

protests, recommendations, terms and conditions, and prescriptions is shortened to 30 days from the issuance date of this notice. All reply comments filed in response to comments submitted by any resource agency, Indian tribe, or person, must be filed with the Commission within 45 days from the issuance date of this notice.

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 strongly encourages electronic filings.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person in 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.

l. *Description of Project:* The proposed Coltsville Flow Control Station Project would consist of: (1) A proposed new flow control station containing one turbine generating unit having an installed capacity of 66 kilowatts; and (2) appurtenant facilities. The project would have an estimated annual generation of 355,000 kilowatt-hours. The applicant plans to use the generated energy with any excess being sold to a local utility.

m. This filing is available for review and reproduction at the Commission in the Public Reference Room, Room 2A, 888 First Street, NE., Washington, DC 20426. The filing may also be viewed on the Web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number, here P-13658, in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659. A copy is also available for review and reproduction at the address in item h above.

n. *Development Application*—Any qualified applicant desiring to file a competing application must submit to the Commission, on or before the specified deadline date for the particular application, a competing development application, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing development application no later than 120 days after the specified deadline date for the particular

application. Applications for preliminary permits will not be accepted in response to this notice.

o. *Notice of Intent*—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit a competing development application. A notice of intent must be served on the applicant(s) named in this public notice.

p. *Protests or Motions to Intervene*—Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any protests or motions to intervene must be received on or before the specified deadline date for the particular application.

q. All filings must (1) bear in all capital letters the title "PROTEST", "MOTION TO INTERVENE", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "COMMENTS", "REPLY COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Any of these documents must be filed by providing the original and eight copies to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Office of Energy Projects, Federal Energy Regulatory Commission, at the above address. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in

accordance with 18 CFR 4.34(b) and 385.2010.

r. *Waiver of Pre-filing Consultation:* On September 9, 2009, the applicant requested the agencies support to waive the Commission's consultation requirements under 18 CFR 4.38(c). On October 23, 2009, the U.S. Department of the Interior's Fish and Wildlife Service concurred with this request. No other comments were received. Therefore, we intend to accept the consultation that has occurred on this project during the pre-filing period and we intend to waive pre-filing consultation under section 4.38(c), which requires, among other things, conducting studies requested by resource agencies, and distributing and consulting on a draft exemption application.

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

[FR Doc. 2010-4617 Filed 3-4-10; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 1121-099]

#### **Pacific Gas and Electric Company; Notice of Application for Amendment of License, Soliciting Comments, Motions To Intervene and Protests**

February 25, 2010.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Amendment of license.

b. *Project No.:* 1121-099.

c. *Date Filed:* January 26, 2010.

d. *Applicant:* Pacific Gas and Electric Company.

e. *Name of Project:* Battle Creek Hydroelectric Project.

f. *Location:* On Battle Creek, the North Fork and South Fork Battle Creek in Shasta and Tehama Counties, California.

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

h. *Applicant Contact:* Liv K. Imset, Senior License Coordinator, Pacific Gas and Electric Company, P.O. Box No. 770000, San Francisco, CA 94177; (415) 973-1066.

i. *FERC Contact:* Andrea Claros, telephone (202) 502-8171; e-mail: [andrea.claros@ferc.gov](mailto:andrea.claros@ferc.gov).

j. Deadline for filing comments, motions to intervene and protests is March 25, 2010.

*Please include the project number (P-1121-099) on any comments or motions*

filed. All documents (an original and eight copies) must be filed with:

Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

Motions to intervene, protests, comments and recommendations may be filed electronically via the Internet in lieu of paper filings, 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.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears 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. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. Description of Request: Pacific Gas and Electric Company (licensee) is requesting that its license for the Battle Creek Hydroelectric Project be amended to support the Battle Creek Salmon and Steelhead Restoration Project (Restoration Project). The Restoration Project is a collaborative effort to restore fish habitat on Battle Creek and some of its tributaries through modification of the project facilities and operations, including instream flow releases. This collaborative effort is between PG&E, the U.S. Department of the Interior, Bureau of Reclamation, the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration National Marine Fisheries Service, and the California Department of Fish and Game.

The Restoration Project will reestablish approximately 42 miles of prime salmon and steelhead habitat in the North and South Forks of Battle Creek, plus an additional six miles of habitat on the tributaries of Battle Creek. The Restoration Project will be accomplished in three phases. The licensee is filing this license amendment application for approval and implementation of 1B (second phase) of the Restoration Project. Proposed work for *Phase 1B* includes:

(1) Installing a slide gate on an existing outlet of the Inskip Powerhouse to block discharge into South Fork Battle Creek; (2) installing a tailrace connector from Inskip Powerhouse to Coleman Canal;

(3) installing an Inskip Powerhouse bypass facility to divert overflow from Eagle Canyon and Inskip Canals; and (4) modifying the diversion at Coleman Diversion Dam.

The licensee has submitted the Battle Creek Salmon and Steelhead Restoration Project Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR), prepared in July 2005, as part of its application. The referenced EIS/EIR was a collaborative effort between PG&E, the Bureau of Reclamation, California State Water Resources Control Board, California Bay-Delta Authority, and the Federal Energy Regulatory Commission (Commission), to fulfill National Environmental Policy Act (NEPA) and California Environmental Quality Act requirements. The Commission intends to use the EIS/EIR to meet the NEPA requirements under the proposed action to amend the Battle Creek Project. The EIS/EIR is available for review at the Restoration Projects Web site (link: [http://www.usbr.gov/mp/nepa/nepa\\_projdetails.cfm?Project\\_ID=99](http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=99)).

l. *Location of the Application*: A copy of the licensee's filing is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docsfiling/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call toll-free at 1-866-208-3676 or e-mail [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address listed in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions To Intervene*: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the

proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application (see item (j) above).

o. Any filing must bear in all capital letters the title "COMMENTS", "PROTEST", "MOTION TO INTERVENE", or "RECOMMENDATIONS", as applicable, and the Project Number of the particular application to which the filing refers.

p. Agency Comments: Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2010-4613 Filed 3-4-10; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

February 25, 2010.

Take notice that the Commission received the following electric rate filings:

*Docket Numbers*: ER99-3822-017; ER01-140-013; ER01-141-013; ER03-42-018; ER05-1266-011; ER07-842-007; ER09-629-006; ER99-4160-022.

*Applicants*: Casco Bay Energy Company, LLC; Dynege Danskammer, LLC; Dynege Roseton, LLC; Sithe/Independence Power Partners, L.P.; Ontelaunee Power Operating Company, LLC; Dynege Kendall Energy, LLC; Dynege Marketing and Trade, LLC; Dynege Power Marketing, Inc.

*Description*: Notice of Change in Status of Casco Bay Energy Company, LLC, *et al.* and Request to File Out of Time.

*Filed Date*: 02/22/2010.

*Accession Number*: 20100222-5143.

*Comment Date*: 5 p.m. Eastern Time on Monday, March 15, 2010.

*Docket Numbers*: ER07-125-001.

*Applicants*: Keystone Energy Partners, LP.

*Description*: Keystone Energy Partners, LP submits the Updated Market Power Analysis.

*Filed Date*: 02/24/2010.

*Accession Number*: 20100224-0063.