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**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2010-5893 Filed 3-17-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

March 9, 2010.

Take notice that the Commission received the following electric rate filings:

*Docket Numbers:* ER03-721-015.  
*Applicants:* New Harquahala Generating Company, LLC.  
*Description:* New Harquahala Generating Company, LLC's Updated Market Power Analysis.  
*Filed Date:* 03/08/2010.  
*Accession Number:* 20100308-5099.  
*Comment Date:* 5 p.m. Eastern Time on Friday, May 7, 2010.  
*Docket Numbers:* ER09-502-004; ER09-666-005; ER09-667-005; ER09-668-005; ER09-669-005; ER09-670-005; ER09-671-005; ER10-702-001.  
*Applicants:* EDF Development Inc., EDFD-Handsome Lake, EDFD-Perryman, EDFD-Keystone, EDFD-Conemaugh, EDFD-C.P. Crane, EDFD-West Valley, EDF Inc.  
*Description:* Triennial Update and Request for Confirmation of EDF Development Inc., *et al.*  
*Filed Date:* 03/08/2010.  
*Accession Number:* 20100308-5124.  
*Comment Date:* 5 p.m. Eastern Time on Friday, May 7, 2010.  
*Docket Numbers:* ER10-92-004.  
*Applicants:* EDF Trading North America, LLC.  
*Description:* Triennial Update of EDF Trading North America, LLC.  
*Filed Date:* 03/08/2010.  
*Accession Number:* 20100308-5125.  
*Comment Date:* 5 p.m. Eastern Time on Friday, May 7, 2010.

*Docket Numbers:* ER10-711-001.  
*Applicants:* Respond Power LLC.  
*Description:* Respond Power submits the Amended Petition for Acceptance of Initial Tariff, Waivers and Blanket Authority.

*Filed Date:* 03/08/2010.  
*Accession Number:* 20100309-0202.  
*Comment Date:* 5 p.m. Eastern Time on Monday, March 29, 2010.

*Docket Numbers:* ER10-843-000.  
*Applicants:* Southern California Edison Company.

*Description:* Southern California Edison Company submits Standard Large Generator Interconnection Agreement between SCE, *et al.* and CAISO, Service Agreement 55 under SCE's Transmission Owner Tariff, FERC Electric Tariff *etc.*

*Filed Date:* 03/08/2010.  
*Accession Number:* 20100308-0213.  
*Comment Date:* 5 p.m. Eastern Time on Monday, March 29, 2010.

*Docket Numbers:* ER10-844-000.  
*Applicants:* Tampa Electric Company.  
*Description:* Tampa Electric Co submits a Non-Conforming Service Agreement with the Orlando Utilities Commission.

*Filed Date:* 03/08/2010.  
*Accession Number:* 20100308-0214.  
*Comment Date:* 5 p.m. Eastern Time on Monday, March 29, 2010.

*Docket Numbers:* ER10-845-000.  
*Applicants:* Alcoa Power Generating Inc.  
*Description:* Alcoa Power Generating Inc submits an amendment to its Electric Rate Schedule FERC No. 19 the Exchange Agreement with Tennessee Valley Authority.

*Filed Date:* 03/08/2010.  
*Accession Number:* 20100309-0201.  
*Comment Date:* 5 p.m. Eastern Time on Monday, March 29, 2010.

*Docket Numbers:* ER10-846-000.  
*Applicants:* Florida Power Corporation.  
*Description:* Florida Power Corp submits amendments to the Power Sales Agreement with the City of Winter Park, Florida.

*Filed Date:* 03/08/2010.  
*Accession Number:* 20100309-0203.  
*Comment Date:* 5 p.m. Eastern Time on Monday, March 29, 2010.

Take notice that the Commission received the following electric securities filings:

*Docket Numbers:* ES10-28-000.  
*Applicants:* NorthWestern Corporation.

*Description:* Application of NorthWestern Corporation for Authorization to Issue Securities and Request for Shortened Comment Period.

*Filed Date:* 03/08/2010.  
*Accession Number:* 20100308-5094.  
*Comment Date:* 5 p.m. Eastern Time on Monday, March 29, 2010.

Take notice that the Commission received the following electric reliability filings:

*Docket Numbers:* RR08-4-005.  
*Applicants:* North American Electric Reliability Corporation.

*Description:* Compliance Filing of the North American Electric Reliability Corporation in Response to the Order on Violation Severity Levels Proposed by the ERO.

*Filed Date:* 03/05/2010.  
*Accession Number:* 20100305-5166.  
*Comment Date:* 5 p.m. Eastern Time on Friday, March 26, 2010.

Any person desiring to intervene or to protest in any of the above proceedings 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) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

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[FR Doc. 2010-5894 Filed 3-17-10; 8:45 am]

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## DEPARTMENT OF ENERGY

### Energy Efficiency and Renewable Energy

[Case No. CAC-027]

#### Energy Conservation Program for Certain Industrial Equipment: Publication of the Petition for Waiver From Sanyo North America Corp. and Granting of the Interim Waiver From the Department of Energy Commercial Package Air Conditioner and Heat Pump Test Procedures

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice of petition for waiver, granting of application for interim waiver, and request for comments.

**SUMMARY:** This notice announces receipt of and publishes a petition for waiver from Sanyo North America Corp. (Sanyo). The petition for waiver (hereafter "petition") requests a waiver from the U.S. Department of Energy (DOE) test procedure applicable to commercial package air-source and water-source central air conditioners and heat pumps. The petition is specific to the Sanyo variable capacity ECO-i (commercial) multi-split heat pumps. Through this document, DOE: (1) Solicits comments, data, and information with respect to the Sanyo petition; and (2) announces the grant of an interim waiver to Sanyo from the existing DOE test procedure for the subject commercial multi-split air conditioners and heat pumps.

**DATES:** DOE will accept comments, data, and information with respect to the Sanyo petition until, but no later than April 19, 2010.

**ADDRESSES:** You may submit comments, identified by case number "CAC-027," by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *E-mail:*  
[AS\\_Waiver\\_Requests@ee.doe.gov](mailto:AS_Waiver_Requests@ee.doe.gov).

Include either the case number [CAC-027], and/or "Sanyo Petition" in the subject line of the message.

- *Mail:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, Mailstop EE-2J/1000 Independence Avenue, SW., Washington, DC 20585-0121. *Telephone:* (202) 586-2945. Please submit one signed original paper copy.

- *Hand Delivery/Courier:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, 950 L'Enfant Plaza, SW., Suite 600, Washington, DC 20024. Please submit one signed original paper copy.

*Docket:* For access to the docket to review the background documents relevant to this matter, you may visit the U.S. Department of Energy, 950 L'Enfant Plaza, SW., (Resource Room of the Building Technologies Program), Washington, DC 20024; (202) 586-2945, between 9 a.m. and 4 p.m., Monday through Friday, except on Federal holidays. Available documents include the following items: (1) This notice; (2) public comments received; (3) the petition for waiver and application for interim waiver; and (4) prior DOE rulemakings regarding similar central air conditioning and heat pump equipment. Please call Ms. Brenda Edwards at the above telephone number for additional information regarding visiting the Resource Room.

**FOR FURTHER INFORMATION CONTACT:** Dr. Michael G. Raymond, U.S. Department of Energy, Building Technologies Program, Mail Stop EE-2J, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0121. *Telephone:* (202) 586-9611. *E-mail:* [AS\\_Waiver\\_Requests@ee.doe.gov](mailto:AS_Waiver_Requests@ee.doe.gov).

Ms. Betsy Kohl, U.S. Department of Energy, Office of the General Counsel, Mail Stop GC-71, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0103. *Telephone:* (202) 586-7796. *E-mail:* [Elizabeth.Kohl@hq.doe.gov](mailto:Elizabeth.Kohl@hq.doe.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background and Authority

Title III of the Energy Policy and Conservation Act (EPCA) sets forth a variety of provisions concerning energy efficiency, including Part A of Title III, which establishes the "Energy Conservation Program for Consumer Products Other Than Automobiles." (42 U.S.C. 6291-6309) Part A-1 of Title III provides for a similar energy efficiency program titled "Certain Industrial Equipment," which includes commercial air conditioning equipment, package boilers, water heaters, and other

types of commercial equipment. (42 U.S.C. 6311-6317).

Today's notice involves commercial equipment under Part A-1. Part A-1 specifically includes definitions (42 U.S.C. 6311), test procedures (42 U.S.C. 6314), labeling provisions (42 U.S.C. 6315), energy conservation standards (42 U.S.C. 6313), and the authority to require information and reports from manufacturers (42 U.S.C. 6316). With respect to test procedures, Part A-1 authorizes the Secretary of Energy (the Secretary) to prescribe test procedures that are reasonably designed to produce results that measure energy efficiency, energy use, and estimated annual operating costs, and that are not unduly burdensome to conduct. (42 U.S.C. 6314(a)(2))

For commercial package air-conditioning and heating equipment, EPCA provides that "the test procedures shall be those generally accepted industry testing procedures or rating procedures developed or recognized by the Air-Conditioning and Refrigeration Institute [ARI] or by the American Society of Heating, Refrigerating and Air-Conditioning Engineers [ASHRAE], as referenced in ASHRAE/IES Standard 90.1 and in effect on June 30, 1992." (42 U.S.C. 6314(a)(4)(A)) Under 42 U.S.C. 6314(a)(4)(B), the statute further directs the Secretary to amend the test procedure for a covered commercial product if the industry test procedure is amended, unless the Secretary determines, by rule and based on clear and convincing evidence, that such a modified test procedure does not meet the statutory criteria set forth in 42 U.S.C. 6314(a)(2) and (3).

On December 8, 2006, DOE published a final rule adopting test procedures for commercial package air-conditioning and heating equipment, effective January 8, 2007. 71 FR 71340. DOE adopted the International Organization for Standardization (ISO) Standard 13256-1-1998, "Water-source heat pumps—Testing and rating for performance—Part 1: Water-to-air and brine-to-air heat pumps," for small commercial package water-source heat pumps with capacities less than 135,000 British thermal units per hour (Btu/h). *Id.* at 71371. For air-source heat pumps, DOE adopted ARI Standard 340/360-2004. Table 1 to Title 10 of the Code of Federal Regulations (10 CFR) 431.96 directs manufacturers of commercial package air conditioning and heating equipment to use the appropriate procedure when measuring energy efficiency of those products. The cooling capacities of Sanyo's commercial ECO-i multi-split heat pump products at issue in the waiver