

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. 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5 pm Eastern Time on September 6, 2005.

Linda Mitry,

Deputy Secretary.

[FR Doc. E5-4642 Filed 8-24-05; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Accepting for Filing and Soliciting Motions To Intervene, Protests and Comments

August 18, 2005.

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

a. *Type of Application:* Preliminary Permit.

b. *Project No.:* 12582-000.

c. *Date filed:* April 11, 2005.

d. *Applicant:* Clover Creek Hydro, LLC.

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

f. *Location:* On the Clover Creek portion of the Main Canal of the North Side Canal Company and Little Wood River, near Gooding, in Gooding County, ID.

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

h. *Applicant Contact:* Mr. David A. O'Day, P.E., Clover Creek Hydro, LLC, P.O. Box 603, Boise, ID 83701-0603, (208) 861-1788.

i. *FERC Contact:* Etta Foster, (202) 502-8769.

j. *Deadline for filing comments, protests, and motions to intervene:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P-12582-000) on any comments, protests, or motions filed.

k. *Description of Project:* The proposed project would consist of: (1) A diversion canal of undetermined dimensions (depending on depth to rock); (2) an overflow weir; (3) a 96-inch, 400-foot-long penstock; (3) a powerhouse containing three to four turbines with an installed capacity of 1.0 MW; (4) a 12.5 kV transmission line, approximately ¼-mile-long interconnected to the local distribution lines of the local utility; and (5) appurtenant facilities.

The project would have an estimated annual generation of 4,888,000 kWh. The applicant plans to negotiate a power sales agreement with the Idaho Power Company.

l. *Location of Application:* A copy of the application is available for inspection and reproduction at the Commission in the Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://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, call toll-free 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov. For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h. above.

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

n. *Competing Preliminary Permit—* Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

o. *Competing Development Application—* Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

p. *Notice of Intent—* a notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

q. *Proposed Scope of Studies under Permit—* A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

r. *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.

Comments, 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 "e-filing" link. The Commission strongly encourages electronic filing.

s. **Filing and Service of Responsive Documents**—Any filings must bear in all capital letter the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", "MOTION TO INTERVENE", "NOTICE OF INTENT", or "COMPETING APPLICATION", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

t. **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.

Linda Mitry,

Deputy Secretary.

[FR Doc. E5-4640 Filed 8-24-05; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

August 18, 2005.

a. **Type of Application:** Applications for Amendment of Licenses to Reflect Settlement.

b. **Project Numbers:** P-2436-212, P-2447-201, P-2448-209, P-2449-179, P-2450-177, P-2451-172, P-2452-186, P-2453-208, P-2468-184, P-2580-237, and P-2599-202.

c. **Date Filed:** July 25, 2005.

d. **Applicant:** Consumers Energy Company.

e. **Name of Projects:** Foote Project (FERC No. 2436), Alcona Project (FERC No. 2447), Mio Project (FERC No. 2448), Loud Project (FERC No. 2449), Cook Project (FERC No. 2450), Rogers Project (FERC No. 2451), Hardy Project (FERC No. 2452), Five Channels Project (FERC No. 2453), Croton Project (FERC No. 2468), Tippy Project (FERC No. 2580), and Hodenpyl Project (FERC No. 2599).

f. **Location:** The projects are located on the Au Sable, Manistee, and Muskegon Rivers in Iosco, Alcona, Oscoda, Manistee, Wexford, Newaygo and Mecosta Counties, MI.

g. **Filed Pursuant to:** Federal Power Act, 16 U.S.C. 791(a), 825(r), 799 and 801.

h. **Applicant Contact:** Robert M. Neustifter, Consumers Energy Company, One Energy Plaza, EP11-233, Jackson, MI 49201, phone (517) 788-2974.

i. **FERC Contact:** Any questions on this notice should be addressed to Robert Fletcher at (202) 502-8901, or e-mail address: robert.fletcher@ferc.gov.

j. **Deadline for filing comments and or motions:** September 19, 2005.

k. **Description of Request:** The licensee filed a settlement offer between itself, U.S. Forest Service, U.S. Fish and Wildlife Service, Michigan Department of Natural Resources, and Michigan Hydro Relicensing Coalition. The settlement concerns the resolution of various disputes and issues regarding the content and application of articles 408, 409, and 414 (415 for the Tippy Project) for the 11 projects listed. The settlement will provide for revised amounts of contributions to be made under these articles which will fund activities like fish habitat restoration and fish management purposes within the Muskegon, Manistee, and Au Sable River watersheds. The licensee proposes to amend the provisions within each of these articles to reflect the settlement.

l. **Locations of the Application:** A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://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. You may also register online

at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov, for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

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", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers (P-2436, P-2447, P-2448, P-2449, P-2450, P-2451, P-2452, P-2453, P-2468, P-2580, and P-2599). All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington DC 20426. 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.

q. **Comments, 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