

FEDERAL ENERGY REGULATORY COMMISSION  
Washington, D.C. 20426

December 22, 2006

In Reply Refer To:  
ACN Utility Services, Inc.  
Docket Nos. ER07-80-000,  
ER03-965-000, and  
EL06-107-000

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Dear Ms. Comer:

1. On October 26, 2006, ACN Utility Services, Inc. (ACN Utility) submitted a notice of cancellation requesting that the Commission cancel its market-based rate tariff effective October 27, 2006. This notice of cancellation has been filed in response to the Commission's order issued on October 6, 2006,<sup>1</sup> in which the Commission directed ACN Utility to file an updated market power analysis or to provide satisfactory support for why it should not be required to do so. In this order, the Commission accepts the notice of cancellation filed by ACN Utility, effective October 27, 2006, as requested.
2. This order also terminates the section 206 proceeding instituted in Docket No. EL06-107-000 with regard to ACN Utility.
3. Notice of ACN Utility's filing was published in the *Federal Register*, 71 Fed. Reg. 65,485 (2006), with interventions or protests due on or before November 16, 2006. None was filed.
4. In the October 6 Order, the Commission gave ACN Utility the option to file a notice of cancellation, instead of filing an updated market power analysis or providing

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<sup>1</sup>ACN Utility Services, Inc., 117 FERC ¶ 61,027 (2006) (October 6 Order).

support as to why it should not be required to do so.<sup>2</sup> In lieu of providing an updated market power analysis, ACN Utility filed a notice of cancellation.

5. In its notice of cancellation, ACN Utility states that it no longer conducts activity under its market-based rate tariff. ACN Utility also states that it has no active customers under its tariff and that the cancellation will not affect any purchaser.

6. The Commission accepts the notice of cancellation filed by ACN Utility effective October 27, 2006, as requested.<sup>3</sup>

7. In addition, the Commission finds that this filing satisfies the Commission's October 6 Order, and will therefore terminate the section 206 proceeding instituted in Docket No. EL06-107-000 with regard to ACN Utility.

8. The Commission notes that because the request by ACN Utility to cancel its market-based rate authority is granted herein, any waivers and authorizations previously granted in connection with its market-based rate authority are no longer applicable, effective 60 days from the date of issuance of this order.

By direction of the Commission.

Magalie R. Salas,  
Secretary.

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<sup>2</sup> *Id.* at P 5.

<sup>3</sup> FERC Electric Tariff, First Revised Volume No. 1, First Revised Sheet No. 1 (cancels FERC Electric Tariff, Original Volume No. 1).