

Mission, Alaska. The project uses no dam or impoundment.

The proposed Port Clarence project would consist of: (1) 2 proposed submerged Ocean Renewable horizontal axis crossflow turbines, with a total installed capacity of 300 kilowatts, (2) a proposed 6.5-mile-long, 7,200/12,400-kilovolt transmission line, and (3) appurtenant facilities. The project is estimated to have an annual generation of 1.3-gigawatt-hours, which would be sold to a local utility.

**Applicant Contact:** Mr. Brent Petrie, Alaska Village Electric Cooperative 4831 Eagle Street, Anchorage, AK 99503, phone: 907/565-5358.

**FERC Contact:** Patricia W. Gillis (202) 502-8735.

**Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications:** 60 days from the issuance of this notice. Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13298) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

**Kimberly D. Bose,**

Secretary.

[FR Doc. E9-702 Filed 1-14-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. DI09-4-000]

#### Borough of High Bridge; Notice of Declaration of Intention and Soliciting Comments, Protests, and/or Motions To Intervene

January 8, 2009.

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

- a. *Application Type:* Declaration of Intention.
- b. *Docket No.:* DI09-4-000.
- c. *Date Filed:* December 22, 2008.
- d. *Applicant:* Borough of High Bridge.
- e. *Name of Project:* Lake Solitude Hydro Power Project.
- f. *Location:* The proposed Lake Solitude Hydro Power Project will be located on the South Branch Raritan River, in Hunterdon County, in High Bridge, New Jersey.
- g. *Filed Pursuant to:* Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b).

h. *Applicant Contact:* Douglas Walker, Borough Administrator, 71 Main Street, High Bridge, NJ 08829; Telephone: (908) 638-6455; Fax: (908) 638-9734; e-mail: [www.dwalker@highbridge.org](mailto:www.dwalker@highbridge.org).

i. *FERC Contact:* Any questions on this notice should be addressed to Henry Ecton, (202) 502-8768, or E-mail address: [henry.ecton@ferc.gov](mailto:henry.ecton@ferc.gov).

j. *Deadline for filing comments, protests, and/or motions:* February 9, 2009.

All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments, protests, and/or interventions may be filed electronically via the Internet in lieu of paper. Any questions, please contact the Secretary's Office. 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.

Please include the docket number (DI09-4-000) on any comments, protests, and/or motions filed.

k. *Description of Project:* The proposed Lake Solitude Hydro Power Project will include: (1) An existing dam consisting of a 500-foot-long earth embankment and a 188-foot-long, 42-foot high masonry spillway; (2) a proposed 78-inch-diameter, 500-foot-long steel penstock; (3) an existing powerhouse which will contain a turbine with a maximum output of 500-kW; (4) proposed transmission lines

which will be connected to a downstream industry; and (5) appurtenant facilities. The power from the proposed project will be sold to a downstream industry. The proposed project will not occupy any tribal or federal lands.

When a Declaration of Intention is filed with the Federal Energy Regulatory Commission, the Federal Power Act requires the Commission to investigate and determine if the interests of interstate or foreign commerce would be affected by the project. The Commission also determines whether or not the project: (1) Would be located on a navigable waterway; (2) would occupy or affect public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) if applicable, has involved or would involve any construction subsequent to 1935 that may have increased or would increase the project's head or generating capacity, or have otherwise significantly modified the project's pre-1935 design or operation.

l. *Locations of the Application:* Copies of this filing are on file with the Commission and are available for public inspection. This filing may be viewed on the Web at <http://www.ferc.gov> using the "eLibrary" link, select "Docket#" and follow the instructions. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3372, or TTY, contact (202) 502-8659.

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

n. *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, .211, .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.

o. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "PROTESTS", and/or "MOTIONS TO INTERVENE", as applicable, and the Docket Number of the particular application to which the filing refers. A copy of any motion to

intervene must also be served upon each representative of the Applicant specified in the particular application.

p. *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.

[FR Doc. E9-703 Filed 1-14-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[P-13295-000]

#### BPUS Generation Development LLC; Notice of Application for Preliminary Permit Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

January 9, 2009.

On October 2, 2008, BPUS Generation Development LLC filed an application, pursuant to section 4(f) of the Federal Power Act (FPA), to study the proposed Duffey Lakes Pumped Storage Project. The proposed project would be located in Snohomish and King Counties, Washington. The project facilities would be partially located on federal lands administered by the U.S. Department of Agriculture Forest Service. The Commission issued a public notice of the application on November 13, 2008; however, due to an inadvertent error, the notice did not run in the local newspapers. The Federal Power Act legally requires the Commission to issue a public notice in a local newspaper once a week for four weeks. Therefore, we are reissuing the public notice in order to allow the notice to run in a local newspaper in Washington.

The proposed project would consist of: (1) An expanded Duffey Lakes as the upper reservoir; (2) an expanded Lake Cavanaugh as the lower reservoir; (3) a new powerhouse containing four pump/turbine-generator units with a combined capacity of 1,150 megawatts (MW); (4) a new intake structure, headrace tunnel, and two tailraces; (5) a new 5.0-mile-long, 500-kilovolt transmission line, and (6) appurtenant facilities. The proposed project would have an average annual

generation of 3,293 gigawatt-hours (GWh).

*Applicant Contact:* Mr. Jeffrey M. Auser, P.E., BPUS Generation Development LLC, 225 Greenfield Parkway, Suite 201, Liverpool, NY 13088, (315) 413-2821.

*FERC Contact:* Jake Tung, (202) 502-8757.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project can be viewed or printed on the "eLibrary" link of the Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13295) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-751 Filed 1-14-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12107-003]

#### Granite County; Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests

January 9, 2009.

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

a. *Type of Application:* A New License. (Major Project).

b. *Project No:* 12107-003.

c. *Date Filed:* August 8, 2008.

d. *Applicant:* Granite County.

e. *Name of Project:* Flint Creek Hydroelectric Project.

f. *Location:* The proposed project would be located on Flint Creek at the

Georgetown Lake Dam, near Philipsburg, in Granite County and Deer Lodge County, Montana. The proposed project would affect about 1266.33 acres of Federal lands within the Beaverhead-Deer Lodge National Forest.

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

h. *Applicant Contact:* Granite County, Maureen Connor, Chairman, Board of County Commissioners, PO Box 925, Philipsburg, Montana 59858-0925; (406) 859-3817, or Roger Kirk, Agent, PO Box 1136, Bozeman, Montana 59771; (406) 587-5086.

i. *FERC Contact:* Gaylord Hoisington, (202) 502-6032 or [gaylord.hoisington@FERC.gov](mailto:gaylord.hoisington@FERC.gov).

j. *Cooperating agencies:* We are asking Federal, State, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the environmental document. Agencies who would like to request cooperating status should follow the instructions for filing such requests described in item k below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. See, 94 FERC ¶ 61,076 (2001).

k. *Deadline for filing motions to intervene and protest and request for cooperating agency status:* 60 days from the issuance date of this notice (March 10, 2009).

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.

The Commission's Rules of Practice and Procedures 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.

Motions to intervene and protests and requests for cooperating agency status may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-Filing" link.

l. This application has been accepted for filing, but is not ready for environmental analysis at this time.

m. The Flint Creek project consists of: (1) An existing 2,850 acre reservoir with