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FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

Description

The information collection submitted for OMB review contains the following:

1. *Collection of Information:* FERC-716A "Application for Transmission Services under section 211 of the Federal Power Act."
2. *Sponsor:* Federal Energy Regulatory Commission.
3. *Control No.* 1902-00168.

The Commission is now requesting that OMB approve a three-year extension of the expiration date, with no changes to the existing collection. The information filed with the Commission is mandatory. Requests for confidential treatment of the information are provided for under § 388.112 of the Commission's regulations.

4. *Necessity of the Collection of Information:* Submission of the information is necessary to enable the Commission to carry out its responsibilities in implementing the statutory provisions of the Federal Power Act (FPA), 16 U.S.C. 824j as amended and added by the Energy policy Act of 1992 (Pub. L. 102-468). The Commission uses the information collected to ensure that the requirements set forth in Section 211(a) of the FPA have been met, *i.e.*, that a request for transmission service has been made by the applicant to the transmitting utility at least 60 days prior to filing the application with the Commission and that all affected parties have been notified. Specifically, section 211(a) as provided for by the Energy Policy Act of 1992, authorizes the

Commission to issue an order directing transmission service only after a person applying for the order has requested the transmission service from the transmitting utility at least 60 days prior to applying to the Commission. Section 211 allows any electric utility, Federal power marketing agency or any other person generating electric energy for sale or resale to apply for an order requiring a transmitting utility to provide transmission services to the applicant.

The applicant is required to provide a form of notice suitable for publication in the **Federal Register**, and notify the affected parties. The Commission uses the information to carry out its responsibilities under part II of the Federal Power Act. The Commission implements these filing requirements in the Code of Federal Regulations (CFR) under 18 CFR part 36.

5. *Respondent Description:* The respondent universe currently comprises approximately 10 public utilities, federal power marketing agencies or any other person generating electric energy for sale or resale to apply for an order requiring a transmitting utility to provide transmission services to the applicant.

6. *Estimated Burden:* 25 total hours, 10 respondents (average), 1 response per respondent, 2.5 hours per response (average).

7. *Estimated Cost Burden to respondents:* 25 hours/2080 hours per years × \$117,041 per year = \$1,407. The cost per respondent is equal to \$141.00.

Statutory Authority: Sections 211(a), 212, 213(a) of the Federal Power Act, 16 U.S.C. 824j-1, and sections 721-723 of the Energy Policy Act of 1992. (PL. 102-486).

Magalie R. Salas,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP03-335-000]

Calpine Corporation and Otay Mesa Generating Company, LLC; Notice of Application

July 24, 2003.

Take notice that on July 15, 2003, Calpine Corporation (Calpine) and Otay Mesa Generating Company, LLC (Otay Mesa) (the Applicants), both at 50 West San Fernando Street, San Jose, California 95113, filed, pursuant to Section 3 of the Natural Gas Act (NGA)

and part 153 of the Commission's regulations, an application in Docket No. CP03-335-000, to amend the Section 3 authorization and Presidential Permit issued to Otay Mesa in Docket No. CP01-145-000 to insert Calpine's name in lieu of Otay Mesa, as more fully described in the application. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659.

The Applicants state that Otay Mesa's border crossing facilities authorized in Docket No. CP01-145-000 are located near San Diego, California at the United States/ Mexico border and are intended to import natural gas to fuel Otay Mesa's new power generation plant located 1.5 miles north of the border crossing facilities. Applicants explain that Otay Mesa, a wholly-owned subsidiary of Calpine, will be merged with and into Calpine as part of an internal restructuring of Calpine assets necessary to secure additional financing. Applicants further state that Calpine will be the successor to Otay Mesa's interest in the border crossing facilities with no change in the terms and conditions of the Section 3 authorization and Presidential Permit.

Applicants also state that they did not conclusively determine that the merger would occur until July 9, 2003, and that the merger was expected to occur on or about July 16, 2003. Section 3 authorization and Presidential Permit are not transferrable, thus, Applicants request that the Commission waive the prior authorization requirements because the merger and the collateral thus provided for a needed bond sale is important to maintaining the financial strength of Calpine and constitute extraordinary circumstances which justify the requested waiver.

Any questions regarding this application should be directed to Daniel M. Adamson, Davis Wright Tremaine LLP, 1500 K Street, NW., Suite 450, Washington, DC 20005, or call (202) 508-6640 or FAX (202) 508-6699.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal