

involves the demolition of three Imhoff tanks and construction of two sedimentation basins, plus minor facility upgrades. No increase in STP capacity is proposed.

9. *Exelon Generation Company, LLC D-69-210 CP Final (Revision 12)*. An application for temporary approval to modify the Operating Plan of the Limerick Generating Station (LGS), a nuclear-powered electric generating station located in Limerick Township, Montgomery County, Pennsylvania, regarding surface water withdrawal restrictions related to ambient water temperature in the Schuylkill River. The applicant proposes to demonstrate, under controlled conditions, that the withdrawal of Schuylkill River water can continue without adverse impact when the background water temperature exceeds 59 °F, the maximum temperature at which withdrawals can be made under the current docket. In July 2004, an amended application and draft operating and monitoring plan were submitted after discussion with the Commission staff, the State of Pennsylvania and stakeholders. A revised draft operating and monitoring plan was submitted on October 1, 2004 and is attached to the draft docket. The amended application provides for the following:

- A multi-year demonstration period during the remainder of the 2004 season through the 2007 season associated with flow and temperature restrictions in accordance with an approved operating and monitoring plan.

- Withdrawals not to exceed 24 million gallons per day (mgd) of LGS' consumptive cooling water needs during times when the Schuylkill River 24-hour average river ambient water temperature exceeds 59 °F and when the 24-hour average river flow is at or below 1,791 cubic feet per second (cfs) (but above 560 cfs) at the gaging station at Pottstown.

- Withdrawals of LGS' entire consumptive cooling water needs during times when the Schuylkill River 24-hour average river ambient water temperature exceeds 59 °F and when the 24-hour average river flow exceeds 1,791 cfs.

- Maintenance of minimum flow of at least 10 cfs in the East Branch Perkiomen Creek at all times in accordance with the draft Demonstration Operation and Monitoring Plan for the Joint Limerick Generating Station Water Supply Modification Demonstration and Wadesville Mine Pool Withdrawal & Stream Flow Augmentation Project that was submitted by Exelon.

- Development of recreational flow management plans to increase flows in the East Branch Perkiomen Creek above 10 cfs to support specific short-term recreational events.

- Establishment of a restoration and monitoring fund based on \$0.06/1,000 gallons of makeup water that is not required for LGS consumptive cooling water needs due to lifting the 59 °F temperature requirement. Flows pumped to the EBPC during periods when the 59 °F restriction would have been in effect, but not used for consumptive cooling water needs at the LGS, will be credited against this fund.

- Working with stakeholders regarding the design and implementation of the demonstration and restoration projects during 2005 and future years.

- Test periods with no augmentation/ makeup waters supplied for LGS consumptive cooling water needs (beyond the minimum 10 cfs flows in the East Branch Perkiomen Creek).

- The continuation of the Wadesville Mine Pool withdrawal and Stream Flow Augmentation Demonstration Project that was approved under Docket No. D-69-210 CP (Final) (Revision 11) and extended for one year by Commission Resolution No. 2003-25 adopted December 3, 2003.

In addition to the items listed above, the afternoon portion of the Commission's business meeting will include the public hearing on a resolution to amend the Water Quality Regulations, Water Code and Comprehensive Plan to designate the Lower Delaware River as Special Protection Waters. In addition, the meeting will include: Adoption of the Minutes of the September 1, 2004 business meeting; announcements; a report on Basin hydrologic conditions; a report by the executive director; a report by the Commission's general counsel; and an opportunity for public dialogue.

Draft dockets and materials relating to the other items scheduled for public hearing on October 27, 2004 will be posted on the Commission's Web site, <http://www.drbc.net>, where they can be accessed through the Home Page or the Notice of Commission Meeting and Public Hearing. Additional documents relating to the dockets and other items may be examined at the Commission's offices. Please contact William Muszynski at 609-883-9500 ext. 221 with any docket-related questions.

Please contact the office of the Commission secretary, Pamela M. Bush, by phoning 609-883-9500 ext. 224, if you wish to offer comment on any of the items scheduled for public hearing.

Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the informational meeting, conference session or hearings should contact the office of the Commission secretary at 609-883-9500 ext. 224 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission may accommodate your needs.

Dated: October 5, 2004.

**Pamela M. Bush,**

*Commission Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP04-422-000]

#### **Dominion Transmission, Inc., Tennessee Gas Pipeline Company, National Fuel Gas Supply Corporation; Notice of Filing**

October 5, 2004.

Take notice that on September 28, 2004, Dominion Transmission, Inc. (Dominion), 120 Tredegar Street, Richmond, Virginia 23219; Tennessee Gas Pipeline Company (Tennessee), 9 Greenway Plaza, Houston, Texas 77046; and National Fuel Gas Supply Corporation (National Fuel), 6363 Main Street, Williamsville, New York 14221 (collectively, the Applicants) filed a joint abbreviated application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act (NGA) and part 157 of the Commission's Rules and Regulations. The Applicants request authorization to modify operations of the jointly-owned Ellisburg Storage Pool in Potter County, Pennsylvania. The application is on file with the Commission and open for public inspection. 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 "eLibrary" 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](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

The current certificated capacity at Ellisburg Storage Pool is 98.43 Bcf, comprised of 52.53 Bcf of top gas

capacity and 45.9 Bcf of base gas. The Applicants propose to modify operations at the Ellisburg Storage Pool by reducing the existing authorized base gas level by 3.0 billion cubic feet (Bcf) and increasing top gas capacity by 3.0 Bcf. Dominion's total authorized base and top gas levels will not be changed, in light of the corresponding proposed changes at the Woodhull facility. The additional capacity available for service by Tennessee and National Fuel will be offered on an open-access basis. There are no changes in the existing facilities and no capital investments required to implement the proposed change in operations.

Any questions regarding the application are to be directed to Anne E. Bomar, Managing Director Transmission Rates and Regulation, 120 Tredegar Street, Richmond, Virginia 23219; phone number (804) 819-2134.

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 below listed comment date, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this

project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission may issue a preliminary determination on non-environmental issues prior to the completion of its review of the environmental aspects of the project. This preliminary determination typically considers such issues as the need for the project and its economic effect on existing customers of the applicant, on other pipelines in the area, and on landowners and communities. For example, the Commission considers the extent to which the applicant may need to exercise eminent domain to obtain rights-of-way for the proposed project and balances that against the non-environmental benefits to be provided by the project. Therefore, if a person has comments on community and landowner impacts from this proposal, it is important either to file comments or to intervene as early in the process as possible.

Motions to intervene, protests and comments 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.

*Comment Date:* 5 p.m. eastern time on October 26, 2004.

**Magalie R. Salas,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PR04-15-000]

#### Enogex Inc.; Notice of Petition for Rate Approval

October 4, 2004.

Take notice that on September 29, 2004, Enogex Inc. (Enogex) tendered for filing a revised lower fuel factor for its Enogex System for the last quarter of Fuel Year 2004 as calculated pursuant to the formulas in Enogex's filed fuel tracker. Enogex seeks an effective date of October 1, 2004.

Enogex states that it is serving notice of the filing and the revised fuel percentage on all current shippers.

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 and 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. Such notices, motions, or protests must be filed in accordance with the provisions of Section 154.210 of the Commission's regulations (18 CFR 154.210). Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

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 e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call