

the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

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 the "e-Filing" link. The Commission strongly encourages electronic filings.

*Comment Date:* February 24, 2010.

**Kimberly D. Bose,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2354-10]

#### **Chandra Coffee and Rabun Boatworks, Complainants v. Georgia Power Company, Respondent; Notice of Complaint**

February 3, 2010.

Take notice that on December 14, 2009, as amended on January 8, 2010, Chandra Coffee and Rabun Boatworks (Complainants) filed with the Federal Regulatory Commission (Commission or FERC) a complaint against Georgia Power Company (Respondent), licensee of the North Georgia Hydroelectric Project No. 2354. Complainants own and operate a storage and boat rental business approximately one mile from Lake Rabun. Complainants, after contracting with boating customers off-site, place boats in the water, assist in loading and unloading boaters, and facilitate retrieval of boats from the water at the Lake Rabun Recreation

Area. Complainants allege that Respondent has impermissibly denied them access to the public boat ramp at the Lake Rabun Recreation Area, part of the Respondent's North Georgia Project. Complainants request that the Commission investigate and assert that Respondent has not complied with its FERC license.

Complainants certify that a copy of the complaint was served on counsel for Georgia Power Company.

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. The 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 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 February 23, 2010.

**Kimberly D. Bose,**  
*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2232-566]

#### **Duke Energy Carolinas, LLC; Notice of Availability of Environmental Assessment**

February 3, 2010.

In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Energy Regulatory Commission's (Commission) regulations, (18 CFR Part 380), Commission staff has prepared an environmental assessment (EA) regarding Duke Energy Carolinas, LLC's (Duke), licensee for the Catawba-Wateree Project, request for approval of an agreement between the Town of Mooresville, North Carolina (Mooresville) and Duke, authorizing Mooresville to operate and maintain expanded water intake facilities and withdraw water from Lake Norman. The Catawba-Wateree Project (FERC No. 2232) is located on the Catawba and Wateree Rivers, in nine counties in North Carolina and five counties in South Carolina. Lake Norman is the fifth reservoir in the series of reservoirs used by the project, and is located on the Catawba River.

In its application, Duke proposes to grant an expansion of Mooresville's water intake facilities and increase Mooresville's water withdrawal rate from Lake Norman. The existing water intake structure would be expanded by connecting a new pipe to the existing water intake structure and the existing pumping plant located on Mooresville-owned property within the project boundary. Mooresville has requested that the expanded facility have a gross maximum allowable water withdrawal rate of 18 million gallons per day (MGD), a 6 MGD increase from the current approved maximum withdrawal rate of 12 MGD, as approved by the Commission on August 23, 2005. The water intake and pump facility are located in Iredell County, North Carolina.

The EA is attached to a Commission order titled, "Order Modifying and Approving Non-Project Use of Project Lands and Waters," which was issued February 3, 2010, and is available for review at the Commission's Public Reference Room, or it may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-2232) in the docket number field to access the document. For assistance with eLibrary, contact [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or