

structure, (4) a proposed powerhouse containing 9 generating units having a total installed capacity of 3 MW, (5) a proposed 200-foot-long, 13.2 kV transmission line, and (6) appurtenant facilities.

The development would have an annual generation of 5.8 gigawatt-hours which would be sold to a local utility.

Lock #15 Development: (1) An existing 430-foot-long, 8-foot-high bridge type dam constructed primarily of steel, (2) an existing reservoir having a surface area of 578 acres, with a storage capacity of 5,780 acre-feet and a normal water surface elevation of 293 feet USGS, (3) a proposed intake structure, (4) two proposed powerhouses containing 18 generating units having a total installed capacity of 6 MW, (5) a proposed 200-foot-long, 13.2 kV transmission line, and (6) appurtenant facilities.

The development would have an annual generation of 5.8 gigawatt-hours which would be sold to a local utility. The total installed capacity for all eight proposed developments is 41 MW and the total annual generation is 97.6 gigawatt-hours.

l. A copy of the application 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) 208-1371. The application may be viewed on <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

m. **Preliminary Permit:** Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

n. **Preliminary Permit:** Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development

application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

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, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

p. **Proposed Scope of Studies under Permit:** A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

q. **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, 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.

r. **Filing and Service of Responsive Documents:** Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations 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, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

s. **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.

Magalie R. Salas,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

February 28, 2006.

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

a. **Type of Application:** Competing Preliminary Permit.

b. **Project No:** 12640-000.

c. **Date Filed:** January 13, 2006.

d. **Applicant:** City of Grafton, West Virginia.

e. **Name of Project:** Tygart Dam Hydroelectric Project.

f. **Location:** The project would be located on the Tygart Creek, in Taylor County, West Virginia. The project would use the Tygart Dam owned by the U.S. Army Corps of Engineers.

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

h. **Applicant Contacts:** Mayor, G. Thomas Barlett, City of Grafton, West Virginia, 1 West Main Street, Grafton, WV 26354, (304) 265-1412. EXT 16, and Mr. Jeffrey M. Kossak, Arrington Associates, 730 5th Avenue, Suite 1901, New York, NY 10019, (212) 245-2722.

i. **FERC Contact:** Mr. Robert Bell, (202) 502-6062.

j. **Deadline for filing motions to intervene, protests and comments:** 30 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, 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 under the "e-Filing" link. The Commission strongly encourages electronic filings. Please include the project number (P-12640-000) on any comments or motions filed.

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.

k. *Competing Application*: Project No. 12613-000, Date Filed: September 19, 2005, Notice Issued: November 18, 2005, Due Date: January 17, 2006.

l. *Description of Project*: The proposed project would use the U.S. Army Corps of Engineer's Tygart Dam and consist of: (1) A proposed powerhouse containing two generating units with a total installed capacity of 20 megawatts, (3) a proposed 6,700-foot-long, 138-kilovolt transmission line, and (4) appurtenant facilities. The project would have an annual generation of 117 gigawatt hours, which would be sold to a local utility.

m. *Locations of Applications*: A copy of the application is available for inspection and reproduction at the Commission in the 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://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, call toll-free 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov. For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h. above.

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

o. *Proposed Scope of Studies under Permit*: A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis,

preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

p. *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, 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.

q. *Filing and Service of Responsive Documents*: Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations 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, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

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.

r. *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.

Magalie R. Salas,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

February 28, 2006.

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

- a. *Type of Application*: Competing Preliminary Permit.
- b. *Project No*: 12647-000.
- c. *Date Filed*: January 30, 2006.
- d. *Applicant*: Eastern Shoshone Tribe of the Wind River, Wyoming.
- e. *Name of Project*: Bull Lake Dam Project.
- f. *Location*: The project would be located on the Bull Lake Creek, in Fremont County, Wyoming. The project would use the Bull Lake Dam owned by the U.S. Bureau of Reclamation.
- g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791(a)-825(r).
- h. *Applicant Contacts*: Mr. Ivan Posey, Shoshone Business Council, P.O. Box 217, Fort Washakie, WY 82514, (307) 332-3532.
- i. *FERC Contact*: Mr. Robert Bell, (202) 502-6062.
- j. *Deadline for filing motions to intervene, protests and comments*: 30 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments, protests, and interventions may be filed electronically via 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. Please include the project number (P-12647-000) on any comments or motions filed.

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