

*Comment Date:* 5 p.m. Eastern Time on Friday, May 28, 2010.

*Docket Numbers:* ER10-1210-000.

*Applicants:* FirstEnergy Nuclear Generation Corp.

*Description:* FirstEnergy Nuclear Generation Corp. submits tariff filing per 35.12: Market-Based Rate Power Sales Tariff to be effective 5/10/2010.

*Filed Date:* 05/10/2010.

*Accession Number:* 20100510-5021.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, June 01, 2010.

*Docket Numbers:* ER10-1211-000.

*Applicants:* DTE Pontiac North, LLC.

*Description:* DTE Pontiac North, LLC submits tariff filing per 35.12: DTE Pontiac North—Baseline Filing to be effective 5/14/2010.

*Filed Date:* 05/10/2010.

*Accession Number:* 20100510-5064.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, June 01, 2010.

*Docket Numbers:* ER10-1212-000.

*Applicants:* DTE River Rouge No.1, LLC.

*Description:* DTE River Rouge No.1, LLC submits tariff filing per 35.12: DTE River Rouge No. 1—Baseline Filing to be effective 5/14/2010.

*Filed Date:* 05/10/2010.

*Accession Number:* 20100510-5088.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, June 01, 2010.

*Docket Numbers:* ER10-1213-000.

*Applicants:* Metro Energy, LLC.

*Description:* Metro Energy, LLC submits tariff filing per 35.12: Metro Energy—Baseline Filing to be effective 5/14/2010.

*Filed Date:* 05/10/2010.

*Accession Number:* 20100510-5093.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, June 01, 2010.

*Docket Numbers:* ER10-1215-000.

*Applicants:* FirstEnergy Solutions Corp.

*Description:* FirstEnergy Solutions Corp. submits tariff filing per 35.12: Market-Based Rate Power Sales Tariff to be effective 5/10/2010 under ER10-01215-000 Filing Type: 370.

*Filed Date:* 05/10/2010.

*Accession Number:* 20100510-5121.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, June 01, 2010.

*Docket Numbers:* ER10-1219-000.

*Applicants:* Southwest Power Pool, Inc.

*Description:* Southwest Power Pool, Inc submits an executed Large Generator Interconnection Agreement with Wichita Wind, LLC *et al.* under ER10-1219.

*Filed Date:* 05/10/2010.

*Accession Number:* 20100510-0212.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, June 01, 2010.

*Take notice that the Commission received the following open access transmission tariff filings:*

*Docket Numbers:* OA08-19-003.

*Applicants:* Ohio Valley Electric Corporation.

*Description:* Compliance Filing of Ohio Valley Electric Corporation & Indiana-Kentucky Electric Corporation.

*Filed Date:* 05/07/2010.

*Accession Number:* 20100507-5120.

*Comment Date:* 5 p.m. Eastern Time on Friday, May 28, 2010.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St. NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

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

*Deputy Secretary.*

[FR Doc. 2010-11928 Filed 5-18-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PF10-8-000]

#### Duke Energy Indiana, Inc.; Notice of Intent To Prepare an Environmental Assessment for the Planned Gallagher Station Project, and Request for Comments on Environmental Issues

May 12, 2010.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Gallagher Station Project, involving construction and operation of facilities by Duke Energy Indiana, Inc. (DEI) in Floyd and Harrison Counties, Indiana (IN) and Jefferson County, Kentucky (KY). The facilities include 20 miles of 20-inch-diameter natural gas pipeline, supporting valves and other meter stations. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. Your input will help the Commission staff determine what issues need to be evaluated in the EA. Please note that the scoping period will close on June 11, 2010.

This notice is being sent to affected landowners; federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. State and local government representatives are asked to notify their constituents of this planned project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable

agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" is available for viewing on the FERC Web site (<http://www.ferc.gov>). This fact sheet addresses a number of typically-asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

### Summary of the Planned Project

DEI plans to construct and operate approximately 20 miles of 20-inch-diameter pipeline. According to DEI, its project would enable it to provide natural gas from the existing interstate pipeline facilities of Texas Gas Transmission, LLC. (Texas Gas) in Jefferson County, KY to two of four existing coal-fired units at the Gallagher Station which are being converted to natural gas-fired units. The electric generating pipeline would be designed to have a delivery pressure of 480 psig to the Gallagher Station; with a peak flow rate of 5.6 million cubic feet per hour (MMcf/hr) and an off-peak flow rate of 4.4 MMcf/hr.

The Gallagher Station Project would also include:

- Construction of one new natural gas meter station at Milepost (MP) 0.0 in Jefferson County, KY;
- Construction of one new natural gas metering and regulation station at MP 19.52 in Floyd County, IN; and
- Construction of two mainline block valves: One in Floyd County, IN at MP 13.52, and the other in Harrison County at MP 7.21.

The general location of the project facilities is shown in appendix 1.<sup>1</sup>

### Land Requirements for Construction

Construction of the planned facilities would disturb about 286 acres of land for the aboveground facilities and the pipeline. Following construction, about 118 acres would be maintained for permanent operation of the project's facilities; the remaining acreage would be restored and allowed to revert to

<sup>1</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of appendices were sent to all those receiving this notice in the mail and are available at <http://www.ferc.gov> using the link called "eLibrary" or from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

former uses. About 50 percent of the planned pipeline route parallels an existing electric transmission and road right-of-way (ROW).

### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us<sup>2</sup> to discover and address concerns the public may have about proposals. This process is referred to as scoping. The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. All comments received in a timely fashion will be considered during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the construction and operation of the planned project under these general headings:

- Geology and soils;
- land use;
- water resources, fisheries, and wetlands;
- cultural resources;
- vegetation and wildlife;
- air quality and noise; and
- endangered and threatened species.

We will also evaluate reasonable alternatives to the planned project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Although no formal application has been filed, we have already initiated our NEPA review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before an application is filed with the FERC. As part of our pre-filing review, we have begun to contact some federal and state agencies to discuss their involvement in the scoping process and the preparation of the EA.

Our independent analysis of the issues will be presented in the EA. The EA will be placed in the public record and, depending on the comments received during the scoping process, may be published and distributed to the public. A comment period will be allotted if the EA is published for review. We will consider all comments

<sup>2</sup> "We", "us", and "our" refer to the environmental staff of the Commission's Office of Energy Projects.

on the EA before we make our recommendations to the Commission. To ensure your comments are considered, please carefully follow the instructions in the Public Participation section below.

With this notice, we are asking agencies with jurisdiction and/or special expertise with respect to environmental issues to formally cooperate with us in the preparation of the EA. These agencies may choose to participate once they have evaluated the proposal relative to their responsibilities. Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

### Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for the section 106 process, we are using this notice to solicit the views of the public on the project's potential effects on historic properties.<sup>3</sup> We will document our findings on the impacts on cultural resources and summarize the status of consultations under section 106 of the National Historic Preservation Act in our EA.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send your comments so that they will be received in Washington, DC on or before June 11, 2010.

For your convenience, there are three methods you can use to submit your comments to the Commission. In all instances, please reference the Project docket number (PF10-8-000) with your submission. The Commission encourages electronic filing of comments and has expert eFiling staff available to assist you at (202) 502-8258 or [efiling@ferc.gov](mailto:efiling@ferc.gov).

(1) You may file your comments electronically by using the Quick Comment feature, which is located at <http://www.ferc.gov> under the link called "Documents and Filings". A

<sup>3</sup> The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800.2(d).

Quick Comment is an easy method for interested persons to submit text-only comments on a project;

(2) You may file your comments electronically by using the "eFiling" feature that is listed under the "Documents and Filings" link. eFiling involves preparing your submission in the same manner as you would if filing on paper, and then saving the file on your computer's hard drive. You will attach that file to your submission. New eFiling users must first create an account by clicking on the links called "Sign up" or "eRegister". You will be asked to select the type of filing you are making. A comment on a particular project is considered a "Comment on a Filing"; or

(3) You may file a paper copy of your comments at the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1A, Washington, DC 20426.

Label one copy of the comments for the attention of Gas Branch 3, PJ-11.3.

#### Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential ROW grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the planned project.

If the EA is published for distribution, paper copies will be sent to the environmental mailing list for public review and comment. If you would like to remove your name from the mailing list, please return the attached Information Request (Appendix 2).

#### Becoming an Intervenor

Once DEI files its application with the Commission, you may want to become an "intervenor", which is an official party to the Commission's proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the

Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are included in the User's Guide under the "e-filing" link on the Commission's website. Please note that you may not request intervenor status at this time. You must wait until a formal application for the project is filed with the Commission.

#### Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC Web site (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number, excluding the last three digits in the Docket Number field (*i.e.*, PF10-8). Be sure you have selected an appropriate date range. 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. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

Finally, public meetings or site visits will be posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2010-11911 Filed 5-18-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM10-13-000]

#### Credit Reforms in Organized Wholesale Electric Markets; Notice Establishing Date for Comments

May 12, 2010.

On May 11, 2010, Commission staff convened a technical conference related to the Commission's Notice of Proposed

Rulemaking on Credit Reforms in Organized Wholesale Electric Markets.<sup>1</sup> Specifically, the technical conference addressed the proposal in the *Credit Reforms NOPR* regarding whether Independent System Operators/Regional Transmission Operators should adopt tariff revisions to clarify their status as a counterparty to transactions in their markets

Entities wishing to submit further, written comments regarding the counterparty proposal discussed at the technical conference should submit their comments in this docket on or before June 8, 2010.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2010-11908 Filed 5-18-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Meeting, Notice of Vote, Explanation of Action Closing Meeting and List of Persons to Attend

May 13, 2010.

The following notice of meeting is published pursuant to Section 3(a) of the Government in the Sunshine Act (Pub. L. 94-409), 5 U.S.C. 552b:

*Agency Holding Meeting:* Federal Energy Regulatory Commission.

*Date and Time:* May 20, 2010, 1 p.m.

*Place:* Room 2C, Commission Meeting Room, 888 First Street, NE., Washington, DC 20426.

*Status:* Closed.

*Matters to be Considered:* Non-Public Investigations and Inquiries, Enforcement Related Matters.

*Contact Person for More Information:* Kimberly D. Bose, Secretary, Telephone (202) 502-8400.

Chairman Wellinghoff and Commissioners Spitzer, Moeller, and Norris voted to hold a closed meeting on May 20, 2010. The certification of the General Counsel explaining the action closing the meeting is available for public inspection in the Commission's Public Reference Room at 888 First Street, NE., Washington, DC 20426.

The Chairman and the Commissioners, their assistants, the Commission's Secretary, the General Counsel and members of her staff, and a stenographer are expected to attend the meeting. Other staff members from the Commission's program offices who

<sup>1</sup> *Credit Reforms in Organized Wholesale Electric Markets*, 130 FERC ¶ 61,055 (2010) (*Credit Reforms NOPR*).