

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Project No. 7387-019—New York]

**Erie Boulevard Hydropower, L.P.,
Piercefield Hydroelectric Project;
Notice of Proposed Revised Restricted
Service List for a Programmatic
Agreement for Managing Properties
Included in or Eligible for Inclusion in
the National Register of Historic Places**

October 1, 2004.

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding.¹ The restricted service list contains the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

The Commission's staff is consulting with the New York State Historic Preservation Officer (New York SHPO) and the Advisory Council on Historic Preservation (Council) pursuant to the Council's regulations, 36 CFR Part 800, implementing section 106 of the National Historic Preservation Act, as amended, (16 U.S.C. Section 470f), to prepare and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at Project No. 7387-019.

The programmatic agreement, when executed by the Commission, and the New York SHPO would satisfy the Commission's section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR 800.13[e]). The Commission's responsibilities pursuant to section 106 for the Piercefield Hydroelectric Project would be fulfilled through the programmatic agreement, which the Commission proposes to draft in consultation with the parties identified in the restricted service list notice issued September 10, 2004 and the parties listed below. The executed programmatic agreement would be incorporated into any Order issuing a license.

For purposes of commenting on the programmatic agreement, we propose to add the following persons to the

restricted service list for the aforementioned project to represent the interests of the Department of the Interior:

Dr. James Kardatzke, U.S. Department of the Interior, Bureau of Indian Affairs, 711 Stewarts Ferry Pike, Nashville, TN 37214.

Kimberly A. Owens, U.S. Department of the Interior, Office of Solicitor, 1849 C St. NW., M.S. 6456, Washington DC 20240.

Any person on the official service list for the above-captioned proceeding may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. In a request for inclusion, please identify the reason(s) why there is an interest to be included. If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on any motion or motions filed within the 15 day period.

An original and 8 copies of any such motion must be filed with Magalie Salas, the Secretary of the Commission (888 First Street, NE., Washington, DC 20426) and must be served on each person whose name appears on the official service list. The first page of the motion should clearly show the project number, P-7387-019. Your response 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 (<http://www.ferc.gov>) under the "e-Filing" link. The Commission strongly encourages electronic filings. Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support at FEROnlineSupport@ferc.gov or toll-free at 1-866-208-3676, or for TTY, 202-502-8659.

Magalie R. Salas,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory
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[Docket No. CP04-421-000]

**National Fuel Gas Supply Corporation;
Notice of Application; Notice of
Application**

October 1, 2004.

Take notice that on September 29, 2004, National Fuel Gas Supply Corporation (National Fuel), 6363 Main Street, Williamsville, New York 14221, filed in Docket No. CP04-421-000 an application pursuant to Section 7(b) of the Natural Gas Act (NGA) and the Commission's Regulations, for authorization to abandon one (1) 225 horsepower (hp) compressor unit, with appurtenances, at the Nashville Compressor Station located in Chautauqua County, New York, all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing may be also viewed on the Web 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 FEROnline Support at FEROnlineSupport@ferc.gov or toll free at (866) 208-3676, or TTY, contact (202) 502-8659.

National Fuel's application states that compressor Unit #2 at its Nashville Compressor Station has not been in use for several years and is no longer needed because its system has undergone changes in its operating configuration since the unit was initially installed in 1957. National Fuel asserts that the abandonment of facilities will not result in the abandonment of service to any of its existing shippers nor will the proposed abandonment adversely affect capacity, since the compression is no longer needed to meet current firm service obligations.¹ National Fuel also asserts minimal environmental impact.

Any questions regarding this application should be directed to David W. Reitz, Deputy General Counsel for National Fuel, 6363 Main Street, Williamsville, New York 14221 at (716) 857-7949.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party

¹ The remaining units at Nashville provide the necessary compression (Nashville compressors: Unit #1-660 hp, Unit #3-660 hp and Unit #4-2,000 hp, totaling 3,320 hp).

¹ 18 CFR 385.2010.