

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Joseph T. Kelliher, Chairman;  
Nora Mead Brownell, and Suedeen G. Kelly.

TransAlta Centralia Generation LLC	Docket Nos. ER00-494-004
TransAlta Energy Marketing (US) Inc.	ER98-1055-011
TransAlta Energy Marketing Corp.(US)	ER01-3148-003

ORDER DISMISSING REHEARING

(Issued December 29, 2005)

1. In this order, the Commission dismisses as moot a request for rehearing of the Commission order issued on November 3, 2005<sup>1</sup> submitted by TransAlta Centralia Generation LLC (TransAlta Centralia), TransAlta Energy Marketing (US) Inc. (TEMUS), and TransAlta Energy Marketing Corp.(US) (TEMCORP) (collectively, TransAlta).

**Background**

2. In an order issued on May 31, 2005,<sup>2</sup> the Commission directed market-based rate sellers that had failed to submit updated or revised market analyses, which is a condition of their market-based rate authority, to do so within 60 days from the issuance of that order or to provide satisfactory support for why they should not be required to do so. The Commission further instituted a section 206 proceeding in Docket No. EL05-111 with respect to these entities and stated that it would revoke the market-based rate authority of any entities that failed to comply with the May 31 Order.

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<sup>1</sup> *3E Technologies, Inc.*, 113 FERC ¶ 61,124 (2005) (November 3 Order).

<sup>2</sup> *3E Technologies, Inc.*, 111 FERC ¶ 61,295 (2005) (May 31 Order).

3. On May 24, 2005, TEMCORP submitted a notice of cancellation of its market-based rate tariff. The Commission accepted their notices of cancellation by letter order on July 21, 2005,<sup>3</sup> and terminated the instant section 206 proceeding with respect to TEMCORP.

4. On May 24, 2005, as amended on June 24 and August 3, 2005, TransAlta Centralia and TEMUS filed an updated market power analysis. The Commission accepted their updated market power analysis by letter order on September 26, 2005,<sup>4</sup> and terminated the instant section 206 proceeding with respect to them.

5. In the November 3 Order, the Commission revoked the market-based rate authority of the entities that had failed to comply with the Commission's May 31 Order and the conditions under which the Commission granted them market-based rate authority. The November 3 Order noted that a number of entities, including TransAlta Centralia, TEMUS, and TEMCORP had been inadvertently included in the May 31 Order<sup>5</sup> and terminated the instant section 206 proceeding with regard to them.

### **Request for Rehearing**

6. Based on the July 21 and September 26 Orders, TransAlta requests that the Commission rehear and revise the November 3 Order and determine that no action was required with respect to TransAlta Centralia, TEMUS, and TEMCORP.

### **Discussion**

7. Transalta's request for rehearing is dismissed as moot in light of Paragraph 12 and Appendix B of the November 3 Order, which found that TransAlta Centralia, TEMUS, and TEMCORP were among the market-based rates sellers that were inadvertently included in the May 31 Order.

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<sup>3</sup> *TransAlta Energy Marketing Corp. and TransAlta Energy Marketing (California) Inc.*, 112 FERC ¶ 61,080 (2005) (July 21 Order).

<sup>4</sup> *TransAlta Energy Marketing (U.S.) Inc.* 112 FERC ¶ 61,355 (2005) (September 26 Order).

<sup>5</sup> May 31 Order, 111 FERC ¶ 61,295 at P 12 and Appendix B.

The Commission Orders:

TransAlta's request for rehearing is hereby dismissed as moot.

By the Commission.

( S E A L )

Magalie R. Salas,  
Secretary.