

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

[Project No. 14687-000]

**Energy Resources USA Inc.; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications**

On June 25, 2015, the Energy Resources USA Inc. filed an application for a preliminary permit under section 4(f) of the Federal Power Act proposing to study the feasibility of the proposed Lock and Dam No.11 Hydroelectric Project No. 14687-000, to be located at the existing Mississippi River Lock and Dam No. 11 on the Mississippi River, near the City of Dubuque, in Grant County, Wisconsin. The Mississippi River Lock and Dam No. 11 is owned by the United States government and operated by the U.S. Army Corps of Engineers.

The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of: (1) A new 770-foot-long by 300-foot-wide earthen intake area; (2) a new 220-foot by 90-foot concrete powerhouse containing four 2.5-megawatt hydropower turbine-generators having a total combined generating capacity of 10 megawatts; (3) one new 1000-foot-long by 220-foot-wide tailrace; (4) a new intake retaining wall and new tailrace retaining wall each measuring 85-foot-long by 43-foot-high by 3-foot-thick; (5) a new 50-foot by 60-foot switchyard; (6) a new 1.52-mile-long, 69-kilovolt transmission line; and (7) appurtenant facilities. The project would have an estimated annual generation of 119,655 megawatt-hours.

*Applicant Contact:* Mr. Ander Gonzalez, 2655 Le Jeune Road, Suite 804, Coral Gables, Florida 33134; telephone +34 932523840.

*FERC Contact:* Tyrone A. Williams, (202) 502-6331.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36. The Commission strongly encourages electronic filing. Please file

comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P-14687-000.

More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-14687) in the docket number field to access the document. For assistance, contact FERC Online Support at 1-866-208-3676.

Dated: August 20, 2015.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2015-21261 Filed 8-26-15; 8:45 am]

**BILLING CODE 6717-01-P**

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

[Docket Nos. ER02-2001-019, ER13-392-000, ER11-4531-000, ER12-2514-000]

**Electric Quarterly Reports: M&R Energy Resources Corp., Reliable Power, LLC, Susterra Energy, LLC; Order on Intent To Revoke Market-Based Rate Authority**

Before Commissioners: Norman C. Bay, Chairman; Philip D. Moeller, Cheryl A. LaFleur, Tony Clark, and Colette D. Honorable.

1. Section 205 of the Federal Power Act (FPA), 16 U.S.C. 824d (2012), and 18 CFR part 35 (2015), require, among other things, that all rates, terms, and conditions of jurisdictional services be filed with the Commission. In Order No. 2001, the Commission revised its public utility filing requirements and established a requirement for public utilities, including power marketers, to file Electric Quarterly Reports summarizing the contractual terms and conditions in their agreements for all

jurisdictional services (including market-based power sales, cost-based power sales, and transmission service) and providing transaction information (including rates) for short-term and long-term power sales during the most recent calendar quarter.<sup>1</sup>

2. The Commission requires sellers with market-based rate authorization to file Electric Quarterly Reports.<sup>2</sup> Commission staff's review of the Electric Quarterly Report submittals indicates that the following three public utilities with market-based rate authorization have failed to file their Electric Quarterly Reports: M&R Energy Resources Corp.; Reliable Power, LLC; and Susterra Energy, LLC. This order notifies these public utilities that their market-based rate authorizations will be revoked unless they comply with the Commission's requirements within 15 days of the date of issuance of this order.

3. In Order No. 2001, the Commission stated that,

[i]f a public utility fails to file a[n] Electric Quarterly Report (without an appropriate request for extension), or fails to report an agreement in a report, that public utility may forfeit its market-based rate authority and may be required to file a new application for market-based rate authority if it wishes to resume making sales at market-based rates.<sup>[3]</sup>

4. The Commission further stated that, [o]nce this rule becomes effective, the requirement to comply with this rule will supersede the conditions in public utilities' market-based rate authorizations, and failure to comply with the requirements of this rule will subject public utilities to the same consequences they would face for not satisfying the conditions in their rate authorizations, including possible revocation

<sup>1</sup> *Revised Public Utility Filing Requirements*, Order No. 2001, FERC Stats. & Regs. ¶ 31,127, *reh'g denied*, Order No. 2001-A, 100 FERC ¶ 61,074, *reh'g denied*, Order No. 2001-B, 100 FERC ¶ 61,342, *order directing filing*, Order No. 2001-C, 101 FERC ¶ 61,314 (2002), *order directing filing*, Order No. 2001-D, 102 FERC ¶ 61,334, *order refining filing requirements*, Order No. 2001-E, 105 FERC ¶ 61,352 (2003), *order on clarification*, Order No. 2001-F, 106 FERC ¶ 61,060 (2004), *order revising filing requirements*, Order No. 2001-G, 120 FERC ¶ 61,270, *order on reh'g and clarification*, Order No. 2001-H, 121 FERC ¶ 61,289 (2007), *order revising filing requirements*, Order No. 2001-I, FERC Stats. & Regs. ¶ 31,282 (2008).

<sup>2</sup> *See, e.g., Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities*, Order No. 697, FERC Stats. & Regs. ¶ 31,252, at P 3, *clarified*, 121 FERC ¶ 61,260 (2007), *order on reh'g*, Order No. 697-A, FERC Stats. & Regs. ¶ 31,268, *clarified*, 124 FERC ¶ 61,055, *order on reh'g*, Order No. 697-B, FERC Stats. & Regs. ¶ 31,285 (2008), *order on reh'g*, Order No. 697-C, FERC Stats. & Regs. ¶ 31,291 (2009), *order on reh'g*, Order No. 697-D, FERC Stats. & Regs. ¶ 31,305 (2010), *aff'd sub nom. Mont. Consumer Counsel v. FERC*, 659 F.3d 910 (9th Cir. 2011), *cert. denied*, 133 S. Ct. 26 (2012).

<sup>3</sup> Order No. 2001, FERC Stats. & Regs. ¶ 31,127 at P 222.

of their authority to make wholesale power sales at market-based rates.<sup>4</sup>

5. Pursuant to these requirements, the Commission has revoked the market-based rate tariffs of market-based rate sellers that failed to submit their Electric Quarterly Reports.<sup>5</sup>

6. Sellers must file Electric Quarterly Reports consistent with the procedures set forth in Order Nos. 768<sup>6</sup> and 770.<sup>7</sup> The exact filing dates for Electric Quarterly Reports are prescribed in 18 CFR 35.10b (2015). As noted above, Commission staff's review of the Electric Quarterly Report submittals for the period up to the second quarter of 2015 identified three public utilities with market-based rate authorization that failed to file Electric Quarterly Reports. Commission staff contacted or attempted to contact these entities to remind them of their regulatory obligations. Despite these reminders, the public utilities listed in the caption of this order have not met these obligations. Accordingly, this order notifies these public utilities that their market-based rate authorizations will be revoked unless they comply with the Commission's requirements within 15 days of the issuance of this order.

7. In the event that any of the above-captioned market-based rate sellers has already filed its Electric Quarterly Reports in compliance with the Commission's requirements, its inclusion herein is inadvertent. Such market-based rate seller is directed, within 15 days of the date of issuance of this order, to make a filing with the Commission identifying itself and providing details about its prior filings that establish that it complied with the Commission's Electric Quarterly Report filing requirements.

8. If any of the above-captioned market-based rate sellers does not wish to continue having market-based rate authority, it may file a notice of cancellation with the Commission pursuant to section 205 of the FPA to cancel its market-based rate tariff.

*The Commission orders:*

(A) Within 15 days of the date of issuance of this order, each public utility listed in the caption of this order shall file with the Commission all delinquent Electric Quarterly Reports. If

a public utility subject to this order fails to make the filings required in this order, the Commission will revoke that public utility's market-based rate authorization and will terminate its electric market-based rate tariff. The Secretary is hereby directed, upon expiration of the filing deadline in this order, to promptly issue a notice, effective on the date of issuance, listing the public utilities whose tariffs have been revoked for failure to comply with the requirements of this order and the Commission's Electric Quarterly Report filing requirements.

(B) The Secretary is hereby directed to publish this order in the **Federal Register**.

By the Commission.

Issued: August 21, 2015.

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

*Deputy Secretary.*

[FR Doc. 2015-21201 Filed 8-26-15; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

#### Filing Instituting Proceedings

*Docket Numbers:* RP15-1133-001.

*Applicants:* Algonquin Gas

Transmission, LLC.

*Description:* Tariff Amendment per 154.205(b); Amendment to RP15-1133-000 (BP NegRate) Filing to be effective 11/1/2015.

*Filed Date:* 8/20/15.

*Accession Number:* 20150820-5054.

*Comments Due:* 5 p.m. ET 9/1/15.

*Docket Numbers:* RP15-1203-000.

*Applicants:* Transcontinental Gas

Pipe Line Company.

*Description:* Section 4(d) rate filing per 154.204: OFO and OC Penalties to be effective 10/1/2015.

*Filed Date:* 8/20/15.

*Accession Number:* 20150820-5178.

*Comments Due:* 5 p.m. ET 9/1/15.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but

intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: August 21, 2015.

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

*Deputy Secretary*

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**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #2

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

*Docket Numbers:* ER13-1937-002.

*Applicants:* Southwest Power Pool, Inc.

*Description:* Compliance filing: Order No. 1000 Interregional SPP-MISO JOA Compliance Filing to be effective 3/30/2014.

*Filed Date:* 8/18/15.

*Accession Number:* 20150818-5203.

*Comments Due:* 5 p.m. ET 9/8/15.

*Docket Numbers:* ER15-2506-000.

*Applicants:* Southwest Power Pool, Inc.

*Description:* Section 205(d) Rate Filing: SPP-Western Area Power Administration Joint Operating Agreement Extension to be effective 6/21/2015.

*Filed Date:* 8/21/15.

*Accession Number:* 20150821-5158.

*Comments Due:* 5 p.m. ET 9/11/15.

*Docket Numbers:* ER15-2507-000.

*Applicants:* Southwest Power Pool, Inc.

*Description:* Section 205(d) Rate Filing: 1976R4 Kaw Valley Electric Cooperative, Inc. NITSA and NOA to be effective 8/1/2015.

*Filed Date:* 8/21/15.

*Accession Number:* 20150821-5185.

*Comments Due:* 5 p.m. ET 9/11/15.

*Docket Numbers:* ER15-2508-000.

*Applicants:* Southwest Power Pool, Inc.

*Description:* Section 205(d) Rate Filing: 2045R4 Westar Energy, Inc. NITSA and NOA to be effective 8/1/2015.

*Filed Date:* 8/21/15.

*Accession Number:* 20150821-5190.

*Comments Due:* 5 p.m. ET 9/11/15.

<sup>4</sup> *Id.* P 223.

<sup>5</sup> See, e.g., *Electric Quarterly Reports*, 75 FR 63468 (Oct. 15, 2010); *Electric Quarterly Reports*, 75 FR 45111 (Aug. 2, 2010).

<sup>6</sup> *Electricity Market Transparency Provisions of Section 220 of the Federal Power Act*, Order No. 768, FERC Stats. & Regs. ¶ 31,336 (2012), *order on reh'g*, Order No. 768-A, 143 FERC ¶ 61,054 (2013).

<sup>7</sup> *Revisions to Electric Quarterly Report Filing Process*, Order No. 770, FERC Stats. & Regs. ¶ 31,338 (2012).