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Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM01-10-000; Docket Nos. EY06-7-000, TS06-2-000]

Standards of Conduct for Transmission Providers; Venice Gathering System, L.L.C.; Notice Granting Waiver of Posting and Record Keeping Requirements

November 28, 2005.

On November 9, 2005, Venice Gathering System, L.L.C. (Venice Gathering) filed to seek a temporary emergency waiver of sections 358.4(a)(2) and 358.4(b)(3)(iv) of the Commission's regulations, 18 CFR 358.4(a)(2) and 358.4(b)(3)(iv)(2005), and for any other waivers necessary for Venice Gathering to proceed with the restoration work on its pipeline facilities and on the Venice Gathering Processing Plant necessitated by Hurricane Katrina. Venice Gathering requests the waiver until the earlier of the end of the gas day on December 31, 2005 or the date on which the Venice Gathering system has returned to full pre-hurricane operation.

Effective on the date of this notice, the Commission will grant Venice Gathering a waiver, until the earlier of the end of the gas day on December 31, 2005 or the date on which the Venice Gathering system has returned to full pre-hurricane operation, of the otherwise applicable requirements of section 358.4(a)(2) to record and post a log of emergency-related deviations from the Standards of Conduct and of section 358.4(b)(3)(iv) requirements to post updated information on organizational changes resulting from the acquisition by Targa Resources, Inc. (Targa) of Venice Gathering's managing member, Dynege Midstream Services, Limited Partnership (Dynege Midstream).

Venice states that it owns and operates a FERC-jurisdictional natural gas gathering and transmission system consisting of: (1) A twenty-six inch mainline, extending from the South Timbalier Block 151 compressor platform in the Gulf of Mexico to the Venice Plant; (2) a twenty-four inch mainline extending from the South Timbalier Block 151 compressor platform to the West Delta Block 79A

platform; and (3) a twenty-two inch mainline extending from the West Delta Block 79A platform to the Venice Plant located near Venice, Louisiana. Venice states, further, that Hurricane Katrina caused extensive damage to processing plants and offshore pipelines located along the Louisiana Gulf Coast, including the Venice Plant and the Venice Gathering system.

Venice Gathering explains that, due to the substantial quantities of gas production shut-in on its system due to damage caused by Hurricane Katrina, certain Venice Gathering and Targa employees with the required expertise and availability to assist in restoration efforts will engage in communications about the status of the restoration efforts and communications to coordinate joint operations and repair work. Venice Gathering explains, further, that it needs to use all available employees with the requisite skills to assist in repairs to the pipelines and related onshore facilities. According to Venice Gathering, its restoration efforts may result in sharing of information and/or employees between Venice Gathering and its Energy Affiliates and discussions between its employees and third-party employees who also are engaged in hurricane-related restoration efforts. Venice Gathering points out that any potential risk of discrimination that may be associated with the waivers is mitigated by the fact that it currently is out of service, and the waivers will terminate when its system is restored to full operation.

In addition, Venice Gathering states that, due to the resources devoted to the restoration project, it is left with limited resources to update in a timely manner its public website to reflect organizational changes associated with Targa's recent acquisition of Dynege Midstream, Venice Gathering's managing member. Venice Gathering, therefore, requests that the Commission grant these waivers on an expedited basis.

The Commission has previously granted waivers of the emergency exception recording and posting requirements of the Standards of Conduct due to Hurricane Katrina¹ and Hurricane Rita.² The waivers, among other things, allowed affected

¹ Notice Granting Extension Of Time To Comply With Posting And Other Requirements, *Standards of Conduct for Transmission Providers*, Docket Nos. EY05-14-000, et al. (August 31, 2005); Notice Waiving Record Keeping Requirements, *Standards of Conduct for Transmission Providers*, Docket Nos. EY05-14-001, et al. (September 7, 2005).

² Notice Granting Extension Of Time To Comply With Posting And Other Requirements, *Standards of Conduct for Transmission Providers*, Docket Nos. EY05-20-000, et al. (September 23, 2005).

transmission providers to delay for a limited period of time compliance with the requirement of section 358.4(a)(2) of the Commission's regulations to report to the Commission and post on the OASIS or Internet Web site, as applicable, each emergency that resulted in any deviation from the Standards of Conduct. In addition, due to the extreme nature of the emergency in each instance, the Commission also waived, for those limited periods, the requirements to record and retain a record of each deviation of the Standards of Conduct.³

The Commission grants Venice Gathering a waiver of the recording and posting requirements of sections 358.4(a)(2) and 358.4(b)(3)(iv) of the Commission's regulations in these emergency circumstances, effective on the date of this notice until the earlier of the end of the gas day on December 31, 2005, or the date on which the Venice Gathering system has returned to full pre-hurricane operation, without prejudice to Venice Gathering requesting a further extension, if necessary. The Commission directs Venice Gathering to ensure that the employees affected by this waiver observe the no-conduit prohibition in the Standards of Conduct, 18 CFR 358.5(b)(7) (2005).

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP03-323-009]

Williston Basin Interstate Pipeline Company; Notice of Negotiated Rate

November 29, 2005.

Take notice that on November 21, 2005, Williston Basin Interstate Pipeline Company (Williston Basin), tendered for filing with the Commission a negotiated Rate Schedule FT-1 Service Agreement. Williston Basin states that the proposed effective date of the Service Agreement is the date the Conoco Refinery-Billings delivery point is placed into service.

Any person desiring to intervene or to protest this filing must file 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

³ *Supra* notes 1 and 2.

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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed in accordance with the provisions of Section 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing an intervention 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 an 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, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 459-143, Docket No. EL05-73-003]

Duncan's Point Lot Owners Association, Inc.; Duncan's Point Homeowners Association, Inc.; and Nancy A. Brunson, Juanita Brackens, Helen Davis, and Pearl Hankins, Individually v. Union Electric Company d/b/a AmerenUE; Notice Dismissing Complaint as Premature

November 28, 2005.

On November 14, 2005, Duncan's Point Lot Owners Association, Inc., Duncan's Point Homeowners Association, Inc., Nancy A. Brunson,

Juanita Brackens, Helen Davis, and Pearl Hankins (Complainants) filed what they termed a formal complaint against Union Electric Company, doing business as AmerenUE, licensee of the Osage Hydroelectric Project No. 459. The project is located on the Lake of the Ozarks in Missouri. Complainants allege that the licensee has failed or refused to comply with the Commission staff's letter order of September 7, 2004, and the Commission's order of May 9, 2005 (111 FERC ¶ 61,190). In support, they raise issues concerning the licensee's compliance filing of October 14, 2005, and Commission staff's site visit report of July 29, 2005.

On September 15, 2005, the Commission denied Complainants' request for rehearing of the Commission's May 9 order. *See* 112 FERC ¶ 61,289. Therefore, the issues resolved in that decision are final and may not be the subject of a new complaint. On September 1, 2005, Commission staff issued a letter order concerning some outstanding compliance issues concerning the project. On September 30, 2005, Complainants filed a request for rehearing of staff's September 1 letter order.

The issues raised in Complainants filing of November 14, 2005, either relate to an ongoing compliance proceeding for which Commission staff has not yet completed its determinations, or are the subject of Complainants' request for rehearing of staff's letter order of September 1, 2005.¹ As such, they are not yet final and are not properly the subject of a formal complaint. Accordingly, the complaint is dismissed as premature. Complainants will have an opportunity to seek further relief after the pending staff and Commission actions have been completed.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL06-20-000]

Wisconsin Public Service Corporation, Upper Peninsula Power Company, WPS Energy Services, Inc., WPS Power Development, L.L.C. Complainants v. Midwest Independent Transmission System Operator, Inc. and PJM Interconnection, L.L.C. Respondents; Notice of Complaint

November 29, 2005.

Take notice that on November 23, 2005, Wisconsin Public Service Corporation, Upper Peninsula Power Company, WPS Energy Services, Inc. and WPS Power Development, L.L.C. (collectively, WPS Companies) filed a formal complaint against the Midwest Independent Transmission System Operator, Inc. and PJM Interconnection, L.L.C. (RTOs) pursuant to section 206 of the Federal Power Act and 18 CFR 385.206, alleging that the RTOs' October 31, 2005, compliance filing in Docket Nos. ER04-375-017 and 018 fails to satisfy the Commission's directives to form a comprehensive Joint and Common Market.

The WPS Companies certify that copies of the complaint were served on the contacts for the Midwest Independent Transmission System Operator, Inc. and PJM Interconnection, L.L.C.

Any person desiring to intervene or to protest this filing must file 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all parties to this proceeding.

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 an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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¹ To the extent that Complainants seek to raise issues regarding the conduct of the Commission or its staff, these matters are outside the scope of the Commission's complaint process. *See* 18 CFR 385.206(a).