

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Project No. 1390-040]

**Southern California Edison Company; Notice of Settlement Agreement and Soliciting Comments**

February 11, 2005.

Take notice that the following Settlement Agreement has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Settlement Agreement.

b. *Project No.:* 1390-040.

c. *Date Filed:* February 4, 2005.

d. *Applicant:* Southern California Edison Company.

e. *Name of Project:* Lundy Project.

f. *Location:* On Mill Creek in Mono County, California. The project is located partly on lands in the Inyo National Forest and on land administered by the Bureau of Land Management.

g. *Filed Pursuant to:* Rule 602 of the Commission's Rules of Practice and Procedure, 18 CFR 385.602.

h. *Applicant Contact:* Mr. Nino J. Mascolo, Southern California Edison Company, P.O. Box 800, 2244 Walnut Grove Avenue, Rosemead, CA 91770, (626) 302-4459.

i. *FERC Contact:* John Smith, telephone (202) 502-8972, e-mail [john.smith@ferc.gov](mailto:john.smith@ferc.gov).

j. *Deadline for filing comments:* 90 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular agency, they must also serve a copy of the document on that resource agency.

Comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "eFiling" link.

k. *Description of filing:* Southern California Edison Company filed the Settlement Agreement on behalf of itself

and the U.S. Department of Agriculture, Forest Service; the U.S. Department of the Interior, Bureau of Land Management; the California Department of Fish and Game; American Rivers; California Trout; and the Mono Lake Committee. The purposes of the Settlement Agreement are to resolve among the signatories: (1) The issues raised by the signatories in their respective requests for rehearing of the order issuing new license (86 FERC ¶ 61,230); and (2) the issue raised by the People for Mono Basin Preservation and Mono County with regard to the claims that the minimum flow schedule required by article 404 of the license would interfere with the Wilson Creek water rights. The signatories request that the Commission adopt in whole, without material modification, the Offer of Settlement. Specifically, the signatories request that the Commission replace existing license articles 403, 404, 411, 412, and 417 with conditions included in Appendix A of the Settlement Agreement and delete license article 414.

1. A copy of the Settlement Agreement is 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, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, contact (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

**Magalie R. Salas,**

Secretary.

[FR Doc. E5-677 Filed 2-17-05; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket Nos. ER05-111-000 and ER05-111-001]

**TransCanada Hydro Northeast Inc.; Notice of Issuance of Order**

February 11, 2005.

TransCanada Hydro Northeast Inc. (TC Hydro NE) filed an application for market-based rate authority, with an accompanying tariff. The proposed tariff provides for wholesale sales of energy, capacity and ancillary services at market-based rates. TC Hydro NE also requested waiver of various Commission regulations. In particular, TC Hydro NE requested that the Commission grant blanket approval under 18 CFR part 34 of all future issuances of securities and assumptions of liability by TC Hydro NE.

On February 10, 2005, the Commission granted the request for blanket approval under part 34, subject to the following:

Any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by TC Hydro NE should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure. 18 CFR 385.211, 385.214 (2004).

Notice is hereby given that the deadline for filing motions to intervene or protest, is March 14, 2005.

Absent a request to be heard in opposition by the deadline above, TC Hydro NE is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of TC Hydro NE, compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of TC Hydro NE's issuances of securities or assumptions of liability.

Copies of the full text of the Commission's Order are available from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426. The Order may also 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. Comments, protests, and interventions may be filed electronically via the internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E5-671 Filed 2-17-05; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12178-000]

#### Verdant Power LLC; Notice of Declaration of Intent and Petition for Relief Filing and Soliciting Comments

February 11, 2005.

Take notice that the following declaration of intent and petition for relief from the requirements of hydropower licensing has been filed with the Commission and is available for public inspection.

a. *Type of Filing:* Declaration of intent and petition for relief.

b. *Project No.:* 12178-000.

c. *Date Filed:* February 2, 2005.

d. *Applicant:* Verdant Power LLC.

e. *Name of Project:* Roosevelt Island Tidal Energy Study Project.

f. *Location:* In the East channel of the East River, in New York City, New York. The project would not occupy Federal lands.

g. *Filed Pursuant to:* 18 Code of Federal Regulations part 24, section 24.1.

h. *Applicant Contact:* Mr. Ronald F. Smith, Chairman and Chief Operating Officer, 4640 13th Street, Arlington, VA 22207 (703) 528-6445.

i. *FERC Contact:* Tom Dean at (202) 502-6041, [thomas.dean@ferc.gov](mailto:thomas.dean@ferc.gov).

j. *Deadline for filing comments:* 30 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Documents may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "eFiling" link.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Project:* Verdant intends to deploy, for study purposes, a temporary (18-month), underwater kinetic hydropower array that would be located near New York City in the East River. The experimental project would consist of: (1) Six turbines consisting of: (a) A 5-meter-diameter, 3-bladed rotor mounted on; (b) a 30-inch-diameter, 7-foot-long nacelle or enclosed shelter mounted to; (c) a 9-foot-long vertical pylon that contains a yaw bearing mounted on top of; (d) a 24-inch-diameter, 5 or 6-feet-high pile extending above the river bottom; (2) six generating units with a combined capacity of up to 200 kW; (3) an underwater power cable leading to a control room and connected via a generator controller and protective relay to two customer-side 480-volt service meters; and (4) appurtenant facilities.

l. *Petition for Declaratory Intent:* Verdant Power asked that it be allowed to install and operate the facilities listed above, and to deliver power from the project into the facilities of Consolidated Edison New York, for a test period of 18 months, without a license under Part I of the Federal Power Act. The 18-month deployment would provide information about project operation and identify potential effects on environment resources in the East River as part of Verdant Power's effort in preparing a license application for a fully-developed project. Such a project would consist of a series of "free-flowing" bi-directional submersible turbines totaling between 5 and 10 MW that would convert mechanical power from the tidal currents of the East River into electrical power without constructing a dam, reservoir, penstock, or powerhouse.

m. A copy of the application is 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, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY,

(202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

You may also register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support. To view upcoming FERC events, go to <http://www.ferc.gov> and click on "View Entire Calendar".

**Magalie R. Salas,**  
Secretary.

[FR Doc. E5-676 Filed 2-17-05; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EC05-43-000, et al.]

#### Exelon Corporation, et al.; Electric Rate and Corporate Filings

February 10, 2005.

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

##### 1. Exelon Corporation Public Service Enterprise Group Incorporated

[Docket No. EC05-43-000]

Take notice that on February 4, 2005, as supplemented on February 9, 2005, Exelon Corporation and its subsidiaries that are electric utilities subject to the Commission's jurisdiction (collectively, Exelon) and Public Service Enterprise Group Incorporated and its subsidiaries that are electric utilities subject to the Commission's jurisdiction (collectively, PSEG) submitted a filing pursuant to section 203 of the Federal Power Act and part 33 of the Commission's Regulations requesting that the Commission approve a transaction that includes: (1) Exelon's acquisition of PSEG and the resulting indirect merger of Exelon's and PSEG's regulated public utilities; and (2) the consolidation of Exelon's and PSEG's unregulated generation companies and corporate restructuring of the subsidiaries of their unregulated generation companies.

*Comment Date:* 5 p.m. eastern time on April 11, 2005.

##### 2. TPF Chesapeake, LLC, TM Delmarva Power LLC, Commonwealth Chesapeake Company, LLC

[Docket No. EC05-44-000]

Take notice that on February 7, 2005, TPF Chesapeake, LLC (TPF), TM Delmarva Power LLC (TMDP), and