

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

AEP Power Marketing, Inc., AEP Service Corporation, CSW Power Marketing, Inc., CSW Energy Services, Inc., and Central and South West Services, Inc.	Docket Nos. ER96-2495-016, ER97-4143-004, ER97-1238-011, ER98-2075-010, and ER98-542-006 (Not consolidated)
Entergy Services, Inc.	Docket No. ER91-569-018
Southern Company Energy Marketing L.P.	Docket No. ER97-4166-010

NOTICE DELAYING EFFECTIVE DATE OF MITIGATION AND ANNOUNCING  
TECHNICAL CONFERENCE

(December 20, 2001)

On December 13, 2001, Edison Electric Institute (EEI) and its affiliated Alliance of Energy Suppliers filed a motion to intervene in the above-captioned proceedings. Their pleading also contains a motion to vacate or, in the alternative, stay the effect of the Commission's November 20, 2001 order<sup>1</sup> in these proceedings, and a request that the Commission initiate a rulemaking on the matters at issue in these proceedings.

On December 14, 2001, AEP Service Corp. (AEP), Entergy Services, Inc., (Entergy) and Southern Companies filed requests for rehearing of the Commission's November 20 Order. AEP's pleading contains motions to extend or stay the compliance deadline and a request for expedited action. Entergy's pleading contains an emergency motion for extension of time or, in the alternative, a stay pending rehearing. Southern Companies' pleading also contains a request for expedited action and a request to stay the Order, pending rehearing.

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<sup>1</sup>AEP Power Marketing, Inc., et al., 97 FERC ¶ 61,219 (2001) (AEP Power Marketing or November 20 Order) (Order on Triennial Market Power Updates and Announcing New, Interim Generation Market Power Screen and Mitigation Policy).

Before requiring the companies in the above-captioned proceedings or any other public utilities to implement certain aspects of the mitigation resulting from application of the Supply Margin Assessment (SMA) screen announced in AEP Power Marketing, the Commission will consider the timely requests for rehearing filed by AEP, Entergy, Southern Companies, and any others. In particular, we will defer the date by which the companies in the above-captioned proceedings or any other public utilities must implement the mitigation for spot market energy sales set forth in section II.E of AEP Power Marketing. In addition, we clarify that the companies in the above-captioned proceeding must provide, by January 10, 2002, a status report of their plans to employ an independent third party to operate and administer their OASIS sites. In contrast, we will not delay the mitigation imposed in section II.F, which requires transmission providers that perform a study pursuant to a request for interconnection to treat unaffiliated entities, at their request, as competing network resources in meeting load and load growth and to post optimum, based on transmission considerations, areas on their systems for locating prospective generating facilities on their web site.

Prior to our consideration of the rehearing requests, we intend to hold a technical conference open to interested parties, not only to those in these dockets. We will issue a future order in these proceedings specifying a date by which the affected companies must complete their implementation of any required mitigation. The date specified will be after the date of the future order.

All other matters raised by these pleadings will be addressed in future orders.

By direction of the Commission.

( S E A L )

Linwood A. Watson, Jr.,  
Acting Secretary.