

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

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

July 3, 2007.

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 of the Commission, 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 by the Secretary of the Commission. 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 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 received	Presenter or requester
1. CP06-459-000 .....	6-20-07	Hon. Manuel V. Alvarez.
2. CP06-459-000 .....	6-20-07	Hon. Judy M. Burges.
3. CP06-459-000 .....	6-20-07	Hon. Thomas L. Schoaf.
4. CP06-459-000 .....	6-25-07	Hon. Jennifer J. Burns.
5. CP06-459-000 .....	6-25-07	Hon. John Nelson.
6. CP06-459-000 .....	6-25-07	Hon. Elaine M. Scruggs.
7. CP07-8-000 .....	6-8-07	Steven Ugoretz.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E7-13437 Filed 7-10-07; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY**

**Western Area Power Administration**

**Colorado River Storage Project—Rate Order No. WAPA-132**

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Notice of order temporarily extending transmission and ancillary services rates.

**SUMMARY:** This action is to temporarily extend the existing Colorado River Storage Project (CRSP) transmission and ancillary services rates through September 30, 2010. The existing transmission and ancillary services rates will expire September 30, 2007.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bradley S. Warren, CRSP Manager, CRSP Management Center, Western

Area Power Administration, 150 East Social Hall Avenue, Suite 300, Salt Lake City, UT 84111-1580, (801) 524-6372, e-mail [warren@wapa.gov](mailto:warren@wapa.gov), or Ms. Carol Loftin, Rates Manager, CRSP Management Center, Western Area Power Administration, 150 East Social Hall Avenue, Suite 300, Salt Lake City, UT 84111-1580, (801) 524-6380, e-mail [loftinc@wapa.gov](mailto:loftinc@wapa.gov).

**SUPPLEMENTARY INFORMATION:** By Delegation Order No. 00-037.00, effective December 6, 2001, the Secretary of Energy delegated: (1) The authority to develop power and transmission rates to the Administrator of the Western Area Power Administration (Western); (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to the Federal Energy Regulatory Commission (Commission).

The existing rates, contained in Rate Order No. WAPA-99,<sup>1</sup> were approved for 5 years through September 30, 2007. Western is temporarily extending the existing CRSP transmission and ancillary services rates in accordance with 10 CFR part 903.23(b). The existing CRSP rate formula methodology collects annual revenue sufficient to recovery annual expenses (including interest) and capital requirements, thus ensuring repayment of the project within the cost recovery criteria set forth in DOE order RA 6120.2. The temporary extension will permit a concurrent public process and rate approval period for firm electric service, transmission service, and ancillary services.

Western did not have a consultation and comment period and did not hold public information and comment forums, which in accordance with 10 CFR part 903.23(b) are not required. Following review of Western's proposal within DOE, I hereby approve Rate

<sup>1</sup> WAPA-99 was approved by the Commission on a final basis on November 14, 2003, in Docket No. EF02-5171-000 (105 FERC ¶ 62,093).

Order No. WAPA-132 which extends the existing CRSP transmission and ancillary services rates through September 30, 2010.

Dated: June 29, 2007.

**Clay Sell,**

*Deputy Secretary.*

**Department of Energy; Deputy Secretary**

**Rate Order No. WAPA-132**

**In the Matter of: Western Area Power Administration Rate Extension for Colorado River Storage Project Transmission and Ancillary Services Rates; Order Confirming and Approving a Temporary Extension of the Colorado River Storage Project Transmission and Ancillary Services Rates**

The transmission and ancillary services rates were established following section 302 of the Department of Energy (DOE) Organization Act (42 U.S.C. 7152). This Act transferred to and vested in the Secretary of Energy the power marketing functions of the Secretary of the Department of the Interior and the Bureau of Reclamation under the Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent laws, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)), and other Acts that specifically apply to the project system involved.

By Delegation Order No. 00-037.00, effective December 6, 2001, the Secretary of Energy delegated: (1) The authority to develop power and transmission rates to the Administrator of the Western Area Power Administration (Western); (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to the Federal Energy Regulatory Commission.

**Background**

The existing rates, contained in Rate Order No. WAPA-99, were approved for 5 years and are effective through September 30, 2007.

**Discussion**

CRSP firm power, transmission, and ancillary services rates were placed into effect in 2002,<sup>2</sup> with expiration in 2007.

<sup>2</sup> Rate Order No. WAPA-99, 67 FR 60656 (Sept. 26, 2002). Approved by the Federal Energy Regulatory Commission (FERC) on November 14, 2003 (105 FERC ¶ 62, 093).

In 2005, CRSP firm power rates were found to be insufficient, so a new increased firm electric service rate was placed into effect on October 1, 2005, through September 30, 2010.<sup>3</sup> The CRSP transmission and ancillary services rates remained the same, with expiration in 2007. Western is temporarily extending the CRSP transmission and ancillary services rates until 2010 pursuant to 10 CFR part 903.23(b). This will result in the CRSP firm electric, transmission, and ancillary services rates having the same expiration date, and will permit a concurrent public process and rate approval period for those services. The existing transmission and ancillary services rate formula methodologies collect annual revenues sufficient to recover annual expenses (including interest) and capital requirements, thus ensuring repayment of the project costs under the cost recovery criteria set forth in DOE order RA 6120.2. As permitted by 10 CFR part 903.23(b), Western did not have an advanced notice and comment period, and did not hold public information and comment forums on the temporary extension of CRSP transmission and ancillary services rates.

**Order**

In view of the above and under the authority delegated to me, I hereby temporarily extend for a period effective from October 1, 2007, through September 30, 2010, the existing rate schedules SP-PTP6, SP-NW2, SP-NFT5, SP-SD2, SP-RS2, SP-EI2, SP-FR2, and SP-SSR2 for transmission and ancillary services.

Dated: June 29, 2007.

**Clay Sell,**

*Deputy Secretary.*

[FR Doc. E7-13418 Filed 7-10-07; 8:45 am]

**BILLING CODE 6450-01-P**

**DEPARTMENT OF ENERGY**

**Western Area Power Administration**

**Consideration of Certain Public Utility Regulatory Policies Act Standards Set Forth in the Energy Policy Act of 2005**

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Notice of determination.

**SUMMARY:** As a non-regulated electric utility, the Western Area Power Administration (Western) must consider and determine whether to implement certain standards under the Energy

<sup>3</sup> Rate Order No. WAPA-117, 70 FR 47823 (August 15, 2005). Approved by FERC on June 13 2006 (115 FERC ¶ 62,271).

Policy Act of 2005 (EPAct of 2005), which amended the Public Utility Regulatory Policies Act of 1978 (PURPA). Western considered five standards: Net metering, fuel source diversity, fossil fuel generation efficiency, smart metering, and consumer interconnections. After considering the comments received, Western will not adopt the EPAct of 2005 standards for PURPA at this time.

**DATES:** The decision to not adopt these standards is effective August 10, 2007.

**FOR FURTHER INFORMATION CONTACT:** Deborah K. Emler, Desert Southwest Region, Federal Power Programs Manager, 615 S. 43rd Avenue, P.O. Box 6457, Phoenix, AZ 85005-6457, or by telephone (602) 605-2555, or e-mail [emler@wapa.gov](mailto:emler@wapa.gov).

**SUPPLEMENTARY INFORMATION:** Western, as a non-regulated electric utility, is subject to Title XII, Subtitle E of the Energy Policy Act of 2005 and is required to consider the implementation of certain PURPA standards.

Western was established on December 21, 1977, under the Department of Energy Organization Act of 1977 (DOE Act). The DOE Act transferred to Western the power marketing functions of the Bureau of Reclamation (Reclamation), including the construction, operation, and maintenance of transmission lines and attendant activities.

Western sells power to cooperatives, municipalities, public utility districts, private utilities, Federal and State Agencies, Indian tribes, water systems and irrigation districts. Electric power marketed by Western is generated by the hydroelectric resources of Reclamation, the Corps of Engineers, and the International Boundary and Water Commission. Additionally, Western markets the United States' entitlement from the large Navajo coal-fired plant near Page, Arizona.

Western's transmission system, totaling approximately 17,000 line miles with over 290 substations, includes several project-specific systems, some of which are interconnected with one another. There are also numerous interconnections between Western's systems and other systems. Geographically, Western's transmission systems operate in 15 states that are generally west of the Mississippi River.

Western's obligations to its customers are contractually established. Customer requirements in excess of the power and energy available from Western must be obtained by the customer from other sources.

The major projects from which Western markets power include the