

Edgar Filing: ENERGY EAST CORP - Form U-1/A

ENERGY EAST CORP
Form U-1/A
May 31, 2001

Filed May 30, 2001
No. 70-9569

SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM U-1/POS AMC

POST-EFFECTIVE AMENDMENT NO. 2

UNDER THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Energy East Corporation

P.O. Box 12904, Albany, New York 12212-2904

(Name of company filing this statement and
address of principal executive offices)

Kenneth M. Jasinski
Executive Vice President, General
Counsel and Secretary
Energy East Corporation
P.O. Box 12904
Albany, New York 12212-2904
Telephone: (518) 434-3049

(Name and agent for service)

The Commission is requested to send copies of all notices, orders and communications to:

Adam Wenner, Esq.
Vinson & Elkins L.L.P.
1455 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-1008
Telephone: (202) 639-6533

Frank Lee, Esq.
Huber Lawrence & Abell
605 Third Avenue
New York, New York 10158
Telephone: (212) 682-6200

This post-effective amendment seeks a short extension of the Commission's reservation of jurisdiction over the retainability of certain real estate owned by Union Water-Power Company, UnionLand Services Division, pending completion of the record.

On August 31, 2000, the Commission issued an "Order Authorizing Acquisition of Public-Utility Holding Companies," (1) in which it authorized Energy East Corporation ("Energy East") to acquire all of the issued and outstanding common stock of CMP Group, Inc. ("CMP Group"), CTG Resources, Inc., and Berkshire Energy Resources. Following the issuance of the Energy East Order, on September 1, 2000, Energy East registered as a public utility holding company under section 5 of the Public Utility Holding Company Act of 1935, as amended.

Exhibit H-5 to Energy East's Amendment No. 5 to Form U-1 in connection with the CMP Group acquisition (the "Application") described the business activities of non-utility subsidiaries of Energy East. Section E.2. of Exhibit H-5

Edgar Filing: ENERGY EAST CORP - Form U-1/A

described the activities of Union Water Power Company ("UWP"), a wholly owned subsidiary of CMP Group. As noted therein, UnionLand Services ("UnionLand") is the real estate development services division of UWP. Among other activities, UnionLand owns unimproved land acquired from surplus land owned by Central Maine Power Company ("Central Maine Power"). In addition, UnionLand owns improved real estate which is leased to commercial tenants within Central Maine Power's service area, as well as office space that is leased to the State of Maine Department of Human Services and to commercial tenants. Applicants requested that the Commission reserve jurisdiction for nine months, pending completion of the record, over the retainability of UnionLand's ownership of this real estate. The Commission granted this request in the Energy East Order, although it did not specify that the extension was limited to the nine-month period requested in the Application. (2)

During the past several months, Energy East personnel have been involved in the proposed acquisition of RGS Energy Group, Inc., which involves, among other things, preparation of requests for regulatory approvals from this Commission, the New York State Public Service Commission, the Federal Energy Regulatory Commission, and the Nuclear Regulatory Commission. Based on these activities, Energy East has not yet been able to address the issues relating to UnionLand. Because the nine month period requested in the Application ends on May 31, 2001, Applicants request that the Commission extend its retention of jurisdiction on this issue until August 31, 2001.

Pursuant to the requirements of the Public Utility Holding Company Act of 1935, the undersigned company has duly caused this Post-Effective Amendment No. 2 to be signed on its behalf by the undersigned thereunto duly authorized.

(1) Holding Co. Act Release No. 35-27224 (August 31, 2000) (the "Energy East Order").

(2) Id., slip op. at 34.

May 30, 2001 Energy East Corporation
By: /s/ Kenneth M. Jasinski

Kenneth M. Jasinski
Executive Vice President, General Counsel
and Secretary