

participation of distributed energy resources. Ensuring the adequate supply of electric energy to service loads during peak hours and during extreme weather conditions is also becoming more challenging in many regions of North America.

What should the Commission's top reliability priorities be for the next one to three years? What are potential actions the Commission could take to improve reliability regarding these priorities?

(a) What trends and risks identified in NERC's 2023 State of Reliability Report and the 2023 ERO Reliability Risk Priorities Report warrant the most attention and effort?

(b) Resource adequacy traditionally has been characterized in terms of planning reserve margin, which assesses the excess generating capacity required to meet peak load. NERC and industry have recently been discussing the notion of energy adequacy, which assesses whether there is sufficient energy—power over time—to meet customers' energy needs. Is energy adequacy a more appropriate metric to characterize reliability risks given the changing grid?

(c) NERC has highlighted essential reliability services (e.g., frequency response, voltage control, and ramping capability) as core to maintaining reliable operation of the grid. How does the changing resource mix and characteristics of load affect the needed amount and provision of these essential reliability services? What actions, and by whom, are necessary to ensure adequate levels of these services?

(d) The electric grid is undergoing its most significant changes in a century. How should reliability oversight adapt to this change? Is the existing reliability oversight model flexible and agile enough to help lead the change?

(e) In recent years, reliance on natural gas as a fuel for electric generation has steadily increased. At the Commission's recommendation, the North American Energy Standards Board (NAESB) held forums between August 2022 and July 2023 to discuss the growing interdependence between the natural gas and electric sectors. NAESB issued recommendations to enhance market coordination to address challenges posed by this growing interdependence. Should the Commission prioritize pursuing any specific NAESB recommendation?

(f) Wildfires are no longer considered only a California or Western states issue for grid reliability, as drought conditions are expanding into additional regions including MISO, ERCOT and SPP creating further

reliability impacts. What preparations have you taken (or are you considering) to address emerging wildfire and drought reliability risks in your region?

2. CIP Reliability Standards and the Evolving Grid

Cybersecurity vulnerabilities and threats continue to evolve at a pace that tests utility cybersecurity programs. These quickly evolving threats present a challenge when assessing whether security controls, including the CIP Reliability Standards, adequately respond to the latest cyber risks. Most utilities and other electric sector stakeholders with mature cybersecurity programs implement an overarching cybersecurity program to oversee all aspects of their cybersecurity activities, including identification of the assets to be protected, staffing, technology selection and procurement, and compliance with the CIP Reliability Standards. However, ongoing and anticipated changes to the interconnected electric grid, such as the shift in the types of energy sources used to generate electricity may disrupt cyber programs. Utilities are digitizing their grids while managing an increasing number of grid-connected devices. As a consequence, utilities require more advanced tools to process and analyze large amounts of data for grid planning, operations, and security. These changes are also leaving uncertainty as to where these digital assets will fit into the cybersecurity regulatory framework and what tools can be used to effectively manage them or even what the future may bring as cyberattacks continue to grow in sophistication.

(a) Discuss the primary security issues facing electric utilities and describe the prioritization of resources and investment. What are some lessons learned and best practices?

(b) With regard to evolving cyber threats, describe how your cybersecurity program identifies and responds to such conditions. When responding, how do you assess the risk posed to your systems by the threats?

(c) Describe the benefits and challenges of implementing and maintaining a cybersecurity program as the resource mix continues to evolve. How does this program interact with actions to comply with the CIP Reliability Standards? How does such a program help to identify and prioritize security concerns, and what actions are taken to address those concerns, including the application of best practices?

(d) Describe how supply chain security and the use of third-party systems, such as cloud services, are

addressed in your risk assessments and implemented in the cybersecurity program. What concerns still exist related to supply chain and third-party systems?

(e) What additional actions can the Commission, NERC, and industry take to further protect the grid from security threats, both physical and cyber?

3. Reliability Implications of EPA's Proposed Rule on "Greenhouse Gas Standards and Guidelines for Fossil Fuel-Fired Power Plants"

On May 23, 2023, the EPA issued a notice of proposed rulemaking under section 111 of the Clean Air Act. The proposed rule would set New Source Performance Standards for new power plants that run on fossil gas.

(a) Will the rule, if implemented as proposed, affect electric reliability? In what ways?

(b) What tools and processes should the Commission, other federal and state agencies, and industry consider in order to implement the proposed rule? What authority should the Commission and other federal and state agencies have in order to address potential reliability issues that could arise during implementation of the proposed rule?

(c) What existing processes for coordination will enable federal and state agencies, planning entities, and industry stakeholders to share ongoing developments relevant to the implementation of the proposed rule?

(d) What specific tools are currently available to agencies to consider impacts to retail consumers? Are there additional tools that should be developed to consider these issues?

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 5679-041]

Energy Stream, LLC; Notice of Application Accepted for Filing, Soliciting Motions To Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application*: Subsequent Minor License.

b. *Project No.*: 5679-041.

c. *Date Filed*: July 15, 2022.

d. *Applicant*: Energy Stream, LLC.

e. *Name of Project*: M.S.C. Hydroelectric Project (project).

f. *Location*: On the Quinebaug River in Windham County, Connecticut.

g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact*: Mr. Rolland Zeleny, Energy Stream, LLC, 18 Washington St., Suite 18, Canton, MA 02021; Phone at (603) 498–8089, or email at indigoharbor@yahoo.com.

i. *FERC Contact*: John Baummer at (202) 502–6837, or john.baummer@ferc.gov.

j. *Deadline for filing motions to intervene and protests, comments, recommendations, terms and conditions, and prescriptions*: 60 days from the issuance date of this notice; reply comments are due 105 days from the issuance date of this notice.

The Commission strongly encourages electronic filing. Please file motions to intervene and protests, comments, recommendations, terms and conditions, and prescriptions using the Commission's eFiling system at <https://ferconline.ferc.gov/FEROnline.aspx>.

Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FEROnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426.

Submissions sent via any other carrier must be addressed to: Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: M.S.C. Hydroelectric Project (P–5679–041).

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on 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. This application has been accepted for filing and is now ready for environmental analysis.

1. The M.S.C. Project consists of the following existing facilities: (1) a 296-foot-long, 14.3-foot-high granite block and concrete dam that includes: (a) an approximately 38-foot-long headgate structure with four aluminum sluice gates that are each 4 feet wide by 10 feet high; (b) a 115-foot-long granite block spillway section with a concrete cap, 16-inch-high flashboards, and a crest elevation of 287.80 feet mean sea level (msl) at the top of the flashboards; (c) a 5-foot-wide abutment at the northwest end of the spillway; (d) a 7-foot-wide pier at the southwest end of the spillway; (e) a 91-foot-long auxiliary concrete gravity spillway section with a crest elevation of 288.70 feet msl; (f) an 8-foot-wide abutment at the southwest end of the auxiliary spillway; and (g) a 32-foot-long retaining wall section with a 10-foot-wide, 10-foot-high stoplog gate and a crest elevation of 289.7 feet msl; (2) an impoundment with a surface area of 52 acres at an elevation of 287.8 feet msl; (3) a 38-foot-wide, 24-foot-long stone and concrete forebay downstream of the headgate structure; (4) a 19-foot-wide, 11-foot-high intake structure at the downstream end of the forebay with a 19-foot-wide, 16.5-foot-high trashrack with 1.6-inch clear bar spacing; (5) a 2-foot-wide, 3-foot-high low-level outlet gate adjacent to the trashrack; (6) a 30-foot-long, 14-foot-wide steel and reinforced concrete powerhouse containing a 400-kilowatt (kW) Kaplan turbine-generator unit and a 112-kW Francis turbine-generator unit, for a total installed capacity of 512 kW; (7) a 50-foot-long, 26-foot-wide tailrace; (8) three 50-foot-long, 2.4-kilovolt (kV) lead lines that connect the generators to three 2.4/23-kV step-up transformers, which connect to the regional grid; and (9) appurtenant facilities. The project creates an approximately 65-foot-long bypassed reach of the Quinebaug River.

Article 401 of the current license requires Energy Stream, LLC to operate the project in a run-of-river mode, such that project outflow approximates inflow. Energy Stream, LLC maintains the impoundment at the flashboard crest elevation of 288.74 feet msl. To protect aquatic resources, Article 26 of the current license requires Energy Stream, LLC to release a continuous minimum flow of 144 cubic feet per second (cfs) or inflow to the impoundment, whichever is less, into the downstream reach, as measured immediately below the tailrace. Article 402 of the current license specifies seasonal minimum flow releases to the downstream reach when refilling the impoundment following emergency or maintenance

drawdowns, including 90 percent of impoundment inflow.

Article 404 of the current license requires Energy Stream, LLC to provide upstream and downstream passage for American eels. Upstream passage for American eels is provided from June 15 to September 1 by netting placed over the dam and ramps extending to the crest of the flashboards. Downstream American eel passage is provided from September 1 through November 15, on rainy nights and three nights after rain events, through a notch in the flashboards located on the west side of the spillway, and a low-level outlet gate.

The minimum and maximum hydraulic capacities of the powerhouse are 40 and 545 cfs, respectively. The average annual generation of the project was approximately 2,885 megawatt-hours from 2017 through 2021.

Energy Stream, LLC is not proposing any changes to project facilities or operation.

m. A copy of the application can be viewed on the Commission's website at <https://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, contact FERC Online Support.

n. 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, .211, and .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.

All filings must: (1) bear in all capital letters the title "PROTEST," "MOTION TO INTERVENE," "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions, or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from

the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

You may also register online at <https://www.ferc.gov/ferc-online/overview> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. *The applicant must file no later than 60 days following the date of issuance of this notice:* (1) a copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification. Please note that the certification request must comply with 40 CFR 121.5(b), including documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request. Please also note that the certification request must be sent to the certifying authority and to the Commission concurrently.

p. *Procedural Schedule:* The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

| Milestone | Target date |
|---|----------------|
| Filing of Comments, Recommendations, Terms and Conditions, and Fishway Prescriptions. | January 2024. |
| Filing of Reply Comments | February 2024. |

q. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of this notice.

r. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

Dated: November 14, 2023.

Kimberly D. Bose,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP23-544-000]

Northern Border Pipeline Company; Notice of Schedule for the Preparation of an Environmental Assessment for the Bison Xpress Project

On September 15, 2023, Northern Border Pipeline Company (Northern Border) filed an application in Docket No. CP23-544-000 requesting authorization and a Certificate of Public Convenience and Necessity under sections 7(b) and 7(c) of the Natural Gas Act and part 157 of the Commission's regulations to construct and operate certain natural gas pipeline facilities located in McKenzie, Dunn, and Morton Counties, North Dakota. The proposed project is known as the Bison Xpress Project (Project) and would create 300,000 dekatherms per day (Dth/d) of incremental mainline capacity to Northern Border's interconnection with Bison Pipeline, LLC. Northern Border would abandon the capacity by lease to Wyoming Interstate Company, LLC.

On October 2, 2023, the Federal Energy Regulatory Commission (Commission or FERC) issued its Notice of Application for the Project. Among other things, that notice alerted agencies issuing federal authorizations of the requirement to complete all necessary reviews and to reach a final decision on a request for a federal authorization within 90 days of the date of issuance of the Commission staff's environmental document for the Project.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) for the Project and the planned schedule for the completion of the environmental review.¹

Schedule for Environmental Review

Issuance of EA April 8, 2024
90-day Federal Authorization Decision Deadline² July 7, 2024

¹ 40 CFR 1501.10 (2020).

² The Commission's deadline applies to the decisions of other federal agencies, and state agencies acting under federally delegated authority, that are responsible for federal authorizations, permits, and other approvals necessary for proposed projects under the Natural Gas Act. Per 18 CFR 157.22(a), the Commission's deadline for

If a schedule change becomes necessary, additional notice will be provided so that the relevant agencies are kept informed of the Project's progress.

Project Description

Northern Border's proposed Bison Xpress Project consists of the replacement and expansion of compression facilities at Northern Border's existing compressor stations including Arnegard (No. 4) in McKenzie County, North Dakota; Manning (No. 5) in Dunn County, North Dakota; and Glen Ullin (No. 6) in Morton County, North Dakota. Upon completion, the Bison Xpress Project would (a) replace and expand existing compressor facilities with new, more modern and efficient compression facilities; (b) create 300,000 Dth/d of incremental mainline natural gas capacity from receipt points between Northern Border's Culbertson Compressor Station and Glen Ullin Compressor Station to its interconnection with Bison Pipeline, LLC in Morton County, North Dakota (Kurtz Delivery Point); and (c) introduce standby horsepower on Northern Border's system. Northern Border plans to abandon 100 percent of the capacity by lease to Wyoming Interstate Company, LLC. Applications by Bison Pipeline, LLC (Docket No. CP23-543-000) and Wyoming Interstate Company, LLC and Fort Union Gas Gathering, LLC (Docket No. CP23-545-000) are associated projects being evaluated under the applicable Commission regulations.

Background

On October 30, 2023, the Commission issued a *Notice of Scoping Period Requesting Comments on Environmental Issues for the Proposed Bison Express Project* (Notice of Scoping). The Notice of Scoping was sent to 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. The Commission has currently received 23 comments from environmental organizations, two Dunn County representatives, two North Dakota State Senators, the North Dakota Petroleum Council, the North Dakota Chamber of Commerce, North Dakota Board of Commissioners for Mackenzie, Morton, and Dunn Counties, North Dakota Industrial Commission, the Western Dakota Energy Association, community

other agency's decisions applies unless a schedule is otherwise established by federal law.