

with the Commission and is available for public inspection:

a. *Type of Application*: Amendment of license to change transmission line route.

b. *Project No*: 12451-023.

c. *Date Filed*: July 14, 2008.

d. *Applicant*: SAF Hydroelectric, LLC.

e. *Name of Project*: Lower St. Anthony Falls Project.

f. *Location*: The project is located at the U.S. Army Corps of Engineers' Lower St. Anthony Falls Lock and Dam on the Mississippi River, in Hennepin County, Minnesota.

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

h. *Applicant Contact*: David W. Culligan, SAF Hydroelectric, LLC c/o Brookfield Renewable Power, 225 Greenfield Parkway, Suite 201, Liverpool, NY 13088, (315) 413-2792.

i. *FERC Contact*: Any questions on this notice should be addressed to Mr. Steven Sachs at (202) 502-8666.

j. *Deadline for filing comments and/or motions*: November 17, 2008.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, 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 instructions on the Commission's Web site under the "e-filing" link. The Commission strongly encourages electronic filings. Please include the project number P-12451-023 on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all interveners 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 intervener 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*: SAF Hydroelectric, LLC (SAF) filed an amendment request for its license to change the project's transmission line route. SAF no longer plans to construct the 1,030-foot-long underground primary transmission line that is authorized by the license. Instead, it proposes a 13.8 kV transmission line extending from the project's switchgear

to Xcel/Northern States Power Company's pole P adjacent to the powerhouse and continuing approximately 4,000 feet to the Elliot Park substation; consisting of approximately 2,000 feet of underground ducted circuit and 2,000 feet of overhead circuit. The overhead portion will be overbuilt with pole extenders attached to Xcel/Northern States Power Company's existing distribution poles. SAF is not proposing any changes to the project operation.

l. *Locations of the Application*: 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) 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. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3372 or e-mail [FERCOnlineSupport@ferc.gov](mailto: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.

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, .211, .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.

o. Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", 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.

q. 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 at <http://www.ferc.gov> under the "e-Filing" link.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-24959 Filed 10-20-08; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[EL09-4-000]

#### **Independent Power Producers of New York, Inc., Astoria Generating Company, L.P. a U.S. Power Generating Company, ConsumerPowerLine, Inc. East Coast Power, LLC, Energy Curtailment Specialists, Inc., NRG Energy, Inc., TC Ravenswood, LLC, Complainants v. New York Independent System Operator, Inc., Respondent; Notice of Complaint**

October 14, 2008.

Take notice that on October 14, 2008, Independent Power Producers of New York, Inc., Astoria Generating Company, L.P., a U.S. Power Generating Company, ConsumerPowerLine, Inc., East Coast Power, LLC, Energy Curtailment Specialists, Inc., NRG Energy, Inc., and TC Ravenswood, LLC (Complainants) filed, pursuant sections 206 and 306 of the Federal Power Act and Rule 206 of the Commission's Rules of Practice and Procedures, 18 CFR 385.206, a formal complaint against New York Independent System Operator, Inc. (Respondent) alleging that the Respondent violated Federal Power Act section 205 by (i) failing to recalculate the Net Cost of New Entry ("Net CONE") for the proxy unit for the New York City Installed Capacity Markets and the resulting New York City Demand Curves, upon the legislative elimination of New York City's Industrial and Commercial Incentive Program real property tax exemption, thereby producing significantly understated New York City Demand Curves that will yield unjust and unreasonable rates for the remainder of the current reset period (through April 2011); and (ii) by improperly applying

the standard under the Commission-approved ISO Agreement, section 19.01, for "exigent circumstances" in its failure to act, thereby producing rates that are unjust and unreasonable. Complainants request that the Commission order the Respondent to promptly file tariff amendments increasing the New York City Demand Curves to account for certain property tax costs in the calculation of the Net CONE, beginning with the spot market auction that is held following the Commission's order in this proceeding.

The Complainants request fast track processing of the complaint.

The Complainants certify that a copy of the complaint has been served on the contacts for the Respondent as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). 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 notice of intervention or motion to intervene, as appropriate. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is 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.

*Comment Date:* 5 p.m. Eastern Time on November 3, 2008.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-24954 Filed 10-20-08; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. NJ09-1-000]

#### Bonneville Power Administration; Notice of Filing

October 14, 2008.

Take notice that on October 3, 2008, Bonneville Power Administration submit for filing amendments to its Open Access Transmission Tariff (OATT) and a Petition for Declaratory Order finding that its OATT, as amended by this filing, substantially conforms or is superior to the pro forma tariff and it continues to maintain its reciprocity status, pursuant to 18 CFR 35.28(e), 18 CFR 385.207 and Order No. 890, *Preventing Undue Discrimination and Preference in Transmission Service*, FERC Stats. & Regs. ¶ 31,241 (2007) (Order 890).

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is 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.

*Comment Date:* 5 p.m. Eastern Time on November 3, 2008.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-24957 Filed 10-20-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. ER09-19-000; EL09-1-000]

#### ISO New England Inc.; Braintree Electric Light Department; Notice of Filing

October 14, 2008.

Take notice that on October 1, 2008, ISO New England Inc. (ISO) and Braintree Electric Light Department (BELD) filed an executed non-conforming Standard Large Generator Interconnection Agreement, Original Service Agreement No. LGIA-ISO/NE/BELD-08-01, under Schedule 22 of the ISO New England Inc's Open Access Transmission Tariff and a Petition of Declaratory Order, pursuant to section 205 of the Federal Power Act and Rule 207 of the Rules of Practice and Procedure of the Commission.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.