

proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

r. *Comments, Protests, or Motions to Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link.

s. *Filing and Service of Responsive Documents*: Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", and "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

t. *Agency Comments*: Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an

agency's comments must also be sent to the Applicant's representatives.

Kimberly D. Bose,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 12933-000]

FFP Project 49, LLC; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

November 2, 2007.

Take notice that the following hydroelectric applications have been filed with the Commission and are available for public inspection:

- a. *Type of Application*: Preliminary Permit.
- b. *Project No.*: P-12933-000.
- c. *Date Filed*: August 6, 2007.
- d. *Applicant*: FFP Project 49, LLC.
- e. *Name of the Project*: Hickman Bend Project.
- f. *Location*: The project would be located on the Mississippi River in Fulton County, Kentucky and Mississippi County, Missouri. The project uses no dam or impoundment.
- g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicants Contact*: Mr. Dan Irvin, FFP Project 49, LLC, 69 Bridge Street, Manchester, MA 01944, phone (978) 232-3536.
- i. *FERC Contact*: Patricia W. Gillis, (202) 502-8735.
- j. *Deadline for filing comments, protests, and motions to intervene*: 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings. Please include the project number (P-12933-000) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person in the official service list

for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Project*: The proposed project would consist of: (1) 2850 proposed 20-kilowatt Free Flow generating units having a total installed capacity of 47-megawatts, (2) a proposed transmission line, and (3) appurtenant facilities. The project would have an average annual generation of 249.66-gigawatt-hours and be sold to a local utility.

l. *Location of Application*: A copy of the application is available for inspection and reproduction at the Commission in the Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail FEROnlineSupport@ferc.gov. For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Competing Preliminary Permit*: Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30 and 4.36.

o. *Competing Development Application*: Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development

application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30 and 4.36.

p. *Notice of Intent*: A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

q. *Proposed Scope of Studies Under Permit*: A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

r. *Comments, Protests, or Motions to Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001 (a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link.

s. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", and "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by

the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

t. *Agency Comments*: Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Kimberly D. Bose,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD07-13-000]

Conference on Enforcement Policy; Third Notice of Conference

November 2, 2007.

As announced in the "First Notice of Conference on Enforcement," issued on July 11, 2007, the Federal Energy Regulatory Commission (Commission) will hold a conference on November 16, 2007, to examine the implementation of its enforcement authority as expanded by the Energy Policy Act of 2005 (EPAct 2005).¹ The conference will be held in the Commission Meeting Room at the Commission's headquarters located at 888 First Street, NE., Washington, DC 20426. Hearing Room 1 will be available for over flow.

As stated in the previous notices, the purpose of the conference is to assess the enforcement program implemented by the Commission during the first two years after passage of EPAct 2005 primarily as it pertains to the additional subject matter authority and the expanded civil penalty authority in Part II of the Federal Power Act² and the Natural Gas Act.³ Standards of conduct,

market monitoring, transparency, and market manipulation will not be discussed as they are involved in or implicated by pending Commission proceedings. The Commission will accept comments filed within 30 days after the conference.

As indicated in the Second Notice of Conference, issued on October 4, 2007 (Second Notice), this further notice sets forth the final conference format and schedule. The agenda has changed slightly from the concept described in the Second Notice.⁴ To begin the conference, we have added a presentation by the staff from the Office of Enforcement. This presentation will present an overview of the Commission's actions and related enforcement activities during the first two years of EPAct Enforcement.

Following the staff panel, the second panel, consisting of former members of the Commission, will focus on an overview of enforcement from a broad policy perspective as well as from their perspectives of advising clients on how to comply with the Commission's rules and regulations. The discussion will examine how the Commission can best achieve compliance with regulatory requirements, and how it evaluates enforcement cases, including self-reported violations and matters that result in no penalty, and how companies subject to investigation can best respond to the Commission.

The third panel will address similar topics, but from the more specific perspective of energy practitioners. Since the key goal of enforcement is to encourage compliance, the panel will discuss the challenges of working with clients to comply with the Commission's regulations. In that regard, the panel will include a presentation from a representative of a company that, pursuant to a stipulation and agreement with Commission staff, developed and implemented a "best in class" model for regulatory compliance.⁵ In addition, the Commission would like to hear how practitioners counsel clients on how to respond to the Commission's enforcement staff during an investigation, including the factors weighed in the decision to self report.

The fourth panel will focus on reliability issues and includes representatives from the Electric Reliability Organization (the North American Electric Reliability Corporation), regional entities, and a utility. This discussion will look at how

¹ Pub. L. 109-58, 119 Stat. 594 (2005).

² 16 U.S.C. 791a *et seq.* (2000).

³ 15 U.S.C. 717 *et seq.* (2000).

⁴ See Attached agenda.

⁵ *Coral Energy Resources, L.P.*, 110 FERC ¶ 61,205, at P14 (2005).