

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

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. E8-7961 Filed 4-14-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. DI08-5-000]

#### **Loyalhanna Watershed Association, Inc.; Notice of Declaration of Intention and Soliciting Comments, Protests, and/or Motions To Intervene**

April 8, 2008.

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.:* DI08-5-000.
- c. *Date Filed:* April 1, 2008.
- d. *Applicant:* Loyalhanna Watershed Association, Inc.
- e. *Name of Project:* Saxman Run Mine Drainage Treatment and Hydroelectric Project.
- f. *Location:* The proposed Saxman Run Drainage Treatment and Hydroelectric Project (Saxman) will be located on Saxman Run near the town of Latrobe, Unity Township, Westmoreland County, Pennsylvania.
- g. *Filed Pursuant to:* Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b).
- h. *Applicant Contact:* Susan L. Huba, Program Manager, Loyalhanna Watershed Association, 110 Andi Lane, Ligonier, PA 15658; telephone: (724) 238-7560; fax: (724) 238-7681; e-mail: [slhuba@verizon.net](mailto:slhuba@verizon.net).

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:* May 09, 2008. 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. Comments, protests, and/or 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 at <http://www.ferc.gov> under the "e-Filing link."

Please include the docket number (DI08-5-000) on any comments, protests, and/or motions filed.

k. *Description of Project:* The proposed Saxman project will include: (1) An intake manifold at three free-flowing pipes discharging abandoned mine drainage; (2) a 2,200-foot-long, 14-inch-diameter transmission pipe, conveying water from the intake manifold to the Latrobe Municipal Authority Wastewater Treatment Plant (LMAWTP); (3) a proposed concrete foundation and simple enclosure containing a 10-kW turbine/generator, located at the LMAWTP; (4) a stone-and-grass-lined tailrace to Saxman Run; and (5) appurtenant facilities. The proposed project will not be connected to an interstate grid and 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 No." and follow the instructions. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, 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. E8-7927 Filed 4-14-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2835-026-NY]

#### **New York State Electric and Gas Corporation; Notice of Availability of Environmental Assessment**

April 9, 2008.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR Part 380 (Order No. 486, 52 FR 47879), the Office of Energy Projects has reviewed the proposed Whitewater Access Plan for the Rainbow Falls Project, located on the Ausable River in the Clinton and Essex Counties, New York, and has prepared an Environmental Assessment (EA).

A copy of the EA is on file with the Commission and is available for public inspection. The EA may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-2835) excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659.

Any comments should be filed by May 27, 2008, and should be addressed to the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1-A, Washington, DC 20426. Please reference the project name and project number (P-2835) on all comments. Comments may be filed electronically via 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 under the "eFiling" link. For further information, contact Gina Krump at (202) 502-6704.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-7956 Filed 4-14-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL05-72-005]

#### Dynegy Midwest Generation, Inc.; Notice of Filing

April 9, 2008.

Take notice that on March 31, 2008, Dynegy Midwest Generation, Inc. tendered for filing a refund report pursuant to Commission's Order issued October 12, 2007.

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. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

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 April 21, 2008.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-7953 Filed 4-14-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM07-9-000]

#### Notice of Inquiry on Adequacy of FERC Financial Forms; Notice Requesting Comments

April 8, 2008.

On February 29, 2008, the Association of Oil Pipe Lines (AOPL) filed Supplemental Post-Workshop Comments (Supplemental Comments) in the above referenced proceeding, in which it proposes certain revisions to FERC Form No. 6, Annual Report of Oil Pipeline Companies. The Commission is noticing AOPL's filing for comment.

In its Supplemental Comments, AOPL proposes that the Commission further define the rate base figure in Line 5 of Page 700 by listing: (1) Net carrier property in service; (2) net AFUDC; (3) working capital; (4) net deferred return; (5) net starting rate base write-up; and (6) ADIT. AOPL also proposes that the Commission raise the annual interstate operating revenue reporting level from \$500,000 to \$1,000,000 and exempt all pipelines below \$1,000,000 from filing the full FERC Form No. 6 (including Page 700).

The Commission encourages electronic submission of comments 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:* May 8, 2008.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-7918 Filed 4-14-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12693-001]

#### Sutton Hydroelectric Company, LLC; Notice of Intent To File License Application, Filing of Pre-Application Document, Commencement of Licensing Proceeding, Scoping Meetings, Solicitation of Comments on the Pad and Scoping Document, and Identification of Issues and Associated Study Requests

April 7, 2008.

a. *Type of Filing:* Notice of Intent to File License Application for an Original License and Commencing Licensing Proceeding.

b. *Project No.:* 12693-001.

c. *Date Filed:* February 6, 2008.

d. *Submitted By:* Sutton Hydroelectric Company, LLC.

e. *Name of Project:* Sutton Hydroelectric Project.

f. *Location:* On the Elk River, in Braxton County, West Virginia. The project would occupy federal lands administered by the U.S. Army Corps of Engineers.

g. *Filed Pursuant to:* 18 CFR Part 5 of the Commission's Regulations.

h. *Potential Applicant Contact:* Ken Kemp, Project Manager, Sutton Hydroelectric Company LLC, Brookfield Power, 225 Greenfield Parkway, Suite 201, Liverpool, New York 13088, (315) 413-2769.

i. *FERC Contact:* Timothy Konnert, [timothy.konnert@ferc.gov](mailto:timothy.konnert@ferc.gov), (202) 502-6359.

j. 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 comments described in paragraph o., below. Cooperating agencies should