

Any person desiring to protest this filing must file in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). Protests to this filing 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. Such protests must be filed on or before the date as indicated below. Anyone filing a protest must serve a copy of that document on all the parties to the proceeding.

The Commission encourages electronic submission of protests 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 to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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*Comment Date:* 5 p.m. Eastern Time on March 6, 2006.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E6-2699 Filed 2-24-06; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. EC06-78-000, et al.]

#### Entegra Power Group LLC, et al.; Electric Rate and Corporate Filings

February 17, 2006.

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

#### 1. Entegra Power Group LLC, Gila River Power, L.P., Union Power Partners, L.P.

[Docket No. EC06-78-000]

Take notice that on February 10, 2006, Entegra Power Group, LLC, on behalf of itself and its wholly-owned subsidiaries Gila River Power, L.P. (Gila River) and

Union Power Partners, L.P. (Union Power, Entegra and Gila River, collectively, Applicants), and on behalf of the current and future owners of equity interests in Entegra, filed with the Commission an application pursuant to section 203 of the Federal Power Act requesting blanket authorization for certain future transfers and acquisitions of equity interests in Entegra that meet the criteria set forth therein (the Pre-Authorized Transactions). Applicants request that the Commission, consistent with its precedent, grant limited waivers of its Part 33 filing requirements to the extent that such information is not necessary to ensure that the Pre-Authorized Transactions meet the statutory requirements of section 203.

*Comment Date:* 5 p.m. Eastern Time on March 3, 2006.

#### 2. Bridgeport Energy LLC, Duke Bridgeport Energy LLC, LS Power Generation, LLC, United Bridgeport Energy, Inc.

[Docket No. EC06-79-000]

Take notice that on February 13, 2006, Bridgeport Energy LLC (Bridgeport), Duke Bridgeport Energy LLC (DBE), United Bridgeport Energy, LLC (UBE) and LS Power Generation, LLC (LSP Generation, and together Bridgeport, DBE and UBE, Applicants) submitted an application pursuant to section 203 of the Federal Power Act for authorization to transfer UBE one-third interest in Bridgeport, an approximately 490 MW generator, to DBE. Applicants request privileged treatment of commercially sensitive information included in the application. Furthermore, Applicants seek waiver of certain of the Commission's filing requirements.

*Comment Date:* 5 p.m. Eastern Time on March 6, 2006.

#### 3. KGen Enterprise LLC, Navasota Wharton Energy Partners LP

[Docket No. EC06-80-000]

Take notice that on February 14, 2006, KGen Enterprise LLC (KGen) and Navasota Wharton Energy Partners LP (Navasota) filed with the Federal Energy Regulatory Commission an application pursuant to section 203 of the Federal Power Act for authorization of a disposition of jurisdictional facilities whereby KGen will transfer all of its ownership interests in two gas turbine generator sets to Navasota. Applicants request confidential treatment of Exhibit I, pursuant to 18 CFR 388.112 of the Commission's regulations.

*Comment Date:* 5 p.m. Eastern Time on March 7, 2006.

#### 4. Georgia Power Company, Savannah Electric and Power Company

[Docket No. EC06-81-000]

Take notice that on February 14, 2006, Georgia Power Company (Georgia Power) and Savannah Electric and Power Company (Savannah Electric) (collectively, Applicants) pursuant to section 203 of the Federal Power Act, submitted for authorizations for Savannah Electric to merge into its sister company, Georgia Power, a transaction that may be considered as a disposition of jurisdictional facilities by Savannah Electric and a consolidation of jurisdictional facilities even though the jurisdictional facilities of the Applicants are operated today on an integrated basis.

*Comment Date:* 5 p.m. Eastern Time on March 7, 2006.

#### 5. California Independent System Operator Corporation

[Docket No. ER06-61-001]

Take notice that on February 10, 2006, the California Independent System Operator Corporation (ISO) submitted a compliance filing to amend the Metered Subsystem Agreement between the ISO and the City of Vernon, CA, filed on January 17, 2006.

*Comment Date:* 5 p.m. Eastern Time on February 23, 2006.

#### 6. NorthWestern Corporation

[Docket No. ER06-168-001]

Take notice that on February 6, 2006, NorthWestern Corporation tendered for filing proposed modification to its Large Generator Interconnection Procedures and Large Generator Interconnection Agreement as requested by the Commission on January 5, 2006.

*Comment Date:* 5 p.m. Eastern Time on February 27, 2006.

#### 7. California Independent System Operator Corporation

[Docket No. ER06-615-000]

Take notice that on February 9, 2006, the California Independent System Operator Corporation (CAISO) submitted its proposed electric tariff to reflect the Market Redesign and Technology Upgrade.

*Comment Date:* 5 p.m. Eastern Time on March 27, 2006.

**8. Duke Power Company LLC, Duke Power Company, Duke Energy Trading and Marketing, L.L.C., Duke Energy Marketing America, LLC, Duke Energy Fayette, LLC, Duke Energy Hanging Rock, LLC, Duke Energy Lee, LLC, Duke Energy Vermillion, LLC, Duke Energy Washington, LLC, Cincinnati Gas & Electric Co., PSI Energy, Inc., Union Light Heat & Power Company, Cinergy Marketing & Trading, LP, Brownsville Power I, L.L.C., Caledonia Power I, L.L.C., CinCap IV, LLC, CinCap V, LLC, Cinergy Capital & Trading, Inc., Cinergy Power Investments, Inc., St. Paul Cogeneration, LLC**

[Docket Nos. ER06-619-000, ER96-110-019, ER99-2774-011, ER03-956-008, ER03-185-006, ER03-17-006, ER01-545-008, ER00-1783-008, ER02-795-006, ER96-2504-013, ER05-1367-002, ER05-1368-002, ER05-1369-003, ER00-826-005, ER00-828-005, ER98-421-016, ER98-4055-013, ER01-1337-008, ER02-177-009, ER03-1212-007]

Take notice that on February 7, 2006, the above-referenced proceedings, tendered for filing under section 205 of the Federal Power Act: (1) Amended market based rate tariffs for each of the MBR Companies and (ii) a notice of succession for the name change of Duke Power, currently a division of Duke Energy to Duke Power Company LLC.

*Comment Date:* 5 p.m. Eastern Time on February 28, 2006.

#### Standard Paragraph

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, 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 the parties in this proceeding.

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Magalie R. Salas,  
Secretary.

[FR Doc. E6-2708 Filed 2-24-06; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL06-16-000]

#### Before Commissioners: Joseph T. Kelliher, Chairman; Nora Mead Brownell, and Suedeen G. Kelly; Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations; Order Revising Market-Based Rate Tariffs and Authorizations

Issued February 16, 2006.

1. The Commission has decided to rescind Market Behavior Rules 2 and 6 and to codify the substance of Market Behavior Rules 1, 3, 4, and 5 in the Commission's regulations under the Federal Power Act (FPA).<sup>1</sup> The central purpose of the Market Behavior Rules<sup>2</sup> was to prohibit market manipulation by public utility sellers acting under market-based rate authority. This prohibition is set out in Market Behavior Rule 2. Subsequent to the issuance of the Market Behavior Rules, Congress provided the Commission with specific anti-manipulation authority in the Energy Policy Act of 2005 (EPAct 2005).<sup>3</sup> To implement this new authority, the Commission recently issued Order No. 670, adopting a final rule making it unlawful for any entity,

<sup>1</sup> 16 U.S.C. 791a *et seq.* (2000).

<sup>2</sup> *Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations*, "Order Amending Market-Based Rate Tariffs and Authorizations," 105 FERC ¶ 61,218 (2003), *reh'g denied*, 107 FERC ¶ 61,175 (2004) at Appendix A (Market Behavior Rules Order). The Market Behavior Rules are currently on appeal. *Cinergy Marketing & Trading, L.P. v. FERC*, Nos. 04-1168 *et al.* (DC Cir. Filed April 28, 2004).

<sup>3</sup> Energy Policy Act of 2005, Public Law No. 109-58, 119 Stat. 594 (2005). Congress prohibited the use or employment of "any manipulative or deceptive device or contrivance" in connection with the purchase or sale of electric energy or transmission services subject to the jurisdiction of the Commission. Congress directed the Commission to give these terms the same meaning as under the Securities Exchange Act of 1934, 15 U.S.C. 78j(b) (2000).

including public utility market-based rate sellers, to engage in fraudulent or deceptive conduct in connection with the purchase or sale of electric energy, natural gas, or transmission or transportation services subject to the jurisdiction of the Commission.<sup>4</sup> In order to avoid regulatory uncertainty and confusion, to assure that all market participants are held to the same standard, and to provide clarity to entities subject to our rules and regulations, we rescind Market Behavior Rule 2 effective upon publication of this order in the **Federal Register**.

2. In addition, we will remove Market Behavior Rules 1, 3, 4, and 5 from public utility market-based rate tariffs and instead codify them in our regulations, rescind Market Behavior Rule 6 as no longer necessary, and rescind Appendix B of the Market Behavior Rules Order as no longer applicable. Contemporaneously herewith, the Commission is issuing a Final Rule in Docket No. RM06-13-000<sup>5</sup> which is being made effective immediately upon publication in the **Federal Register**. The Market Behavior Rules Codification Order incorporates Rules 1, 3, 4, and 5 into our FPA regulations with no substantive change. In light of this action, Market Behavior Rules 1, 3, 4, and 5 will no longer be of any force or effect in market-based rate tariffs as of the date the Market Behavior Rules Codification Order is effective.<sup>6</sup>

#### I. Background

3. On November 17, 2003, acting pursuant to section 206 of the FPA, the

<sup>4</sup> *Prohibition of Energy Market Manipulation*, Order No. 670, 71 FR 4244 (Jan. 26, 2006), FERC Stats. & Regs. ¶ 31,202, 114 FERC ¶ 61,047 (Jan. 19, 2006) (Order No. 670).

<sup>5</sup> *Compliance for Public Utility Market-Based Rate Authorization Holders*, Docket No. RM06-13-000, issued February 16, 2006 (Market Behavior Rules Codification Order).

<sup>6</sup> As provided for in the Market Behavior Rules Order, the Market Behavior Rules have been included in tariff filings by a number of market-based rate sellers. As a result of the changes being made in this order and the contemporaneous Market Behavior Rules Codification Order, the Market Behavior Rules no longer will be part of seller's market-based rate tariffs. It would be burdensome, however, to require sellers to make new tariff filings for the sole purpose of removing the Market Behavior Rules from their tariffs. Sellers need not do so, unless we direct otherwise in the future. In the absence of any such direction, at such time as sellers make any amendments to their market-based rate tariffs or seek continued authorization to sell at market-based rates (*e.g.*, in their three-year update filings), sellers shall at that time remove the Market Behavior Rules from their tariffs. Nonetheless, Market Behavior Rules 2 and 6 will be of no force or effect in sellers' tariffs as of the date this order is published in the **Federal Register**, and Market Behavior Rules 1, 3, 4, and 5 will be of no force and effect as of the effective date of the Market Behavior Rules Codification Order.