

Pre-Filing Process for this project has ended. From this time forward, this proceeding will be conducted in Docket Nos. CP09-6-000 and CP09-7-000, as noted in the caption of this Notice.

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 comment date stated below 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 in the proceeding with the Commission and must mail a copy to the applicant and to every other party. 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 commentors 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 commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors 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 strongly encourages electronic filings of comments, 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 (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* November 17, 2008.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-26082 Filed 10-31-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL09-5-000]

#### **Cargill Power Markets, LLC, Complainant, v. Central Maine Power Company, NSTAR Electric, The United Illuminating Company, Respondents; Notice of Complaint**

October 27, 2008.

Take notice that on October 24, 2008, Cargill Power Markets, LLC (CPM), tendered for filing a Complaint against Central Maine Power Company (CMP), NSTAR Electric Company (NSTR), and The United Illuminating Company (UICO), (collectively the Schedule 20A Service Providers (SSPs)), pursuant to Rules of Practice and Procedure, 18 CFR 385.206 and section 206 of the Federal Power Act. CPM also requests fast track processing the Commission.

CPM states that on November 1, 2007, CPM submitted several Transmission Service Requests for long-term firm point-to-point transmission service which interconnect the Independent System Operator New England, Inc's grid to Hydro-Quebec TransEnergie. Through the SSPs' allocation process, CPM was awarded long-term firm point-to-point service and executed multiple

transmission service agreements. CPM sought to renew its transmission service agreements in accordance with Order No. 888's rollover provisions. CPM's rollover requests were denied. In response to those denials, CPM contracted the SSPs to ascertain why long-term firm service entered into the fall of 2007 could not be rolled over. The SSPs responded that the Order No. 890 rollover provisions applied to CPM's transmission service, and that since all of CPM's service agreements were for less than five years duration, they were not eligible for rollover.

However, in Order No. 890-B, the Commission clarified that the Order No. 890 rollover reforms were not to be implemented until after acceptance of a Transmission Provider's Attachment K. All of CPM's transmission service was awarded prior to the effectiveness of the SSP's Attachment K. Therefore, CPM respectfully requests the Commission to grant its Complaint and direct CMP, NSTR and UICO to grant rollover right to CPM.

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 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 (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time on November 7, 2008.

**Kimberly D. Bose,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PF08-29-000]

#### **Mississippi Hub, LLC; Notice of Intent To Prepare an Environmental Assessment for the Proposed MS HUB Expansion Project, Request for Comments on Environmental Issues, and Notice of Public Site Visit**

October 27, 2008.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the proposed MS HUB Expansion Project involving construction and operation of facilities by Mississippi Hub, LLC (MS HUB) in Simpson, Jefferson Davis and Covington Counties, Mississippi. The EA will be used by the Commission in its decision-making process to determine whether or not to authorize the project under section 7 of the Natural Gas Act.

This notice explains the scoping process we<sup>1</sup> will use to gather environmental input from the public and interested agencies, and summarizes the project review process for the FERC. Your input will help determine which issues need to be evaluated in the EA. Details on how to submit comments during the scoping period are provided in the Public Participation section of this notice. Please note that the scoping period will close on December 3, 2008.

This notice is being sent to potentially affected landowners; federal, state, and local government agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. State and local government representatives are asked to notify their constituents of this planned project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, you may be contacted by a MS HUB company representative about survey permission and/or the

acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the natural gas company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" is available for viewing on the FERC Web site (<http://www.ferc.gov>). This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

#### **Summary of the Proposed Project**

MS HUB proposes to expand the working gas capacity of its currently authorized salt dome natural gas storage facility in Mississippi from 12 billion standard cubic feet (Bcf) to 15 Bcf and construct two new natural gas pipelines in an extension of its South Pipeline Corridor. Specifically, MS HUB seeks authority to construct and operate:

- Two solution-mined salt dome caverns, expanded from a working gas capacity of 6.0 Bcf to 7.5 Bcf each;
- Approximately 14.2 miles of 24-inch-diameter natural gas pipeline, extending from the gas storage facility to an interconnect with the Southeast Supply Header (SESH) pipeline;
- Approximately 22.6 miles of 30-inch-diameter natural gas pipeline, extending from the gas storage facility to an interconnect with a Transcontinental Gas Pipe Line (Transco) pipeline;
- Aboveground tie-in and metering facilities at each interconnect site;
- Associated access roads; and
- An additional 15,800 horsepower (hp) of compression at the gas storage site.

The general location of the project facilities is shown in Appendix 1.<sup>2</sup>

Construction of the proposed facilities would require approximately 340 acres of land. Following construction, approximately 136 acres would be maintained as new pipeline right-of-way

<sup>2</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 Web site at the "eLibrary" link or from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

and aboveground facility sites. The remaining acreage would be restored and allowed to revert to its former use. If approved, MS HUB proposes to begin construction of the project in August 2009.

#### **The EA Process**

We are preparing an EA to comply with the National Environmental Policy Act of 1969 (NEPA) which requires the Commission to take into account the environmental impact that could result if it authorizes MS HUB's proposal. NEPA also requires us to discover and address the public's concerns about proposals that require federal authorizations. This process is referred to as "scoping." The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues.

By this notice, we are requesting public comments on the scope of the issues to be addressed in the EA. All comments received will be considered during preparation of the EA. We are also asking Federal, State, and local agencies with jurisdiction and/or special expertise with respect to environmental issues to formally cooperate with us in the preparation of the EA. Agencies that would like to request cooperating status should follow the instructions for filing comments provided below.

Although no formal application has been filed with the Commission, the FERC staff has initiated its review of the project under its NEPA Pre-filing Process to encourage the early involvement of stakeholders and to identify and resolve issues before an application is filed. The purpose of the Pre-filing Process is to seek public and agency input early in the project planning phase and encourage involvement by interested stakeholders in a manner that allows for the early identification and resolution of environmental issues. We will work with all interested stakeholders to identify and attempt to address issues before MS HUB files its application with the FERC.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project, under the general headings of geology and soils; land use; water resources, fisheries, and wetlands; cultural resources; vegetation and wildlife; threatened and endangered species; air quality and noise; safety and reliability; and cumulative impacts. The EA will also evaluate reasonable alternatives to the proposed project, and make recommendations on how to

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