

*Comment Date:* January 13, 2004.

### Standard Paragraph

Any person desiring to intervene or to protest this filing 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). 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 motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. 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.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E4-37 Filed 1-9-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EC04-39-000, et al.]

#### Duke Energy Trading and Marketing, L.L.C., et al.; Electric Rate and Corporate Filings

December 31, 2003.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

#### 1. Duke Energy Trading and Marketing, L.L.C.

[Docket No. EC04-39-000]

Take notice that on December 19, 2003, Duke Energy Trading and Marketing, L.L.C. (DETM) filed with the Federal Energy Regulatory Commission an application pursuant to section 203

of the Federal Power Act for authorization of the transfer by DETM of certain wholesale power contracts to Morgan Stanley Capital Group Inc.

*Comment Date:* January 13, 2004.

#### 2. Duke Energy Vermillion, L.L.C.

[Docket Nos. EC04-41-000 and ER04-320-000]

Take notice that on December 19, 2003, Duke Energy Vermillion, L.L.C. (Duke Vermillion) filed with the Federal Energy Regulatory Commission an application pursuant to section 203 of the Federal Power Act (FPA) for authorization to transfer an undivided ownership interest to Wabash Valley Power Association, Inc. (Wabash) of FPA-jurisdictional interconnection facilities and related books and records associated with the proposed sale to Wabash of a 25% undivided ownership interest in Duke Vermillion's approximately 648 MW generation facility located in Vermillion County, Indiana (the Transaction).

Duke Vermillion requests confidential treatment for the documents contained in Exhibit I of the section 203 application. Duke Vermillion also tendered for filing pursuant to section 205 of the FPA as a rate schedule an ownership and operation agreement that Duke Vermillion and Wabash will enter into a closing which will govern the joint ownership and operation of the Facility. Duke Vermillion requests that the ownership and operation agreement rate schedule not become effective until the date the Transaction closes.

*Comment Date:* January 9, 2004.

#### 3. Cargill Power Markets, L.L.C. v. Midwest Independent Transmission System Operator, Inc.

[Docket No. EL04-46-000]

Take notice that on December 29, 2003, Cargill Power Markets, L.L.C. (CPM), filed a complaint against Midwest Independent Transmission System Operator, Inc. (MISO). CPM alleges that MISO has violated its open access transmission tariff and Commission policy when processing its queue when eligible customers have submitted competing transmission service requests for transmission capacity over certain congested facilities for which incumbent transmission customers have exercised their "rollover rights." CPM states that the complaint was served on MISO on December 29, 2003.

*Comment Date:* January 20, 2004.

#### 4. TECO Energy Soures, Inc., Panda Gila River, L.P., TECO PANDA Generating Co., L.P., TPS Dell, L.L.C., TPS McAdams, L.L.C., Union Power Partners, L.P.

[Docket Nos. ER96-1563-018, ER01-931-003, ER02-1000-002, ER02-510-001, ER02-507-001, and ER01-930-003]

Take notice that on December 17, 2003, the above referenced companies, tendered a compliance filing in accordance with the Commission's Order issued November 17, 2003, in Docket Nos. EL01-118-000 and 001, Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorization, 105 FERC ¶ 61,218 (2003).

*Comment Date:* January 14, 2004.

#### 5. Oklahoma Gas And Electric Company, OGE Energy Resources, Inc.

[Docket Nos. ER98-511-002 and ER97-4345-014]

Take notice that on December 22, 2003, Oklahoma Gas and Electric Company and OGE Energy Resources, Inc., energy affiliates, jointly filed a triennial market power update in support of their market pricing authority. In addition, they submitted revised versions of their market based rate tariffs in accordance with the Commission's Order issued November 17, 2003, in Docket Nos. EL01-118-000 and 001.

*Comment Date:* January 14, 2003.

#### 6. Southern Company Services, Inc.

[Docket No. ER02-851-013]

Take notice that on December 16, 2003, Southern Company Services, Inc. tendered for filing revisions of a calculation concerning the payment of Settlement refunds submitted in Docket No. ER02-851-013 on November 21, 2003.

*Comment Date:* January 6, 2003.

#### 7. Chanarambie Power Partners, L.L.C.

[Docket No. ER03-1340-003]

Take notice that on December 22, 2003, Chanarambie Power Partners, L.L.C., revised the effective date of pages 2 and 3 of its market-based wholesale power sales tariff filed in December 19, 2003, in ER03-1340-002.

*Comment Date:* January 12, 2004.

#### 8. Progress Energy, Inc. on behalf of Florida Power Corporation

[Docket No. ER03-1402-001]

Take notice that on December 22, 2003, Florida Power Corporation (FPC) tendered for filing in compliance with Commission's Order issued November 28, 2003, revisions to their Operating Agreement between FPC d/b/a/ Progress

Energy Florida, Inc. and Gainesville Regional Utilities.

FPC states that a copy of this filing was served upon the Florida Public Service Commission and the North Carolina Utilities Commission.

*Comment Date:* January 12, 2004.

#### **9. FPL Energy VG Repower Wind, L.L.C.**

[Docket No. ER04-167-000]

Take notice that on December 22, 2003, FPL Energy VG Repower Wind, L.L.C. tendered for filing a withdrawal of its Application for Market-based Rate Authority filed on November 5, 2003.

*Comment Date:* January 12, 2004.

#### **10. FPL Energy 251 Wind, L.L.C.**

[Docket No. ER04-168-000]

Take notice that on December 22, 2003, FPL Energy 251 Wind, LLC tendered for filing a withdrawal of its Application for Market-based Rate Authority filed on November 5, 2003.

*Comment Date:* January 12, 2004.

#### **11. Delmarva Power & Light Company**

[Docket No. ER04-188-001]

Take notice that on December 22, 2003, Delmarva Power & Light Company (Delmarva) tendered for filing a revised executed Interconnection Agreement (the Revised Lewes IA) with the City of Lewes, Delaware (Lewes).

Delmarva states that copies of the filing were served upon the City of Lewes and the Delaware Public Service Commission.

*Comment Date:* January 12, 2004.

#### **12. Unitil Resources, Inc.**

[Docket No. ER04-319-000]

Take notice that on December 22, 2003, Unitil Resources, Inc. (URI) filed a Notice of Cancellation with the Federal Energy Regulatory Commission pursuant to sections 35.15 and 131.53 of the Commission's rules and regulations, 18 CFR 35.15 and 131.53. URI seeks to cancel its rate schedule for power sales at market-based rates, designated as Rate Schedule FERC No. 1. URI requests that the cancellation be made effective as of December 23, 2003.

*Comment Date:* January 12, 2004.

#### **13. Gilroy Energy Center, LLC**

[Docket No. ER04-321-000]

On December 22, 2003, Gilroy Energy Center, LLC (Gilroy) filed an unexecuted Must-Run Service Agreement and accompanying schedules (RMR Agreement) between Gilroy and the California Independent System Operator Corporation (ISO) setting forth the rates, terms and conditions under which Gilroy will provide reliability must-run services to the ISO.

*Comment Date:* January 12, 2004.

#### **14. Portland General Electric Company**

[Docket No. ER03-322-000]

Take notice that on December 22, 2003, Portland General Electric Company (PGE) filed revised tariff sheets to its Open Access Transmission Tariff. PGE states that the revised sheets are intended to: (1) Describe Retail Network Integration Transmission Service to facilitate open access service in the PGE's service area; and (2) set forth the rates for the Retail Network Integration Transmission Service. PGE requests an effective date of March 1, 2004.

*Comment Date:* January 12, 2004.

#### **15. Los Esteros Critical Energy Facility, LLC**

[Docket No. ER04-323-000]

On December 22, 2003, Los Esteros Critical Energy Facility, LLC (Los Esteros) filed an unexecuted Must-Run Service Agreement and accompanying schedules (RMR Agreement) between Los Esteros and the California Independent System Operator Corporation (ISO) setting forth the rates, terms and conditions under which Los Esteros will provide reliability must-run services to the ISO.

*Comment Date:* January 12, 2004.

#### **16. Creed Energy Center, LLC**

[Docket No. ER04-324-000]

On December 22, 2003, Creed Energy Center, LLC (Creed) filed an unexecuted Must-Run Service Agreement and accompanying schedules (RMR Agreement) between Creed and the California Independent System Operator Corporation (ISO) setting forth the rates, terms and conditions under which Creed will provide reliability must-run services to the ISO.

*Comment Date:* January 12, 2004.

#### **17. Goose Haven Energy Center, LLC**

[Docket No. ER04-325-000]

On December 22, 2003, Goose Haven Energy Center, LLC (Goose Haven) filed an unexecuted Must-Run Service Agreement and accompanying schedules (RMR Agreement) between Goose Haven and the California Independent System Operator Corporation (ISO) setting forth the rates, terms and conditions under which Goose Haven will provide reliability must-run services to the ISO.

*Comment Date:* January 12, 2004.

#### **18. New England Power Pool**

[Docket No. ER04-331-000]

Take notice that on December 24, 2003, the New England Power Pool

(NEPOOL) Participants Committee filed the One Hundred First Agreement Amending New England Power Pool Agreement (the Amendment) which modifies prospectively how NEPOOL expenses are to be shared among members of the Generation and Supplier Sectors. NEPOOL has requested that the Amendment become effective as of January 1, 2004.

The NEPOOL Participants Committee states that copies of these materials were sent to the NEPOOL Participants and the New England state governors and regulatory commissions.

*Comment Date:* January 14, 2004.

#### **19. Southeast Chicago Energy Project, LLC**

[Docket No. ER04-333-000]

Take notice that on December 22, 2003, Southeast Chicago Energy Project, LLC (Southeast Chicago) tendered for filing an amendment to its cost-based rate wholesale power sales agreement between Southeast Chicago and Exelon Generation Company, LLC, to provide Black Start Service.

*Comment Date:* January 12, 2004.

#### **20. PPL Electric Utilities Corporation**

[Docket No. ES04-1-002]

Take notice that on December 31, 2003, PPL Electric Utilities Corporation, submitted further information in support of its application filed on October 10, 2003, pursuant to section 204 of the Federal Power Act, seeking authorization to issue short-term debt in an aggregate face amount not to exceed \$600 million.

*Comment Date:* January 9, 2004.

#### **Standard Paragraph**

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filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. 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.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-36 Filed 1-9-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP04-36-000, CP04-41-000, and PF03-4-000]

#### Weaver's Cove Energy, L.L.C. and Mill River Pipeline, L.L.C.; Notice of Status Change of Environmental Review and Expiration of Scoping Period for the Proposed Weaver's Cove LNG Project

December 31, 2003.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental impact statement (EIS) that will discuss the environmental impacts of Weaver's Cove Energy L.L.C.'s and Mill River Pipeline L.L.C.'s (collectively referred to as Weaver's Cove) proposed Weaver's Cove LNG Project, which includes facilities in Fall River, Somerset, Swansea, and Freetown, Massachusetts. On December 30, 2003, the Commission gave notice that on December 19, 2003, in Docket Nos. CP04-36-000 and CP04-41-000, Weaver's Cove's applications were filed with the Commission under section 3 and section 7 of the Natural Gas Act and part 153, part 157, and part 284 of the Commission's regulations. That notice gave a deadline of January 13, 2004, for the filing of motions to intervene, protests and comments.

The instant notice announces a final opportunity for interested stakeholders to submit comments on the Weaver's Cove LNG Project before the close of the scoping period. Details on how to submit written comments are provided in the public participation section of this notice. Please note that the scoping period will close on January 30, 2004.

We<sup>1</sup> are sending this notice to residences within 0.5 mile of the proposed LNG terminal site; potentially-affected landowners along the proposed

pipeline routes; Federal, State, and local government agencies; elected officials; environmental and public interest groups; Native American tribes; and local libraries and newspapers. We have asked State and local government representatives to notify their constituents of this planned action and encourage them to comment on their areas of concern.

#### Summary of the Proposed Project

Weaver's Cove proposes to construct and operate a liquefied natural gas (LNG) import terminal and natural gas pipelines to import LNG and deliver a baseload sendout of 400 million cubic feet per day (MMcf/d), and a peak sendout of 800 MMcf/d to markets in New England. The facilities would consist of:

- A pier and unloading facilities capable of receiving LNG tankers with a capacity of up to 145,000 cubic meters;
- One LNG storage tank with a capacity of 200,000 cubic meters (4.4 billion cubic feet of gas equivalent);
- Four shell and tube vaporizers supplied by 12 natural gas fired heaters;
- Four truck loading stations to deliver LNG to other storage facilities in the northeastern United States;
- Ancillary utilities, buildings, and service facilities;
- Two 24-inch-diameter pipelines (the 2.52-mile-long Western Pipeline and the 3.6-mile-long Northern Pipeline) to interconnect with the Algonquin Gas Transmission Company pipeline system; and
- Two meter and regulation stations.

A map depicting the proposed terminal site and the two pipeline routes is provided in appendix 1.<sup>2 3</sup>

Weaver's Cove is requesting approval to begin construction of the LNG facilities by late 2004. The approximate duration of construction of the terminal facilities would be 3 years. The duration of pipeline construction would be approximately 5 months. Weaver's Cove proposes to place the project in service in the fourth quarter of 2007.

<sup>2</sup> Requests for detailed maps of the facilities may be made to the company directly. Call or e-mail: local 508-678-5700, toll free 1-877-633-5700, or [info@weaverscove.com](mailto:info@weaverscove.com). Be as specific as you can about the location(s) of your area(s) of interest.

<sup>3</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of all appendices are available on the Commission's website (<http://www.ferc.gov>) at the (eLibrary(link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE., Washington, DC 20426, or call at (202) 502-8371. For instructions on connecting to eLibrary refer to the last two pages of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

#### Land Requirements

The proposed LNG terminal would be on a 73-acre site zoned for industrial use on the Taunton River in Fall River, Massachusetts. The site has been formerly used as an oil refinery and a marine import terminal for petroleum products. The riverfront areas of the site are in a Designated Port Area as defined by the Massachusetts Coastal Zone Management plan.

The project would also require maintenance and improvement dredging of approximately 7 miles of the Federal Navigation Channel within Mount Hope Bay and the Taunton River and a turning basin within the Taunton River to enable the LNG tankers to access the proposed site. The dredging would occur in Massachusetts and Rhode Island. The total volume of dredging including overredge is anticipated to be about 2,500,000 cubic yards. Weaver's Cove is proposing to reuse the dredged material at the terminal site as general fill material and would create landforms with the material to provide a visual barrier. Dredge disposal alternatives being investigated by Weaver's Cove include confined aquatic disposal cell, confined disposal, or ocean disposal methods.

#### The EIS Process

The Commission will be the lead Federal agency for this EIS process which is being conducted to satisfy the requirements of the National Environmental Policy Act (NEPA). The Commission will use the EIS to consider the environmental impacts that could result if it issues a Certificate of Public Convenience and Necessity under section 7, and an import authorization under section 3, of the Natural Gas Act for the proposed project. The U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, Region 1, and the U.S. Coast Guard have agreed to be cooperating agencies and will use the EIS in their decision-making processes. The EIS will also be used by the Massachusetts Executive Office of Environmental Affairs (EOEA) pursuant to a Special Review Procedure established by the Secretary of Environmental Affairs to comply with the Massachusetts Environmental Policy Act regulations.

By this notice, we are formally requesting additional comments and announcing the closing of the process referred to as "scoping." The main goal of the scoping process is to focus the analysis in the EIS on the important environmental issues. We are soliciting input from the public and interested agencies to help us focus the analysis in

<sup>1</sup> "We," "us," and "our" refer to the environmental staff of the Office of Energy Projects.