

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

**Records Governing Off-the Record Communications; Public Notice**

June 10, 2005.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file

associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).  
The following is a list of off-the-record communications recently received in the Office of the Secretary. The communications listed are grouped by docket numbers in ascending order. These filings are 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 eLibrary (FERRIS) 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 for TTY, contact (202) 502-8659.  
Exempt:

Docket No.	Date filed	Presenter or requester
1. CP04-36-000 .....	5-23-05	Hon. Edward M. Kennedy.
CP04-41-000 .....	.....	Hon. John F. Kerry.
CP04-42-000 .....	.....	Hon. Barney Frank.
CP04-43-000 .....	.....	Hon. James P. McGovern.
2. CP05-49-000 .....	6-3-05	Magdalene Manco.
3. CP05-130-000 .....	6-3-05	Michael Oritt (2 documents) <i>et al.</i>
4. PF05-2-000 .....	5-19-05	Frank M. Fly.
5. Project No. 620-009 .....	6-3-05	Susan Lavin.
6. Project No. 2100-000 .....	5-17-05	Sue Larsen.
7. Project No. 2150-033 .....	5-19-05	Steve Hocking, Linda Lehman, Mike Henry <sup>1</sup> .
8. Project Nos. 12536-000, 12537-000, 12539-000 and 12550-000 .....	6-9-05	Dianne Rodman.

<sup>1</sup> Summary of telephone conversation.

Magalie R. Salas,  
*Secretary.*  
[FR Doc. E5-3109 Filed 6-16-05; 8:45 am]  
BILLING CODE 6717-01-P

Independent System Operators (ISOs) and Regional Transmission Organizations (RTOs).  
**DATES:** May 27, 2005.

**Market Monitoring Units in Regional Transmission Organizations and Independent System Operators; Policy Statement on Market Monitoring Units**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. PL05-1-000]

**Policy Statement on Market Monitoring Units**

Issued May 27, 2005.  
**AGENCY:** Federal Energy Regulatory Commission.  
**ACTION:** Policy statement.

**FOR FURTHER INFORMATION CONTACT:** Ted Gerarden (Technical Information), Office of Market Oversight and Investigations, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. (202) 502-6187. [Ted.Gerarden@ferc.gov](mailto:Ted.Gerarden@ferc.gov). Lodie White (Legal Information), Office of General Counsel—Markets, Tariffs & Rates, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. (202) 502-6193. [Lodie.White@ferc.gov](mailto:Lodie.White@ferc.gov).

**SUPPLEMENTARY INFORMATION**

Before Commissioners: Pat Wood, III, Chairman; Nora Mead Brownell, Joseph T. Kelliher, and Suedeen G. Kelly.

1. The purpose of this policy statement is to provide guidance on the role of market monitoring units (MMUs) associated with Independent System Operators (ISOs) and Regional Transmission Organizations (RTOs). MMUs perform an important role in assisting the Commission in enhancing the competitiveness of ISO/RTO markets. Competitive markets benefit customers by assuring that prices properly reflect supply and demand conditions. MMUs monitor organized wholesale markets to identify ineffective market rules and tariff provisions, identify potential anticompetitive behavior by market participants, and provide the comprehensive market analysis critical for informed policy decision making. This policy statement provides guidance on the coordinated

**SUMMARY:** The Federal Energy Regulatory Commission (Commission) is issuing this policy statement is to provide guidance on the coordinated roles and responsibilities of the Commission and market monitoring units (MMUs) associated with