

Pipeline LLC from engaging in hydrostatic testing on a portion of its pipeline beginning September 3, 2008, and anticipated to end September 26, 2008.

The petition is on file with the Commission and open for public inspection. This petition is available for review at the Commission in the Public Reference Room or may 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, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Any person desiring to intervene in this proceeding or to be heard in response to the petition must file in accordance with the Commission's Rules of Practice and Procedure by the date designated below. The Commission strongly encourages electronic filings of comments, protests, and interventions via the Internet in lieu of paper. 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.

*Comment Date:* August 20, 2008.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-20211 Filed 8-29-08; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

#### Records Governing Off-the-Record Communications; Public Notice

August 15, 2008.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that

the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for review at the Commission in the Public Reference Room or may 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, please contact FERC, Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Exempt:

Docket No.	Date received	Presenter or requester
1. CP06-365-000, <i>et al.</i> .....	8-4-08	Hon. Ron Wyden.
2. P-2677-019 .....	8-12-08	Arie DeWaal.
3. P-2677-019 .....	8-13-08	Michael Donofrio.
4. P-12557-001 .....	8-12-08	Kristen Murphy. <sup>1</sup>

<sup>1</sup> Memo to the Files—Record of FERC staff's telephone and e-mail communication.

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

*Deputy Secretary.*

[FR Doc. E8-20208 Filed 8-29-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Notice of Cancellation of Environmental Impact Statement for the Eastern Plains Transmission Project (EPTP), Eastern Colorado and Western Kansas

**AGENCY:** Western Area Power Administration, Department of Energy.

**ACTION:** Notice of cancellation of Environmental Impact Statement.

**SUMMARY:** The U.S. Department of Energy, Western Area Power Administration (Western) is canceling the preparation of an Environmental Impact Statement (EIS) on a proposal by Western to participate with Tri-State Generation and Transmission Association, Incorporated (Tri-State), in the construction of the Eastern Plains Transmission Project (EPTP). Western would have obtained 275 megawatts of capacity rights on the proposed transmission lines by participating in the EPTP. The EIS would have addressed the construction, operation, and maintenance of approximately

1,000 miles of high-voltage transmission lines and ancillary facilities, which included substations, fiber optic installation, access roads, and construction staging areas. Western issued a Notice of Intent to prepare an EIS for the EPTP in the **Federal Register** on August 2, 2006 (71 FR 43733), and conducted 10 public scoping meetings throughout the project area from August 28 through September 14, 2006. Additional public meetings were held in February 2007 (72 FR 2507), and in June 2007 (72 FR 30792). Western is canceling the preparation of the EIS due to anticipated changes in the EPTP scope. If Western decides to participate in the re-defined EPTP, a National Environmental Policy Act review will