, 2005.

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

##### 1. CER Termobahia, LLC

[Docket No. EG05-47-000]

Take notice that on February 24, 2005, CER Termobahia, LLC, a Delaware limited liability company (Applicant), with its principal executive office at 1930 Burnt Boat Drive, Bismarck, North Dakota, 58503, filed with the Federal Energy Regulatory 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 states it will own, in part, a 190 MW natural-gas fired, combined-cycle electrical generating facility located in the State of Bahia, near Salvador, Brazil (the facility). Applicant further states that it will be engaged directly and exclusively in the business of owning and operating an eligible facility and none of the electric energy produced from the facility will be sold into the United States either at retail or otherwise.

*Comment Date:* 5 p.m. Eastern Time on March 17, 2005.

##### 2. Public Service Company of New Mexico

[Docket Nos. ER96-1551-011, ER01-615-008]

Take notice that on February 18, 2005, Public Service Company of New Mexico (PNM) submitted a filing in response to

the Commission's December 20, 2004 order in the above-captioned proceedings. *Public Service Company of New Mexico*, 109 FERC ¶ 61,296 (2004) (December 20 Order). PNM states that the purpose of its filing is to submit revised market power analyses and information as required by the Commission in the December 20 Order.

PNM states that copies of the filing were served on parties on the official service lists in the above-captioned proceedings.

*Comment Date:* 5 p.m. Eastern Time on March 11, 2005.

##### 3. Pinnacle West Capital Corporation, Arizona Public Service Company, Pinnacle West Energy Corporation, APS Energy Services, Inc.

[Docket Nos. ER00-2268-010, EL05-10-000, ER99-4124-008, EL05-11-0000, ER00-3312-009, EL05-12-000, ER99-4122-011, EL05-13-000]

Take notice that on February 18, 2005, the Pinnacle West Capital Corporation (PWCC), the Arizona Public Service Company (APS), the Pinnacle West Energy Corporation (PWECC) and APS Energy Services Company, Inc. (APSES) (collectively, Pinnacle West Companies) filed with the Commission a response to the Commission's Order dated December 20, 2004, directing Pinnacle West Companies to provide additional information to the Commission to supplement its market update for authorization to sell at market-based rates and various tariff amendments filed on August 11, 2004.

*Comment Date:* 5 p.m. Eastern Time on March 11, 2005.

##### 4. Frederickson Power L.P.; EPCOR Merchant and Capital (US) Inc.; EPCOR Power Development, Inc.; EPDC, Inc.

[Docket Nos. ER01-2262-005, ER02-783-003, ER02-852-003, ER02-855-003]

Take notice that, on February 22, 2005, Frederickson Power L.P., EPCOR Merchant and Capital (US), Inc., EPCOR Power Development, Inc., and EPDC, Inc. (collectively, the EPCOR Parties) submitted a triennial updated market-based rate analysis.

The EPCOR Parties state that copies of the filing were served on parties on the official service lists in the above-referenced proceedings.

*Comment Date:* 5 p.m. Eastern Standard Time March 15, 2005.

##### 5. Midwest Independent Transmission System Operator, Inc.; Public Utilities with Grandfathered Agreements in the Midwest ISO Region

[Docket Nos. ER04-691-027, EL04-104-026 ]

Take notice that on February 23, 2005, the Midwest Independent Transmission

System Operator, Inc. (Midwest ISO) submitted a compliance filing pursuant to the Commission's January 24, 2005 Order in *Midwest Independent Transmission System Operator, Inc., et al.*, 110 FERC ¶ 61,049 (2005). The Midwest ISO has requested an April 1, 2005 effective date for the tariff pages submitted in the compliance filing.

The Midwest ISO has requested waiver of the service requirements set forth in 18 CFR 385.2010. The Midwest ISO states that it has electronically served a copy of this filing, with attachments, upon all Midwest ISO Members, Member representatives of Transmission Owners and Non-Transmission Owners, the Midwest ISO Advisory Committee participants, as well as all state commissions within the region. In addition, Midwest states that the filing has been electronically posted on the Midwest ISO's Web site at <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:* 5 p.m. Eastern Time on March 16, 2005.

##### 6. New England Power Pool

[Docket No. ER04-1255-001]

Take notice that on February 18, 2005 ISO New England Inc. (the ISO) and the New England Power Pool (NEPOOL) Participants Committee submitted a compliance filing, including a report entitled *The Costs and Benefits of Implementing a Day-Ahead Load Response Program* and revisions to Appendix E to Section III of the ISO's Transmission, Markets and Services Tariff (the Tariff), in response to the requirements of the Commission's December 21, 2004 order in Docket No. ER04-1255-000. NEPOOL and the ISO requested a June 1, 2005 effective date for the revisions to the tariff.

The ISO and the NEPOOL Participants Committee state that copies of the compliance filing were sent to the NEPOOL Participants and the New England state governors and regulatory commissions, as well as all parties on the official service lists in the above-captioned proceeding.

*Comment Date:* 5 p.m. Eastern Time on March 11, 2005.

##### 7. Until Energy Systems, Inc.

[Docket No. ER05-320-001]

Take notice that on February 23, 2005, Unutil Energy Systems, Inc. (UES) submitted a compliance filing pursuant to the Commission's order issued on February 2, 2005 in Docket No. ER05-320-000, *Unutil Energy Systems, Inc.*, 110 FERC ¶ 61,089 (2005).