

(Dayton) submitted a filing with the Federal Energy Regulatory Commission (Commission or FERC), in support of new rates for jurisdictional transmission and ancillary services. Dayton states that the filing is made for the purposes of implementing in relevant part the Commission's orders on the Alliance Regional Transmission Organization (ARTO) and effecting the transition from the provision of services by Dayton using its own facilities under its Open Access Transmission Tariff (Tariff) (designated by the Commission as Dayton's FERC Electric Tariff, Original Volume No. 5) to the provision of new services on a regional basis by the ARTO. Dayton states that the filing provides the Dayton-specific cost of service and other data that support in relevant part the rates for service under the ARTO tariff being filed concurrently with Dayton's filing. Dayton states that a copy of this filing has been served on all customers under its current Tariff and the Public Utilities Commission of Ohio.

Comment date: September 21, 2001, in accordance with Standard Paragraph E at the end of this notice.

17. Illinois Power Company

[Docket No. ER01-2999-000]

Take notice that on August 31, 2001, Illinois Power Company (Illinois Power) tendered for filing with the Federal Energy Regulatory Commission (Commission), proposed rate changes for wholesale electric transmission rates. The proposed changes seek to recover a total of \$38.3 million in revenue in 2001, a 54.8 percent increase in revenues from jurisdictional sales and service based on the 12-month period ending December 31, 2000, as compared to current rates under Illinois Power's open access transmission tariff (OATT).

In order to meet the Alliance Regional Transmission Organization's (Alliance RTO) proposed operational date of on or about December 15, 2001, the transmission owners participating in the Alliance RTO (Alliance Companies), including Illinois Power, are submitting contemporaneously with this filing, a Section 205 filing to establish the transmission rates for the Alliance RTO. In that filing, the Alliance Companies are submitting the rates to be charged under the approved non-pancaked rate structure that provides for zonal rates for loads in the zone, and a single regional through and out rate.

Copies of the filing were served upon all affected customers under Illinois Power's OATT and upon the Illinois Commerce Commission.

Comment date: September 21, 2001, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. 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 motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). 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 the "e-Filing" link.

David P. Boergers,
Secretary.

[FR Doc. 01-22868 Filed 9-11-01; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Site Visit; Notice of Scoping Period

September 6, 2001.

Take notice that on October 11, 2001, the Commission staff will visit the Hailesboro #4 Hydroelectric Project No. 6058, to view the project area.

a. *Type of Application:* New Minor License.

b. *Project No.:* P-6058-005.

c. *Date Filed:* January 2, 2001.

d. *Applicant:* Hydro Development Group, Inc.

e. *Name of Project:* Hailesboro #4.

f. *Location:* On the Oswegatchie River in St. Lawrence County, near the Town of Gouverneur, New York.

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

h. *Applicant Contact:* Kevin M. Webb, Hydro Development Group, Inc., 200

Bulfinch Drive, Andover, MA 01810, (978) 681-1900 ext. 1214.

i. *FERC Contact:* Charles T. Raabe (202) 219-2811 or E-mail address at Charles.Raabe@FERC.fed.us.

j. *Deadline Date:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. 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 (<http://www.ferc.gov>) under the "e-Filing" link.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Project:* The existing, operating Hailesboro #4 Project consists of: (1) A concrete gravity-type dam comprising: (i) the 92-foot-long, 14-foot-high Dam #1 surmounted by a pneumatic gate; and (ii) the 58-foot-long, 5-foot-high Dam #2 surmounted by flashboards; (2) a reservoir with a 2.0-acre surface area and a gross storage volume of 20 acre-feet at normal water surface elevation 461 feet NGVD; (3) a gated intake structure with trashracks; (4) a 170-foot-long concrete-lined forebay canal; (5) a powerhouse containing a 640-kW generating unit and an 850-kW generating unit for a total installed capacity of 1,490 kW; (6) a 2.4/23-kV substation; (7) a 50-foot-long, 23-kV transmission line; (8) a tailrace; and (9) appurtenant facilities. The applicant estimates that the total average annual generation would be 11.0 MWh. All generated power is sold to Niagara Mohawk Power Corporation.

l. *Locations of the Application:* A copy of the application is available for inspection or reproduction at the Commission's Public Reference and Files Maintenance Branch, located at 888 First Street, NE., Room 2A-1, Washington, DC 20426, or by calling (202) 208-2326. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). A copy is also available for

inspection and reproduction at the Hydro Development Group, Inc., 200 Bulfinch Drive, Andover, MA 01810, (978) 681-1900 ext. 1214.

m. *Status of the Application and Environmental Analysis*: This application has been accepted for filing, but it is not ready for environmental analysis.

n. *Site visit*: On October 11, the participants will meet at 9:00 a.m. at the Hailesboro #4 powerhouse. Those interested in participating should contact Mr. Kevin Webb at (978) 681-1900 ext. 1214 in advance. Participants should provide their own transportation for the site visit. Further, for the October 11 site visit, participants should bring their own lunches, water, and boots.

o. *Scoping*: Scoping Document 1 has been mailed. It provides information on the Hailesboro #4 and Fowler #7 Projects, the environmental analysis process we will follow to prepare the EA, and our preliminary identification of issues that we will address in the EA. Comments and suggestions on the issues we have identified are encouraged and should be filed by the deadline identified in paragraph (j) above.

David P. Boergers,
Secretary.

[FR Doc. 01-22899 Filed 9-11-01; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Site Visit; Notice of Scoping Period

September 6, 2001.

Take notice that on October 11, 2001, the Commission staff will visit the Fowler #7 Hydroelectric Project No. 6059, to view the project area.

a. *Type of Application*: New Minor License.

b. *Project No.*: P-6059-006.

c. *Date Filed*: January 2, 2001.

d. *Applicant*: Hydro Development Group, Inc.

e. *Name of Project*: Fowler #7.

f. *Location*: On the Oswegatchie River in St. Lawrence County, near the town of Gouverneur, New York.

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

h. *Applicant Contact*: Kevin M. Webb, Hydro Development Group, Inc., 200 Bulfinch Drive, Andover, MA 01810, (978) 681-1900 ext. 1214.

i. *FERC Contact*: Charles T. Raabe (202) 219-2811 or e-mail address at Charles.Raabe@FERC.fed.us.

j. *Deadline Date*: 60 days from the date of issuance of this notice.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Copies of this filing are on file with the Commission and are available for public inspection. 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 the "e-Filing" link.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Project*: The existing, operating Fowler #7 Project consists of: (1) A concrete gravity-type dam surmounted by flashboards comprising: (i) the 75-foot-long, 25-foot-high Dam #1; (ii) the 192-foot-long, 20-foot-high Dam #2; and (iii) the 154-foot-long, 15-foot-high Dam #3; (2) a reservoir with a 3.0-acre surface area and a gross storage volume of 30-acre-feet at normal water surface elevation 542 feet NGVD; (3) an intake structure with trashracks; (4) a powerhouse containing three, 300-kW generating units for a total installed capacity of 900-kW; (5) a 1,000-kVA 2.3/23-kV transformer; (6) a 4,000-foot-long, 23-kV overhead transmission line; (7) a tailrace; and (8) appurtenant facilities. The applicant estimates that the total average annual generation would be 6.0 MWh. All generated power is sold to Niagara Mohawk Power Corporation.

l. *Locations of the Application*: A copy of the application is available for inspection or reproduction at the Commission's Public Reference and Files Maintenance Branch, located at 888 First Street, NE., Room 2A-1, Washington, DC 20426, or by calling (202) 208-2326. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). A copy is also available for inspection and reproduction at the Hydro Development Group, Inc., 200 Bulfinch Drive, Andover, MA 01810, (978) 681-1900 ext. 1214.

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o. *Scoping*: Scoping Document 1 has been mailed. It provides information on the Hailesboro #4 and Fowler #7 Projects, the environmental analysis process we will follow to prepare the EA, and our preliminary identification of issues that we will address in the EA. Comments and suggestions on the issues we have identified are encouraged and should be filed by the deadline identified in paragraph (j) above.

David P. Boergers,
Secretary.

[FR Doc. 01-22900 Filed 9-11-01; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

Proposed Settlement Agreement, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement agreement; Request for Public Comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed settlement agreement, which was lodged with the United States District Court for the Southern District of New York by the United States Environmental Protection Agency ("EPA") on August 31, 2001, to address a lawsuit filed by the New York Public Interest Research Group ("NYPIRG"). NYPIRG filed a complaint pursuant to section 304(a)(2) of the Act, 42 U.S.C. 7604(a)(2), alleging that EPA had failed to perform an act which is not discretionary. Specifically, NYPIRG alleged that EPA failed to respond to citizen petitions to object to three operating permits within the time provided in section 505(b)(2) of the Act, 42 U.S.C. 7661d(b)(2). *NYPIRG, Inc. v. Whitman*, No. 00 Civ. 9394 (S.D.N.Y.).

DATES: Written comments on the proposed consent decree must be received by October 12, 2001.