

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Market Based Rates for Public Utilities	Docket no. RM04-7-000
AEP Power Marketing, Inc., AEP Service Corporation, CSW Power Marketing, Inc., 017, ER97-4143-004, CSW Energy Services, Inc., and Central 011, and South West Services, Inc. 010, 006	Docket Nos. ER96-2495-016, ER96-2495-ER97-4143-005, ER97-1238-ER97-1238-012, ER98-2075-ER98-2075-011, ER98-542- and ER98-542- 007 (Not consolidated)
Entergy Services, Inc.	Docket No. ER91-569-018 and ER91-569-019
Southern Company Energy Marketing L.P.	Docket No. ER97-4166-010 and ER97-4166-011
Conference on Supply Margin Assessment	Docket No. PL02-8-000

NATIONAL ASSOCIATION OF STATE UTILITY CONSUMER ADVOCATES'
MOTION TO ACCEPT' LATE FILED COMMENTS
ON TECHNICAL CONFERENCE ISSUES

Pursuant to Rule 212 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.212, the National Association of State Utility Consumer Advocates ("NASUCA") respectfully requests that the Commission accept NASUCA's Comments on Technical Conference Issues in the above-captioned dockets two days late. In support of this Motion, NASUCA submits the following:

1. The Commission's June 10, 2004 Notice Inviting Comments issued in the above-captioned proceedings provided interested parties in these dockets the opportunity to submit supplemental comments addressing the issues raised at the Technical Conference held in these dockets on June 9, 2004.

2. On June 30, 2003, the NASUCA representative from New York attempted to file these comments electronically.

3. On July 1, 2004, the NASUCA representatives from Pennsylvania discovered that there was a technical problem with the attempted filing on June 30. The Commission's electronic daily submittals and issuances sheets for June 30, July 1 and July 2, 2004 fail to reflect any filing by NASUCA in these dockets, although those sheets reflect filings by at least 25 other parties.

4. Counsel for the Pennsylvania office has been able to verify from staff in the Commission's Docket Office that the filing was not received due to a technical filing error.

5. Consequently, the representatives from the Pennsylvania office seek hereby to refile the NASUCA comments and ensure that the Commission receives those comments for consideration in these dockets.

6. No party will be prejudiced by this late filing since the Pennsylvania office sent out copies of the NASUCA Comments on June 30, 2004 to all parties on the service lists in these dockets. Additionally, the Commission has taken no action in this docket with respect to the issues addressed at the June 9, 2004 Technical Conference.

WHEREFORE, the National Association of State Utility Consumer Advocates respectfully requests that the Commission accept the attached NASUCA Comments on Technical Conference Issues in this docket two days late.

Respectfully submitted,

/s/ filed electronically

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