

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

[Docket No. EL04-55-000]

**Haviland Holdings, Inc. v. Public Service Company of New Mexico; Notice of Initiation of Proceeding and Refund Effective Date**

April 19, 2004.

Take notice that on April 16, 2004, the Commission issued an order in the above-referenced proceeding initiating an investigation in Docket No. EL04-55-000 under section 206 of the Federal Power Act.

The refund effective date in Docket No. EL04-55-000 established pursuant to section 206(b) of the Federal Power Act is March 14, 2004.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-931 Filed 4-26-04; 8:45 am]

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

[Project No. 287]

**Midwest Hydro, Inc.; Notice of Authorization for Continued Project Operation**

April 19, 2004.

On April 8, 2002, Midwest Hydro, Inc., licensee for the Dayton Project No. 287, filed an application for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's regulations thereunder. Project No. 287 is located on the Fox River in LaSalle County, Illinois.

The license for Project No. 287 was issued for a period ending April 10, 2004. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year to year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with

the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 287 is issued to Midwest Hydro, Inc. for a period effective April 11, 2004, through April 10, 2005, or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before April 11, 2005, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to section 15 of the FPA, notice is hereby given that Midwest Hydro, Inc. is authorized to continue operation of the Dayton Project No. 287 until such time as the Commission acts on its application for subsequent license.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-935 Filed 4-26-04; 8:45 am]

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

[Docket Nos. RP03-533-000, RP03-540-000 and RP99-176-089]

**Northern Natural Gas Company, Transcontinental Gas Pipe Line Corporation and Natural Gas Pipeline Company of America; Notice Further Deferring Submission of Staff Reports**

April 19, 2004.

1. On July 31, 2003, and August 8, 2003, respectively, the Commission issued orders accepting and suspending certain tariff sheets, subject to further proceedings, in *Northern Natural Gas Company*, Docket No. RP03-533-000, *Transcontinental Gas Pipe Line Corporation*, Docket No. RP03-540-000, and *Natural Gas Pipeline Company of America*, Docket No. RP99-176-089. In those orders, the Commission accepted tariff sheets making changes in natural gas price indices referred to in the tariffs

of each company. In all instances, the Commission accepted and suspended the tariff sheets, permitting them to become effective, but subject in all three cases to further action by the Commission following receipt of a report from the Commission Staff.

2. On January 27, 2004, and February 6, 2004, the Commission issued a "Notice Deferring Submission of Staff Report" from the original due dates to April 30, 2004. By this notice, the date by which the staff shall submit reports in the above-captioned matters shall be further deferred to no later than May 5, 2004.

By direction of the Commission.  
Commissioner Kelly not participating.

**Magalie R. Salas,**

Secretary.

[FR Doc. E4-925 Filed 04-26-04; 8:45 am]

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

[Docket No. CP02-381-001]

**Texas Eastern Transmission, LP; Notice of Compliance Filing**

April 19, 2004.

Take notice that on March 31, 2004, Texas Eastern Transmission, LP (Texas Eastern) tendered for filing as part of its FERC Gas Tariff, Seventh Revised Volume No. 1, tariff sheets listed below, to be effective May 1, 2004.

Texas Eastern states that the purpose of this filing is to comply with the Commission's orders issued in the captioned docket on October 31, 2002, and February 28, 2003, in which the Commission approved Texas Eastern's application for a certificate of public convenience and necessity authorizing the construction of certain pipeline facilities referred to as the M-1 Expansion Project. Texas Eastern states that the revised tariff sheets reflect the recourse rates for the M-1 Expansion Project service, and incorporate references to the new incremental M-1 Expansion Project service into Rate Schedule FT-1 and the General Terms and Conditions of the Tariff. Specifically, Texas Eastern notes that the tariff sheets reflect a maximum reservation rate of \$7.212 per Dth per month, or \$0.2371 per Dth on a 100% load factor basis.

Texas Eastern states that copies of its filing have been served upon all affected customers of Texas Eastern and interested State commissions.

Texas Eastern's proposed tariffs sheets to its FERC Gas Tariff, Seventh Revised