

Dated: February 1, 2013.

**Nathaniel J. Davis, Sr.,**  
Deputy Secretary.

[FR Doc. 2013-03156 Filed 2-11-13; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL13-45-000]

#### TGP Development Company, LLC; TGP Flying Cloud Holdings, LLC; WEC TX Company, LLC v. Arizona Public Service Company; Notice of Complaint

Take notice that on February 1, 2013, pursuant to Rules 206 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (Commission), 18 CFR 385.206 (2013) and section 206 of the Federal Power Act, 16 U.S.C. 824(e) (2006), TGP Development Company, LLC, TGP Flying Cloud Holdings, LLC, and WEC TX Company, LLC (collectively, Complainants) filed a formal complaint against Arizona Public Service Company (APS or Respondent), alleging that sections of APS's November 21, 2013 revisions to its open access transmission tariff is Docket No. ER13-447-000 are unjust and unreasonable. In particular, the Complainants allege that APS's change to the creditworthiness provisions in Attachment I, elimination of in-kind compensation of real power losses in Attachments G and K, and changes to section 3.3.1 of the Large Generator Interconnection Procedures are unjust and unreasonable.

The Complainants certify that copies of the complaint were served on the contacts for the Respondents as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the

"eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 p.m. Eastern Time on March 4, 2013.

Dated: February 4, 2013.

**Nathaniel J. Davis, Sr.,**  
Deputy Secretary.

[FR Doc. 2013-03158 Filed 2-11-13; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER13-879-000]

#### Josco Energy Corp.; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding, of Josco Energy Corp.'s application for market-based rate authority, with an accompanying rate schedule, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability is February 26, 2013.

The Commission encourages electronic submission of protests and

interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The filings in the above-referenced proceeding(s) are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: February 6, 2013.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2013-03152 Filed 2-11-13; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13531-000]

#### Hydrodynamics, Inc.; Notice Denying Late Intervention

On June 24, 2010, Commission staff issued a three-year preliminary permit to Hydrodynamics, Inc. (Hydrodynamics) to study the feasibility of its proposed East Rosebud Hydroelectric Project No. 13531-000, to be located on East Rosebud Creek in Carbon County, Montana.<sup>1</sup> On January 17, 2013, Friends of East Rosebud, Inc. (Friends of East Rosebud) filed a late motion to intervene in the proceeding.

Hydrodynamics' permit was issued and became administratively final two years and seven months ago, before

<sup>1</sup> *Hydrodynamics, Inc.*, 131 FERC ¶ 62,260 (2010). The permit was issued for a term of 36 months. The permit will therefore expire on May 31, 2013, or on the date Hydrodynamics files an acceptable development application, whichever occurs first.

Friends of East Rosebud submitted its motion to intervene.<sup>2</sup> Hydrodynamics has not submitted a development application for its proposed project. Therefore, there is no open proceeding in which to intervene, and Friends of East Rosebud's motion to intervene must be dismissed.<sup>3</sup>

This notice constitutes final agency action. Requests for rehearing by the Commission of this dismissal must be filed within 30 days of the date of issuance of this notice pursuant to section 313(a) of the Federal Power Act and section 385.713 of the Commission's regulations, 18 CFR 385.713 (2012).

Dated: February 6, 2013.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2013-03151 Filed 2-11-13; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-13-006 and 9779-7]

### Notice of Availability of the Draft Issuance of the Small Municipal Separate Storm Sewer System NPDES General Permit—New Hampshire

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of Availability of Draft NPDES General Permits.

**SUMMARY:** The Director of the Office of Ecosystem Protection, Environmental Protection Agency-Region 1 (EPA), is issuing this Notice of Availability of a draft National Pollutant Discharge Elimination System (NPDES) general permit for discharges from small Municipal Separate Storm Sewer Systems (MS4s) to certain waters of the State of New Hampshire. The draft NPDES general permit establishes Notice of Intent (NOI) requirements, prohibitions, and management practices for stormwater discharges from small MS4s. A prior Notice of Availability of

a draft general permit was issued by EPA in December 2008. EPA has substantially modified the draft general permit and is issuing a new draft general permit pursuant to 40 CFR 124.6.

**DATES:** Comments must be received on or before April 15, 2013. The general permit shall be effective on the date specified in the **Federal Register** publication of the Notice of Availability of the final general permit. The final general permit will expire five years from the effective date.

**Public Hearing Information:** EPA will hold a public hearing in accordance with 40 CFR 124.12 and will provide interested parties with the opportunity to provide written and/or oral comments for the official draft permit record. The public hearing will be held March 14, 2013 from 2:00pm to 5:00pm at the following location: NH Department of Environmental Services Pease Field Office—Pease International Tradeport—222 International Drive, Suite 175—Portsmouth, New Hampshire 03801.

**ADDRESSES:** Submit comments by one of the following methods:

- *Email:* [Tedder.Newton@epa.gov](mailto:Tedder.Newton@epa.gov)
- *Mail:* Newton Tedder, US EPA—

Region 1, 5 Post Office Square—Suite 100, Mail Code—OEP06-4, Boston, MA 02109-3912.

No facsimiles (faxes) will be accepted.

The draft permit is based on an administrative record available for public review at EPA-Region 1, Office of Ecosystem Protection, 5 Post Office Square—Suite 100, Boston, Massachusetts 02109-3912. A reasonable fee may be charged for copying requests. The fact sheet for the draft permit sets forth principal facts and the significant factual, legal, methodological and policy questions considered in the development of the draft permit and is available upon request. A brief summary is provided as **SUPPLEMENTARY INFORMATION** below.

**FOR FURTHER INFORMATION CONTACT:** Additional information concerning the draft permit may be obtained between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday excluding legal holidays from: Newton Tedder, Office of Ecosystem Protection, Environmental Protection Agency, 5 Post Office Square—Suite 100, Boston, MA 02109-3912; telephone: 617-918-1038; email: [Tedder.Newton@epa.gov](mailto:Tedder.Newton@epa.gov)

#### SUPPLEMENTARY INFORMATION:

##### Background of Proposed Permit

EPA is proposing to reissue three draft NPDES general permits for the discharge of stormwater from small MS4s to

certain waters within the State of New Hampshire. The three permits are:

NHR041000—Traditional cities and towns

NHR042000—Non-traditional state, federal, county and other publicly owned systems

NHR043000—Non-traditional transportation systems

While these are technically distinct permits, for convenience we have grouped them together in a single document and have provided a single fact sheet for all three of them, and this document refers to the draft general “permit” in the singular. The draft general permit, appendices, and fact sheet are available at: <http://www.epa.gov/region1/npdes/stormwater>.

The conditions in the draft permit are established pursuant to Clean Water Act (CWA) section 402(p)(3)(iii) to ensure that pollutant discharges from small MS4s are reduced to the Maximum Extent Practicable (MEP), protect water quality, and satisfy the appropriate requirements of the CWA. The regulations at 40 CFR 122.26(b)(16) define a small municipal separate storm sewer system as “all separate storm sewers that are:

(1) Owned or operated by the United States, a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States.

(2) Not defined as ‘large’ or ‘medium’ municipal separate storm sewer systems pursuant to paragraphs (b)(4) or (b)(7) or designated under paragraph (a)(1)(v) of this section [40 CFR 122.26].

(3) This term includes systems similar to separate storm sewer systems in municipalities such as systems at military bases, large hospital or prison complexes, and highways or other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.”

The draft general permit sets forth the requirements for the small MS4 to “reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques, and system, design

<sup>2</sup> A Commission order granting a preliminary permit is final on the date it is issued unless a party to the proceeding petitions for rehearing within 30 days of issuance. Since no one filed a timely rehearing petition, Hydrodynamic's preliminary permit proceeding was closed and the preliminary permit became final and unreviewable.

<sup>3</sup> Should Hydrodynamics file a development application for its proposed project, notice of the application will be published, and interested entities, including the Friends of East Rosebud will have the opportunity to intervene and present its views concerning the project. To the extent that the Friends of East Rosebud seeks to be kept informed of any new activity in the docket, it may register and eSubscribe to the docket at <https://ferconline.ferc.gov/eSubscription.aspx>.