

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;  
Nora Mead Brownell, and Joseph T. Kelliher,

Acadia Power Partners, LLC	Docket No. ER02-1406-001
Adirondack Hydro Development Corporation	Docket No. ER00-3109-001
Adirondack Hydro Fourth Branch, LLC	Docket No. ER00-3774-001
AES Alamitos, LLC	Docket No. ER98-2185-006
AES Huntington Beach, LLC	Docket No. ER98-2184-006
AES Placerita, Inc.	Docket No. ER00-33-003
AES Redondo Beach, LLC	Docket No. ER98-2186-006
AG-Energy, LP	Docket No. ER98-2782-002
Alliant Energy Corporate Services	Docket No. ER99-230-002
Ameren Energy Development Co.	Docket No. ER01-294-002
Ameren Energy Generating Co.	Docket No. ER00-3412-003
Ameren Energy Marketing Co.	Docket No. ER00-816-001
AmerenEnergy Medina Valley Cogen, LLC	Docket No. ER04-8-002
AmerenEnergy Resources Generating Co.	Docket No. ER04-53-002
Amergen Energy Company, L.L.C.	Docket No. ER99-754-008
APS Energy Services, Inc.	Docket No. ER99-4122-004
Aquila, Inc.	Docket No. ER03-1079-002
Aquila Merchant Services, Inc.	Docket No. ER94-216-001
Arizona Public Service Company	Docket No. ER99-4124-001
Armstrong Limited Energy Partnership, LLP	Docket No. ER02-24-002
Astoria Gas Turbine Power LLC	Docket No. ER99-3000-001
Athens Generating Company, L.P.	Docket No. ER99-4282-002
Attala Generating Company, LLC	Docket No. ER01-747-002
Avista Energy Inc.	Docket No. ER96-2408-018
Backbone Windpower Holdings, LLC	Docket No. ER02-2559-001
Badger Generating Company, LLC	Docket No. ER00-3457-001
Badger Windpower, LLC	Docket No. ER01-1071-002
Bayswater Peaking Facility, LLC	Docket No. ER02-669-002
Black Hills Colorado, LLC	Docket No. ER00-1952-001
Black Hills Generation, Inc.	Docket No. ER01-1844-001
Black Hills Pepperell Power Associates, Inc.	Docket No. ER96-1635-008
Black Hills Power, Inc.	Docket No. ER99-2287-001
Bluegrass Generation Company, L.L.C.	Docket No. ER02-506-002

Blythe Energy, LLC	Docket No. ER02-2018-002
Cabrillo Power I LLC	Docket No. ER99-1115-005
Cabrillo Power II LLC	Docket No. ER99-1116-005
Calcasieu Power, LLC	Docket No. ER00-1049-003
Calhoun Power Company I, LLC	Docket No. ER02-2074-002
Central Illinois Light Co.	Docket Nos. ER98-2440-002 and ER98-2440-003
Citizens Power Sales	Docket No. ER94-1685-031
Cleco Evangeline LLC	Docket No. ER99-2928-001
Cleco Marketing & Trading LLC	Docket No. ER99-2300-004
Cleco Power LLC	Docket No. ER99-3855-002
The Cleveland Electric Illuminating Company	Docket No. ER99-2330-001
CMS Generation Michigan Power LLC	Docket No. ER99-3677-001
Commonwealth Edison Company	Docket No. ER98-1734-006
Consolidated Water Power Company	Docket No. ER98-4512-002
Consumers Energy Company	Docket No. ER98-4421-002
Covert Generating Company, LLC	Docket No. ER01-520-002
CPL Power Sales One, LLC	Docket No. ER95-892-055
CPL Power Sales Two, LLC	Docket No. ER95-892-055
CPL Power Sales Five, LLC	Docket No. ER95-892-055
CPL Power Sales Six, LLC	Docket No. ER96-2652-049
CPL Power Sales Seven, LLC	Docket No. ER96-2652-049
CPL Power Sales Eight, LLC	Docket No. ER96-2652-049
CPL Power Sales Nine, LLC	Docket No. ER96-2652-049
CPL Power Sales Ten, LLC	Docket No. ER96-2652-049
CPL Power Sales Twelve, LLC	Docket No. ER99-893-007
CPL Power Sales Thirteen, LLC	Docket No. ER99-892-008
CPL Power Sales Fourteen, LLC	Docket No. ER99-891-008
CPL Power Sales Fifteen, LLC	Docket No. ER99-890-008
CPL Power Sales Seventeen, LLC	Docket No. ER99-4229-005
CPL Power Sales Eighteen, LLC	Docket No. ER99-4230-004
CPL Power Sales Nineteen, LLC	Docket No. ER99-4228-005
CPL Power Sales Twenty, LLC	Docket No. ER99-4231-004
CPN Pleasant Hill, LLC	Docket No. ER01-915-002
CPN Pleasant Hill Operating, LLC	Docket No. ER01-915-002
Crete Energy Venture, LLC	Docket No. ER02-963-002
Dayton Power & Light Company	Docket No. ER96-2602-004
De Pere Energy LLC	Docket No. ER97-1432-011
Delmarva Power & Light Company	Docket No. ER99-2781-002
The Detroit Edison Company	Docket No. ER97-324-004
Dominion Energy Marketing, Inc.	Docket No. ER01-468-001
Dominion Nuclear Connecticut, Inc.	Docket No. ER00-3621-002
Dominion Nuclear Marketing I, Inc.	Docket No. ER00-3620-002

Dominion Nuclear Marketing II, Inc.	Docket No. ER00-3619-002
Dominion Nuclear Marketing III, Inc.	Docket No. ER00-3746-003
Doswell Limited Partnership	Docket No. ER90-80-001
DPL Energy LLC	Docket No. ER96-2601-015
Dresden Energy, LLC	Docket No. ER02-22-002
DTE Edison America, Inc.	Docket No. ER98-3026-007
DTE Energy Marketing, Inc.	Docket No. ER99-3368-003
DTE Energy Trading, Inc.	Docket No. ER97-3834-010
DTE Georgetown, LLC	Docket No. ER00-1746-001
DTE River Rouge No. 1, LLC	Docket No. ER00-1816-002
Duke Energy Morro Bay, LLC	Docket No. ER98-2681-002
Duke Energy Moss Landing, LLC	Docket No. ER98-2680-002
Duke Energy Oakland, LLC	Docket No. ER98-2682-002
Duke Energy South Bay, LLC	Docket No. ER99-1785-001
Duke Power Co.	Docket No. ER96-110-007
Duke Solutions, Inc.	Docket No. ER98-3813-007
Duquesne Power, L.P.	Docket No. ER04-268-000
Dynegy Danskammer, L.L.C.	Docket No. ER01-140-002
Dynegy Midwest Generation, Inc.	Docket No. ER00-1895-002
Dynegy Power Marketing, Inc.	Docket No. ER99-4160-003
Dynegy Power Services, Inc.	Docket No. ER94-1612-026
Dynegy Roseton, L.L.C.	Docket No. ER01-141-002
Edison Mission Marketing & Trading, Inc.	Docket No. ER99-852-006
El Paso Electric Company	Docket No. ER99-2416-001
El Segundo Power, LLC	Docket No. ER98-1127-005
Elkem Metals Company – Alloy L.P.	Docket No. ER00-2093-001
Elwood Energy, LLC	Docket No. ER99-1695-002
EME Homer City Generation, L.P.	Docket No. ER99-666-002
Empire District Electric Company	Docket Nos. ER99-1757-002, ER99-1757-003 and ER99-1757-004
Energy USA-TPC Corp.	Docket No. ER01-1300-003
ESI Vansycle Partners, L.P.	Docket No. ER98-2494-004
Exelon Edgar LLC	Docket No. ER01-513-005
Exelon Energy Company	Docket No. ER97-3954-016
Exelon Fore River Development, LLC	Docket No. ER01-41-004
Exelon Framingham LLC	Docket No. ER01-513-005
Exelon Generation Company, L.L.C.	Docket No. ER00-3251-005
Exelon New Boston LLC	Docket No. ER01-513-005
Exelon New England Power Marketing, L.P.	Docket Nos. ER99-2404-001 and ER99-2404-004
Exelon Mystic Development, LLC	Docket No. ER02-42-005
Exelon West Medway LLC	Docket No. ER01-513-005

Exelon Wyman LLC	Docket No. ER01-513-005
Fairless Energy, LLC	Docket No. ER02-23-002
FirstEnergy Generation Corp.	Docket No. ER01-845-001
FirstEnergy Solutions Corp.	Docket No. ER01-2968-002
Florida Power & Light Company	Docket No. ER97-3359-005
Florida Power Corporation	Docket No. ER97-2846-003
Foothills Generating, L.L.C.	Docket No. ER02-554-001
Fountain Valley Power, LLC	Docket No. ER01-1784-004
FPL Energy Cape, LLC	Docket No. ER00-3068-002
FPL Energy Hancock County Wind, LLC	Docket No. ER03-34-001
FPL Energy Maine Hydro, Inc.	Docket No. ER98-3511-006
FPL Energy Marcus Hook, L.P.	Docket No. ER02-1903-001
FPL Energy Mason, LLC	Docket No. ER98-3562-006
FPL Energy MH 50, LP	Docket No. ER99-2917-003
FPL Energy New Mexico Wind, LLC	Docket No. ER03-179-002
FPL Energy Pennsylvania Wind, LLC	Docket No. ER02-2166-001
FPL Energy Power Marketing, Inc.	Docket No. ER98-3566-009
FPL Energy Rhode Island Energy, L.P.	Docket No. ER02-2120-001
FPL Energy Seabrook, LLC	Docket No. ER02-1838-001
FPL Energy Vansycle, LLC	Docket No. ER01-838-002
FPL Energy Wyman, LLC	Docket No. ER98-3563-006
FPL Energy Wyman IV, LLC	Docket No. ER98-3564-006
Fresno Cogeneration Partners, L.P.	Docket No. ER00-2392-001
Gray County Wind Energy, LLC	Docket No. ER01-1972-002
Griffin Energy Marketing, LLC	Docket No. ER97-4168-012
Harbor Cogeneration Company	Docket Nos. ER99-1248-002 and ER99-1248-003
Hardee Power Partners Limited	Docket No. ER99-2341-001
Harquahala Generating Company, LLC	Docket No. ER01-748-002
Hartford Steam Company	Docket Nos. ER04-582-000, ER04-582-001 and ER04-582-002
Hawkeye Power Partners, LLC	Docket No. ER98-2076-005
Heard County Power, L.L.C.	Docket No. ER01-943-002
High Winds, LLC	Docket No. ER03-155-001
HQ Energy Services (US) Inc.	Docket Nos. ER97-851-012 and ER97-851-013
Idaho Power Company	Docket No. ER97-1481-003
Illinova Energy Partners, Inc.	Docket No. ER94-1475-021
Indianapolis Power & Light Company	Docket No. ER00-1026-006
Jamaica Bay Peaking Facility, LLC	Docket No. ER03-623-003
Jersey Central Power & Light Company	Docket No. ER99-2330-001
Kansas City Power & Light Company	Docket No. ER99-1005-001

Kentucky Utilities Company	Docket No. ER99-1623-001
Kincaid Generation, LLC	Docket No. ER99-1432-002
La Paloma Generating Company, LLC	Docket No. ER00-107-001
Lake Benton Power Partners II, LLC	Docket No. ER98-4222-001
Lake Road Generating Company, L.P.	Docket No. ER99-1714-002
LG&E Energy Marketing, Inc.	Docket No. ER94-1188-033
Liberty Generating Company, LLC	Docket No. ER00-1792-001
Logan Generating Company, L.P.	Docket No. ER95-1007-014
Long Beach Generation LLC	Docket No. ER98-1796-004
Louisiana Generating, LLC	Docket No. ER00-1259-001
Louisville Gas & Electric Company	Docket No. ER98-4540-002
Madison Gas & Electric Company	Docket No. ER00-586-002
Madison Windpower LLC	Docket No. ER00-1742-001
Mantua Creek Generating Company, L.P.	Docket No. ER99-4162-002
MEP Investments, LLC	Docket No. ER99-2322-001
MEP Pleasant Hill, LLC	Docket No. ER99-2858-002
MEP Pleasant Hill Operating, LLC	Docket No. ER01-905-001
Metropolitan Edison Company	Docket No. ER99-2330-001
Midwest Generation, LLC	Docket No. ER99-3693-001
Mill Run Windpower, LLC	Docket No. ER01-1710-002
Millennium Power Partners, L.P.	Docket No. ER98-830-006
Minnesota Power	Docket No. ER01-2636-001
Mirant Americas Energy Marketing, LP	Docket No. ER01-1265-002
Mirant Bowline, LLC	Docket No. ER01-1266-002
Mirant California, LLC	Docket Nos. ER01-1267-002 and ER01-1267-003
Mirant Canal, LLC	Docket No. ER01-1268-003
Mirant Chalk Point, LLC	Docket Nos. ER01-1269-002 and ER01-1278-003
Mirant Delta, LLC	Docket Nos. ER01-1270-002 and ER01-1270-003
Mirant Energy Trading, LLC	Docket No. ER02-1213-001
Mirant Kendall, LLC	Docket No. ER01-1271-003
Mirant Las Vegas, LLC	Docket No. ER03-160-001
Mirant Lovett, LLC	Docket No. ER01-1272-002
Mirant Mid-Atlantic, LLC	Docket No. ER01-1273-002
Mirant New England, LLC	Docket No. ER01-1274-003
Mirant NY-Gen, LLC	Docket No. ER01-1275-002
Mirant Oregon, LLC	Docket No. ER02-1331-002
Mirant Peaker, LLC	Docket No. ER01-1276-002
Mirant Potomac River, LLC	Docket No. ER01-1277-002
Mirant Potrero, LLC	Docket No. ER01-1278-002
Mirant Sugar Creek, LLC	Docket No. ER02-900-001

Mirant Zeeland, LLC	Docket No. ER01-1263-002
Mobile Energy LLC	Docket No. ER01-480-003
Morgan Stanley Capital Group Inc.	Docket No. ER94-1384-030
Mountain View Power Partners, LLC	Docket Nos. ER01-751-001 and ER01-751-005
Mountain View Power Partners II, LLC	Docket No. ER01-1336-002
MS Retail Development Corp.	Docket No. ER03-1315-001
Nicor Energy, LLC	Docket No. ER01-1169-002
Northeast Generation Company	Docket No. ER99-4463-001
Northeast Utilities Service Company	Docket No. ER96-496-010
Northern Indiana Public Service Company	Docket No. ER00-2173-002
Northern States Power Company	Docket No. ER98-2640-004
Northern States Power Company (Wisconsin)	Docket No. ER98-2640-004
NRG Energy Center Dover LLC	Docket No. ER00-3160-001
NRG Energy Center Paxton LLC	Docket No. ER00-2313-001
NYSD LP	Docket No. ER00-3109-001
OGE Energy Resources, Inc.	Docket No. ER98-511-002
Ohio Edison Company	Docket No. ER99-2330-001
Okeechobee Generating Company, LLC	Docket No. ER99-3643-001
Oklahoma Gas and Electric Company	Docket No. ER97-4345-014
Onondaga Cogeneration Limited Partnership	Docket No. ER00-895-001
Otter Tail Corporation	Docket No. ER00-3080-001
Panda Gila River, L.P.	Docket No. ER01-931-004
PECO Energy Company	Docket No. ER99-1872-005
Pennsylvania Electric Company	Docket No. ER99-2330-001
Pennsylvania Power Company	Docket No. ER99-2330-001
Pepco Energy Services, Inc.	Docket No. ER98-3096-008
Perryville Energy Partners, L.L.C.	Docket No. ER01-1397-002
PG&E Dispersed Generating Company, LLC	Docket No. ER00-2134-001
PG&E Energy Trading Power, L.P.	Docket No. ER95-1625-024
Pinnacle West Capital Corporation	Docket No. ER00-2268-003
Pinnacle West Energy Corporation	Docket No. ER00-3312-002
Pittsfield Generating Company, L.P.	Docket No. ER98-4400-003
Plains End, LLC	Docket No. ER01-2741-002
Pleasant Hill Marketing, LLC	Docket No. ER00-1851-001
Pleasants Energy, LLC	Docket No. ER02-26-002
Portland General Electric Company	Docket No. ER98-1643-006
Potomac Power Resources, LLC	Docket No. ER01-202-001
Power City Partners, L.P.	Docket No. ER98-2782-002
Power Contract Finance, L.L.C.	Docket No. ER02-1485-003
Power Contract Financing II, Inc.	Docket No. ER03-1109-002
Power Contract Financing II, L.L.C.	Docket No. ER03-1108-002
PPL Brunner Island, LLC	Docket No. ER00-744-001

PPL Colstrip I, LLC	Docket No. ER99-3491-002
PPL Colstrip II, LLC	Docket No. ER99-3491-002
PPL Distributed Generation, LLC	Docket No. ER04-671-000
PPL Electric Utilities Corp.	Docket No. ER00-1712-003
PPL EnergyPlus LLC	Docket No. ER98-4608-005
PPL Holtwood, LLC	Docket No. ER00-744-001
PPL Martins Creek, LLC	Docket No. ER00-744-001
PPL Montana LLC	Docket No. ER99-3491-002
PPL Montour, LLC	Docket No. ER00-744-001
PPL Susquehanna, LLC	Docket No. ER00-744-001
Public Service Company of Colorado	Docket No. ER98-4590-002
Public Service Company of New Mexico	Docket Nos. ER96-1551-006 and ER01-615-003
Puget Sound Energy, Inc.	Docket No. ER99-845-003
Redbud Energy, LP	Docket No. ER01-1011-002
Reliant Energy Coolwater, LLC	Docket No. ER99-2082-002
Reliant Energy Ellwood, LLC	Docket No. ER99-2081-002
Reliant Energy Etiwanda, LLC	Docket No. ER99-2083-002
Reliant Energy Mandalay, LLC	Docket No. ER99-2080-002
Reliant Energy Ormond Beach, LLC	Docket No. ER99-2079-002
Reliant Energy Services, Inc.	Docket No. ER99-1801-005
Renaissance Power, L.L.C.	Docket No. ER01-3109-002
Riverside Generating Company, L.L.C.	Docket No. ER01-1044-002
Rockingham Power, L.L.C.	Docket No. ER99-1567-002
Rocky Road Power, LLC	Docket No. ER99-2157-002
Rolling Hills Generating, L.L.C.	Docket No. ER02-553-001
Select Energy, Inc.	Docket No. ER99-14-007
Sempra Energy Solutions	Docket No. ER00-3444-002
Seneca Power Partners, L.P.	Docket No. ER98-2782-002
Shady Hills Power Company, LLC	Docket No. ER02-537-002
Sissonville LP	Docket No. ER00-3109-001
Sithe Edgar LLC	Docket No. ER98-1943-002
Sithe Framingham LLC	Docket No. ER98-1943-002
Sithe Mystic LLC	Docket No. ER98-1943-002
Sithe New Boston LLC	Docket No. ER98-1943-002
Sithe Power Marketing, L.P.	Docket No. ER98-107-011
Sithe West Medway LLC	Docket No. ER98-1943-002
Sithe Wyman LLC	Docket No. ER98-1943-002
Somerset Windpower, LLC	Docket No. ER01-2139-003
South Carolina Electric & Gas Company	Docket No. ER96-1085-006
South Eastern Electric Development Corporation	Docket No. ER99-2329-002
South Eastern Generating Corporation	Docket No. ER00-1803-001
South Jersey Energy Company	Docket No. ER97-1397-010

Southwestern Public Service Company	Docket No. ER99-1610-008
Split Rock Energy LLC	Docket No. ER00-1857-002
State Line Energy, LLC	Docket No. ER96-2869-005
Sterling Power Partners, L.P.	Docket No. ER98-2782-002
Sunrise Power Co.	Docket No. ER01-2217-002
Tampa Electric Company	Docket No. ER99-2342-001
TECO Energy Source, Inc.	Docket No. ER96-1563-017
The Toledo Edison Company	Docket No. ER99-2330-001
Tor Power, Inc.	Docket No. ER04-698-000
Troy Energy, LLC	Docket No. ER02-25-002
Tucson Electric Power Company	Docket No. ER98-1150-002
Unicom Power Marketing, Inc.	Docket No. ER01-1919-002
Union Electric Co.	Docket No. ER00-2687-002
Union Power Partners, L.P.	Docket No. ER01-930-004
USGen New England, Inc.	Docket No. ER98-6-008
Warrensburg Hydro Power LP	Docket No. ER00-3109-001
West Georgia Generating Company, LLC	Docket No. ER02-1052-001
West Texas Wind Energy Partners, LP	Docket No. ER98-1965-002
Western Kentucky Energy Corporation	Docket No. ER98-1279-004
Western Resources, Inc.	Docket No. ER98-2157-002
WFEC GENCO, L.L.C.	Docket No. ER01-388-002
Whiting Clean Energy, Inc.	Docket No. ER00-3219-002
Williams Energy Marketing & Trading Company	Docket No. ER99-1722-004
Williams Flexible Generation, LLC	Docket No. ER00-2469-001
Williams Generation Company – Hazelton	Docket No. ER97-4587-004
Williams Power Company, Inc.	Docket No. ER03-1331-003
Wisconsin Electric Power Company	Docket Nos. ER98-855-002 and ER98-855-003
Wisconsin Public Service Corporation	Docket No. ER95-1528-006
WKE Station 2, Inc.	Docket No. ER98-1278-008
WPS Energy Services, Inc.	Docket No. ER96-1088-031
WPS Power Development, Inc.	Docket No. ER96-1088-031
Wrightsville Power Facility, LLC	Docket No. ER02-1028-001
Virginia Electric & Power Company	Docket No. ER00-1737-004
Xcel Energy Services Inc.	Docket No. ER01-205-004

ORDER IMPLEMENTING NEW GENERATION MARKET POWER ANALYSIS  
AND MITIGATION PROCEDURES

(Issued May 13, 2004)

1. In this order, the Commission addresses the procedures for implementing the new interim generation market power analysis and mitigation policy announced in the Commission's April 14, 2004 Order in AEP Power Marketing, Inc., et al., 107 FERC ¶ 61,018 (2004), reh'g pending (SMA Rehearing Order). This order benefits customers by implementing the policies adopted in the SMA Rehearing Order, which improve the assessment and mitigation of generation market power in wholesale markets, thus better ensuring that prices charged for jurisdictional sales are just and reasonable.

**Background**

2. In an order issued on November 20, 2001,<sup>1</sup> the Commission announced a new generation market power test, the Supply Margin Assessment (SMA), to be applied to market-based rate applications on an interim basis pending a generic review of new methods for analyzing market power. It also established mitigation measures applicable to entities that fail the interim generation market power test.

3. In the SMA Rehearing Order, the Commission granted rehearing of the SMA Order to the extent that it replaced the SMA generation market power test with two "indicative screens" for assessing generation market power and modified the mitigation announced in the SMA Order. Concurrently with the SMA Rehearing Order, the Commission issued a notice establishing a generic rulemaking docket to initiate a comprehensive review of the appropriate analysis for granting market-based rate authority, in particular, the analysis of generation market power, transmission market power, other barriers to entry, and affiliate abuse and reciprocal dealing.<sup>2</sup> In the interim, the Commission indicated that the policies it was adopting in the SMA Rehearing Order (which deal with the generation market power part of the analysis) would apply to all pending and future market-based rate applications, including three-year market-based rate reviews, pending the completion of the market-based rate rulemaking. The Commission stated that it intended to issue a subsequent order addressing the implementation process for pending three-year market-based rate reviews as well as pending applications for initial market-based rate authority.

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<sup>1</sup> See AEP Power Marketing, Inc., et al., 97 FERC ¶ 61,219 (2001) (SMA Order).

<sup>2</sup> See Initiation of Rulemaking Proceeding on Market-Based Rates and Notice of Technical Conference, Docket No. RM04-7-000, 107 FERC ¶ 61,109 (2004).

4. In the SMA Rehearing Order, the Commission stated it was not making any findings at that time in connection with the three-year market-based rate review filings of the three applicants that were the subject of the rehearing, nor was it imposing in that order mitigation on those applicants. Instead, each applicant was directed, within 60 days from the date of issuance of the SMA Rehearing Order, to make a filing with the Commission submitting revised generation market power analyses pursuant to the two indicative screens (pivotal supplier and market share) adopted in the order. As the Commission explained, each of these revised filings will be noticed in the Federal Register, with an opportunity for comment by interested parties. The Commission stated that, following its review of these analyses, it would issue an order addressing the filings on the indicative screens. We further stated that applicants that do not pass the two indicative screens (and thus are rebuttably presumed to possess generation market power) will have the option of presenting a more thorough analysis using the Delivered Price Test. In the alternative, the applicants may proceed directly to mitigation. Should they choose this route, we explained that each company will have the option of proposing specific mitigation tailored to its particular circumstances sufficient to alleviate any market power concerns, or adopting default rates, as set forth in the SMA Rehearing Order.<sup>3</sup>

### **Discussion**

5. The purpose of this order is to provide a framework for applying the substantive and procedural requirements of the SMA Rehearing Order to other applicants with: (1) pending three-year market-based rate reviews; (2) pending filings for initial market-based rate authority; or (3) future applications for initial market-based rate authority or future three-year market-based rate reviews.

6. Because the Commission has adopted a new interim approach for analyzing generation market power, we will require that the generation market power portion of all pending and future three-year reviews, as well as all pending and future initial applications for market-based rate authority, address the indicative screens (pivotal supplier and market share) adopted in the SMA Rehearing Order.<sup>4</sup>

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<sup>3</sup> SMA Rehearing Order, 107 FERC ¶ 61,018 at P 206, 207.

<sup>4</sup> As we stated in the SMA Rehearing Order, we will apply this approach on an interim basis, pending a comprehensive generic review of the appropriate analysis for granting market-based rate authority in the market-based rate rulemaking proceeding. Id. at P 2.

### **Pending Three-Year Market-Based Rate Reviews**

7. Consistent with the procedures set forth in the SMA Rehearing Order, all applicants with three-year market-based rate reviews pending before the Commission on or before the date of issuance of this order are directed to make a filing with the Commission to revise the generation market power portion of their three-year reviews to address the two interim indicative generation market power screens adopted in the SMA Rehearing Order.<sup>5</sup> The revised filings will be treated as amendments to the pending filings, and all pleadings on the pending filings will remain in the record.

8. In order to facilitate the processing of the pending three-year market-based rate reviews, however, we have decided to stagger the time periods within which such revised filings must be made. In doing so, we have attempted to take into consideration resource issues from the standpoint of both the industry and the Commission. A schedule listing the time period within which each applicant's revised three-year market-based rate review filing must be made is set forth in Appendix A. Each applicant's revised filing will be noticed in the Federal Register, with an opportunity for comment by interested parties.

9. We believe it is appropriate to start with transmission-providing utilities because these utilities are required by the SMA Rehearing Order to undertake simultaneous import capability studies for their home control areas and for each of their interconnected first-tier control areas. As other utilities may need such simultaneous import capability information in order to perform their own generation market power analyses, as a practical matter it is necessary to require that the public utilities with the access to such simultaneous import information (the transmission-providing public utilities) be among the first directed to revise their pending three-year market-based rate reviews consistent with the interim screens adopted in the SMA Rehearing Order.

10. Similarly, because of the importance of information accessibility, we will address early on the three-year market-based rate reviews of public utilities located in ISO/RTOs with a single energy market under the control of the ISO/RTO (e.g., PJM, ISO NE, NYISO, and CAISO). Acting on these types of filings will provide other applicants seeking to obtain or retain market-based rate authority with needed market information that will facilitate the completion of their studies.

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<sup>5</sup> Moreover, to the extent that the factual circumstances have changed from those described in the pending filing regarding the other three parts of our four-part analysis (i.e., transmission market power, barriers to entry, and affiliate abuse and/or reciprocal dealing), such applicants should provide updated information regarding those parts of the test.

11. The timing for processing of the remaining filings is generally based on the age of the filings. We will consider the revised applications directed herein to be the next required three-year market-based rate review for the applicants listed in Appendix A. In the event that a public utility with a three-year market-based rate review pending before the Commission is not listed in Appendix A (and, accordingly, has not been assigned a date for submitting its revised generation market power analysis pursuant to the two indicative screens), such omission is inadvertent. Any such omitted public utility is directed, within 30 days of the date of issuance of this order, to identify itself and the pending docket number.

12. We remind applicants that they may provide streamlined applications, where appropriate, to show that they pass both screens.<sup>6</sup> For example, if an applicant would pass both screens without considering competing supplies imported from adjacent control areas, the applicant need not include such imports. Likewise, an applicant need only account for the minimum amount of capacity that would result in the applicant passing both screens. Accordingly, an applicant may not need to consider the capacity of all competitors within the relevant market. For example, if there are seven competitors in the relevant market and the applicant passes both screens when considering only three of those competitors, the applicant need not account for the other four competitors, nor consider competing supplies imported from adjacent control areas. Further, utilities meeting the criteria of section 35.27 of our regulations,<sup>7</sup> as clarified in LG&E Capital Trimble County LLC, 98 FERC ¶ 61,261 at 62,034-35 (2002) (dealing with sales for resale from capacity for which construction commenced on or after July 9, 1996), may provide evidence demonstrating that they satisfy our regulations rather than submit a generation market power analysis.<sup>8</sup>

13. In addition, consistent with the procedures set forth in the SMA Rehearing Order, applicants may forgo submitting a generation market power analysis and go directly to mitigation by proposing case-specific mitigation that eliminates the ability to exercise market power, or agreeing to the default rates.<sup>9</sup>

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<sup>6</sup> See SMA Rehearing Order, 107 FERC ¶ 61,018 at P 38, 113-117.

<sup>7</sup> 18 C.F.R. § 35.27 (2003).

<sup>8</sup> As we explained in the SMA Rehearing Order, however, if an applicant sites generation in an area where it or its affiliates own or control other generation assets, the applicant must address whether its new capacity, when added to existing capacity, raises generation market power concerns. 107 FERC ¶ 61,018 at P 38, 116.

<sup>9</sup> Id. at P 39, 148.

14. Finally, we understand that there may be a number of utilities whose three-year market-based rate reviews are due to be filed with the Commission within the next 60 days. In order to provide such utilities an opportunity to incorporate the two indicative screens adopted in the SMA Rehearing Order into the generation market power portion of their three-year reviews, we will grant these utilities an extension of time of 60 days from the date of issuance of this order to submit their three-year market-based rate reviews.

#### **Pending Applications for Initial Market-Based Rate Authority**

15. A number of utilities have applications for initial market-based rate authority pending before the Commission, which were filed on or before the date of issuance of this order. These utilities are listed in Appendix B. In light of the Commission's decision to analyze generation market power based on the two indicative screens adopted in the SMA Rehearing Order, the generation market power studies submitted in connection with these pending applications have been rendered deficient. Accordingly, the utilities listed in Appendix B are directed to revise their filings within 60 days from the date of issuance of this order to reflect the new interim generation market power screens. In the alternative, these utilities can revise their filings to indicate that they will forgo submitting a generation market power analysis and go directly to mitigation by proposing case-specific mitigation that eliminates the ability to exercise market power, or agreeing to the default rates.

#### **Future Initial Market-Based Rate Applications and Future Three-Year Reviews**

16. All future applications for initial market-based rate authority and future three-year market-based rate reviews (i.e., those not currently pending and that are filed after the date of issuance of this order) should include generation market power analyses pursuant to the two indicative screens (pivotal supplier and market share) described in the SMA Rehearing Order, as well as the other three parts of our four-part analysis. In the alternative, new applicants for market-based rate authority, as well as applicants filing three-year market-based rate reviews, can forgo submitting a generation market power analysis and go directly to mitigation by proposing case-specific mitigation that eliminates the ability to exercise market power, or agreeing to the default rates.

#### **The Commission orders:**

(A) The applicants listed in Appendix A are directed to file, within the time period set forth in Appendix A, revised applications, as discussed in the body of this order.

(B) The applicants listed in Appendix B are directed to revise their applications for initial market-based rate authority, as discussed in the body of this order.

(C) Applicants with three-year market-based rate reviews due to be filed within the next 60 days are hereby granted an extension of time of 60 days from the date of issuance of this order, as discussed in the body of this order.

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

By the Commission. Commissioner Kelly not participating.

( S E A L )

Linda Mitry,  
Acting Secretary.

## APPENDIX A

### **Group I (due within 90 days of the date of this order):**

Alliant Energy Corporate Services	ER99-230-002
APS Energy Services, Inc.	ER99-4122-004
Arizona Public Service Company	ER99-4124-001
Pinnacle West Capital Corporation	ER00-2268-003
Pinnacle West Energy Corporation	ER00-3312-002
CMS Generation Michigan Power LLC	ER99-3677-001
Consumers Energy Company	ER98-4421-002
Consolidated Water Power Company	ER98-4512-002
El Paso Electric Company	ER99-2416-001
Dayton Power & Light Company	ER96-2602-004
DPL Energy LLC	ER96-2601-015
Duke Energy Morro Bay, LLC	ER98-2681-002
Duke Energy Moss Landing, LLC	ER98-2680-002
Duke Energy Oakland, LLC	ER98-2682-002
Duke Energy South Bay, LLC	ER99-1785-001
Duke Power Co.	ER96-110-007
Duke Solutions, Inc.	ER98-3813-007
Kansas City Power & Light Company	ER99-1005-001
Public Service Company of New Mexico	ER96-1551-006
	ER01-615-003
Puget Sound Energy, Inc.	ER99-845-003

### **Group II (due within 135 days of the date of this order):**

Avista Energy Inc.	ER96-2408-018
Empire District Electric Company	ER99-1757-002
	ER99-1757-003
	ER99-1757-004

AG- Energy, LP	ER98-2782-002
Amergen Energy Company, L.L.C.	ER99-754-008
Commonwealth Edison Company	ER98-1734-006
Exelon Edgar LLC	ER01-513-005
Exelon Energy Company	ER97-3954-016
Exelon Fore River Development, LLC	ER01-41-004
Exelon Framingham LLC	ER01-513-005
Exelon Generation Company, L.L.C.	ER00-3251-005
Exelon New Boston LLC	ER01-513-005
Exelon New England Power Marketing, L.P.	ER99-2404-001
	ER99-2404-004
Exelon Mystic Development, LLC	ER02-42-005
Exelon West Medway LLC	ER01-513-005
Exelon Wyman LLC	ER01-513-005
PECO Energy Company	ER99-1872-005
Power City Partners, L.P.	ER98-2782-002
Seneca Power Partners, L.P.	ER98-2782-002
Sithe Edgar LLC	ER98-1943-002
Sithe New Boston LLC	ER98-1943-002
Sithe Framingham LLC	ER98-1943-002
Sithe West Medway LLC	ER98-1943-002
Sithe Wyman LLC	ER98-1943-002
Sithe Mystic LLC	ER98-1943-002
Sithe Power Marketing, L.P.	ER98-107-011
Unicom Power Marketing, Inc.	ER01-1919-002
Sterling Power Partners, L.P.	ER98-2782-002
Idaho Power Company	ER97-1481-003
Northeast Generation Company	ER99-4463-001
Northeast Utilities Service Company	ER96-496-010
Select Energy, Inc.	ER99-14-007
Athens Generating Company, L.P.	ER99-4282-002
Attala Generating Company, LLC	ER01-747-002
Badger Generating Company, LLC	ER00-3457-001
Covert Generating Company, LLC	ER01-520-002
Harquahala Generating Company, LLC	ER01-748-002
La Paloma Generating Company, LLC	ER00-107-001
Lake Road Generating Company, L.P.	ER99-1714-002
Liberty Generating Company, LLC	ER00-1792-001
Logan Generating Company, L.P.	ER95-1007-014

Madison Windpower LLC	ER00-1742-001
Mantua Creek Generating Company, L.P.	ER99-4162-002
Millennium Power Partners, L.P.	ER98-830-006
Mountain View Power Partners, LLC	ER01-751-001
	ER01-751-005
Mountain View Power Partners II, LLC	ER01-1336-002
Okeechobee Generating Company, LLC	ER99-3643-001
PG&E Dispersed Generating Company, LLC	ER00-2134-001
PG&E Energy Trading Power, L.P.	ER95-1625-024
Pittsfield Generating Company, L.P.	ER98-4400-003
Plains End, LLC	ER01-2741-002
USGen New England, Inc.	ER98-6-008
Western Resources, Inc.	ER98-2157-002
Griffin Energy Marketing, LLC	ER97-4168-012
Wisconsin Electric Power Company	ER98-855-002
	ER98-855-003
Wisconsin Public Service Corporation	ER95-1528-006
WPS Energy Services, Inc.	ER96-1088-031
WPS Power Development, Inc.	ER96-1088-031

**Group III (due within 180 days of the date of this order):**

AES Alamosa, LLC	ER98-2185-006
AES Huntington Beach, LLC	ER98-2184-006
AES Placerita, Inc.	ER00-33-003
AES Redondo Beach, LLC	ER98-2186-006
Indianapolis Power & Light Company	ER00-1026-006
Citizens Power Sales	ER94-1685-031
CPL Power Sales One, LLC	ER95-892-055
CPL Power Sales Two, LLC	ER95-892-055
CPL Power Sales Five, LLC	ER95-892-055
CPL Power Sales Six, LLC	ER96-2652-049
CPL Power Sales Seven, LLC	ER96-2652-049
CPL Power Sales Eight, LLC	ER96-2652-049
CPL Power Sales Nine, LLC	ER96-2652-049
CPL Power Sales Ten, LLC	ER96-2652-049
CPL Power Sales Twelve, LLC	ER99-893-007
CPL Power Sales Thirteen, LLC	ER99-892-008

CPL Power Sales Fourteen, LLC	ER99-891-008
CPL Power Sales Fifteen, LLC	ER99-890-008
CPL Power Sales Seventeen, LLC	ER99-4229-005
CPL Power Sales Eighteen, LLC	ER99-4230-004
CPL Power Sales Nineteen, LLC	ER99-4228-005
CPL Power Sales Twenty, LLC	ER99-4231-004
Edison Mission Marketing & Trading, Inc.	ER99-852-006
EME Homer City Generation, L.P.	ER99-666-002
Midwest Generation, LLC	ER99-3693-001
Sunrise Power Co.	ER01-2217-002
LG&E Energy Marketing, Inc.	ER94-1188-033
Louisville Gas & Electric Company	ER98-4540-002
Kentucky Utilities Company	ER99-1623-001
WKE Station 2, Inc.	ER98-1278-008
Western Kentucky Energy Corporation	ER98-1279-004
Madison Gas & Electric Company	ER00-586-002
Mirant Americas Energy Marketing, LP	ER01-1265-002
Mirant Bowline, LLC	ER01-1266-002
Mirant California, LLC	ER01-1267-002
	ER01-1267-003
Mirant Canal, LLC	ER01-1268-003
Mirant Chalk Point, LLC	ER01-1269-002
Mirant Delta, LLC	ER01-1270-002
	ER01-1270-003
Mirant Energy Trading, LLC	ER02-1213-001
Mirant Kendall, LLC	ER01-1271-003
Mirant Las Vegas, LLC	ER03-160-001
Mirant Lovett, LLC	ER01-1272-002
Mirant Mid-Atlantic, LLC	ER01-1273-002
Mirant NY-Gen, LLC	ER01-1275-002
Mirant New England, LLC	ER01-1274-003
Mirant Oregon, LLC	ER02-1331-002
Mirant Peaker, LLC	ER01-1276-002
Mirant Potomac River, LLC	ER01-1277-002
Mirant Potrero, LLC	ER01-1278-002
	ER01-1278-003
Mirant Sugar Creek, LLC	ER02-900-001
Mirant Zeeland, LLC	ER01-1263-002
Shady Hills Power Company, LLC	ER02-537-002
West Georgia Generating Company, LLC	ER02-1052-001

Wrightsville Power Facility, LLC	ER02-1028-001
Minnesota Power	ER01-2636-001
Split Rock Energy LLC	ER00-1857-002
PPL Brunner Island, LLC	ER00-744-001
PPL Colstrip I, LLC	ER99-3491-002
PPL Colstrip II, LLC	ER99-3491-002
PPL Electric Utilities Corp.	ER00-1712-003
PPL EnergyPlus LLC	ER98-4608-005
PPL Holtwood, LLC	ER00-744-001
PPL Martins Creek, LLC	ER00-744-001
PPL Montana LLC	ER99-3491-002
PPL Montour, LLC	ER00-744-001
PPL Susquehanna, LLC	ER00-744-001
Reliant Energy Coolwater, LLC	ER99-2082-002
Reliant Energy Ellwood, LLC	ER99-2081-002
Reliant Energy Etiwanda, LLC	ER99-2083-002
Reliant Energy Mandalay, LLC	ER99-2080-002
Reliant Energy Ormond Beach, LLC	ER99-2079-002
Reliant Energy Services, Inc.	ER99-1801-005
Sempra Energy Solutions	ER00-3444-002
Hardee Power Partners Limited	ER99-2341-001
Panda Gila River, L.P.	ER01-931-004
Tampa Electric Company	ER99-2342-001
TECO Energy Source, Inc.	ER96-1563-017
Union Power Partners, L.P.	ER01-930-004

**Group IV (due within 225 days of the date of this order):**

Ameren Energy Development Co.	ER01-294-002
Ameren Energy Generating Co.	ER00-3412-003
Ameren Energy Marketing Co.	ER00-816-001
AmerenEnergy Medina Valley Cogen, LLC	ER04-8-002
	ER98-2440-003
AmerenEnergy Resources Generating Co.	ER04-53-002
Central Illinois Light Co.	ER98-2440-002
Union Electric Co.	ER00-2687-002

Aquila, Inc.	ER03-1079-002
Aquila Merchant Services, Inc.	ER94-216-001
MEP Investments, LLC	ER99-2322-001
MEP Pleasant Hill, LLC	ER99-2858-002
MEP Pleasant Hill Operating, LLC	ER01-905-001
Pleasant Hill Marketing, LLC	ER00-1851-001
Adirondack Hydro Development Corporation	ER00-3109-001
Adirondack Hydro Fourth Branch, LLC	ER00-3774-001
Black Hills Colorado, LLC	ER00-1952-001
Black Hills Generation, Inc.	ER01-1844-001
Black Hills Pepperell Power Associates, Inc.	ER96-1635-008
Black Hills Power, Inc.	ER99-2287-001
Fountain Valley Power, LLC	ER01-1784-004
Harbor Cogeneration Company	ER99-1248-002
	ER99-1248-003
NYSD LP	ER00-3109-001
Sissonville LP	ER00-3109-001
Warrensburg Hydro Power LP	ER00-3109-001
Acadia Power Partners, LLC	ER02-1406-001
Cleco Evangeline LLC	ER99-2928-001
Cleco Marketing & Trading LLC	ER99-2300-004
Cleco Power LLC	ER99-3855-002
Perryville Energy Partners, L.L.C.	ER01-1397-002
Delmarva Power & Light Company	ER99-2781-002
Crete Energy Venture, LLC	ER02-963-002
The Detroit Edison Company	ER97-324-004
DTE Edison America, Inc.	ER98-3026-007
DTE Energy Marketing, Inc.	ER99-3368-003
DTE Energy Trading, Inc.	ER97-3834-010
DTE Georgetown, LLC	ER00-1746-001
DTE River Rouge No. 1, LLC	ER00-1816-002
Armstrong Limited Energy Partnership, LLP	ER02-24-002
Dominion Energy Marketing, Inc.	ER01-468-001
Dominion Nuclear Connecticut, Inc.	ER00-3621-002
Dominion Nuclear Marketing I, Inc.	ER00-3620-002
Dominion Nuclear Marketing II, Inc.	ER00-3619-002
Dominion Nuclear Marketing III, Inc.	ER00-3746-003
Dresden Energy, LLC	ER02-22-002

Elwood Energy, LLC	ER99-1695-002
Fairless Energy, LLC	ER02-23-002
Kincaid Generation, LLC	ER99-1432-002
Pleasants Energy, LLC	ER02-26-002
State Line Energy, LLC	ER96-2869-005
Troy Energy, LLC	ER02-25-002
Virginia Electric & Power Company	ER00-1737-004
Backbone Windpower Holdings, LLC	ER02-2559-001
Badger Windpower, LLC	ER01-1071-002
Bayswater Peaking Facility, LLC	ER02-669-002
Blythe Energy, LLC	ER02-2018-002
Calhoun Power Company I, LLC	ER02-2074-002
Doswell Limited Partnership	ER90-80-001
ESI Vansycle Partners, L.P.	ER98-2494-004
Florida Power & Light Company	ER97-3359-005
FPL Energy Cape, LLC	ER00-3068-002
FPL Energy Hancock County Wind, LLC	ER03-34-001
FPL Energy Maine Hydro, Inc.	ER98-3511-006
FPL Energy Marcus Hook, L.P.	ER02-1903-001
FPL Energy Mason, LLC	ER98-3562-006
FPL Energy MH 50, LP	ER99-2917-003
FPL Energy New Mexico Wind, LLC	ER03-179-002
FPL Energy Pennsylvania Wind, LLC	ER02-2166-001
FPL Energy Power Marketing, Inc.	ER98-3566-009
FPL Energy Rhode Island Energy, L.P.	ER02-2120-001
FPL Energy Seabrook, LLC	ER02-1838-001
FPL Energy Vansycle, LLC	ER01-838-002
FPL Energy Wyman, LLC	ER98-3563-006
FPL Energy Wyman IV, LLC	ER98-3564-006
Gray County Wind Energy, LLC	ER01-1972-002
Hawkeye Power Partners, LLC	ER98-2076-005
High Winds, LLC	ER03-155-001
Jamaica Bay Peaking Facility, LLC	ER03-623-003
Lake Benton Power Partners II, LLC	ER98-4222-001
Mill Run Windpower, LLC	ER01-1710-002
Somerset Windpower, LLC	ER01-2139-003
West Texas Wind Energy Partners, LP	ER98-1965-002
Florida Power Corporation	ER97-2846-003

**Group V (due within 270 days of the date of this order):**

The Cleveland Electric Illuminating Company	ER99-2330-001
FirstEnergy Generation Corp.	ER01-845-001
FirstEnergy Solutions Corp.	ER01-2968-002
Jersey Central Power & Light Company	ER99-2330-001
Metropolitan Edison Company	ER99-2330-001
Ohio Edison Company	ER99-2330-001
Pennsylvania Electric Company	ER99-2330-001
Pennsylvania Power Company	ER99-2330-001
The Toledo Edison Company	ER99-2330-001
Bluegrass Generation Company, L.L.C.	ER02-506-002
Cabrillo Power I LLC	ER99-1115-005
Cabrillo Power II LLC	ER99-1116-005
Calcasieu Power, LLC	ER00-1049-003
Dynegy Danskammer, L.L.C.	ER01-140-002
Dynegy Midwest Generation, Inc.	ER00-1895-002
Dynegy Power Marketing, Inc.	ER99-4160-003
Dynegy Power Services, Inc.	ER94-1612-026
Dynegy Roseton, L.L.C.	ER01-141-002
El Segundo Power, LLC	ER98-1127-005
Foothills Generating, L.L.C.	ER02-554-001
Heard County Power, L.L.C.	ER01-943-002
Illinova Energy Partners, Inc.	ER94-1475-021
Long Beach Generation LLC	ER98-1796-004
Nicor Energy, LLC	ER01-1169-002
Renaissance Power, L.L.C.	ER01-3109-002
Riverside Generating Company, L.L.C.	ER01-1044-002
Rockingham Power, L.L.C.	ER99-1567-002
Rocky Road Power, LLC	ER99-2157-002
Rolling Hills Generating, L.L.C.	ER02-553-001
Energy USA-TPC Corp.	ER01-1300-003
Northern Indiana Public Service Company	ER00-2173-002
Whiting Clean Energy, Inc.	ER00-3219-002
OGE Energy Resources, Inc.	ER98-511-002
Oklahoma Gas and Electric Company	ER97-4345-014
Pepco Energy Services, Inc.	ER98-3096-008
Potomac Power Resources, LLC	ER01-202-001

Portland General Electric Company	ER98-1643-006
South Carolina Electric & Gas Company	ER96-1085-006
Tucson Electric Power Company	ER98-1150-002
Northern States Power Company	ER98-2640-004
Northern States Power Company (Wisconsin)	ER98-2640-004
Public Service Company of Colorado	ER98-4590-002
Southwestern Public Service Company	ER99-1610-008
Xcel Energy Services Inc.	ER01-205-004

**Group VI (due within 315 days of the date of this order):**

Astoria Gas Turbine Power LLC	ER99-3000-001
CPN Pleasant Hill, LLC	ER01-915-002
CPN Pleasant Hill Operating, LLC	ER01-915-002
De Pere Energy LLC	ER97-1432-011
Mobile Energy LLC	ER01-480-003
Elkem Metals Company – Alloy L.P.	ER00-2093-001
Fresno Cogeneration Partners, L.P.	ER00-2392-001
HQ Energy Services (US) Inc.	ER97-851-012
	ER97-851-013
Morgan Stanley Capital Group Inc.	ER94-1384-030
MS Retail Development Corp.	ER03-1315-001
Power Contract Finance, L.L.C.	ER02-1485-003
Power Contract Financing II, L.L.C.	ER03-1108-002
Power Contract Financing II, Inc.	ER03-1109-002
South Eastern Electric Development Corporation	ER99-2329-002
South Eastern Generating Corporation	ER00-1803-001
Louisiana Generating, LLC	ER00-1259-001
NRG Energy Center Dover LLC	ER00-3160-001
NRG Energy Center Paxton LLC	ER00-2313-001
Onondaga Cogeneration Limited Partnership	ER00-895-001

Otter Tail Corporation	ER00-3080-001
Redbud Energy, LP	ER01-1011-002
South Jersey Energy Company	ER97-1397-010
WFEC GENCO, L.L.C.	ER01-388-002
Williams Energy Marketing & Trading Company	ER99-1722-004
Williams Flexible Generation, LLC	ER00-2469-001
Williams Generation Company – Hazelton	ER97-4587-004
Williams Power Company, Inc.	ER03-1331-003

**APPENDIX B**

Duquesne Power, L.P.  
Hartford Steam Company

ER04-268-000  
ER04-582-000  
ER04-582-001  
ER04-582-002  
ER04-671-000  
ER04-698-000

PPL Distributed Generation, LLC  
Tor Power, Inc.