

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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, contact FERC Online Support at [FERCONlineSupport@ferc.gov](mailto:FERCONlineSupport@ferc.gov) or toll free at 1-866-208-3676, for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in paragraph h.

Register online at <http://ferc.gov/esubscribenow.htm> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. With this notice, we are soliciting comments on the PAD and Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application (original and eight copies) must be filed with the Commission at the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. All filings with the Commission must include on the first page, the project name(s) (London/Marmet Hydroelectric Project and/or Winfield Hydroelectric Project) and number (P-1175-013 and/or P-1290-011), and bear the heading "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," "Request for Cooperating Agency Status," or "Communications to and from Commission Staff." Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by December 12, 2008.

Comments on the PAD and SD1, study requests, requests for cooperating agency status, and other permissible forms of communications with the Commission may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic 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.

p. Although our current intent is to prepare an environmental assessment (EA), there is the possibility that an

Environmental Impact Statement (EIS) will be required. Nevertheless, this meeting will satisfy the NEPA scoping requirements, irrespective of whether an EA or EIS is issued by the Commission.

#### Scoping Meetings

Commission staff will hold two scoping meetings in the vicinity of the project at the time and place noted below. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meeting is primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:

##### Daytime Scoping Meeting

*Date:* Wednesday, November 12, 2008.

*Time:* 2 p.m. to 4 p.m. (EST).

*Location:* Country Inn & Suites by Carlson, 105 Alex Lane, Charleston, WV 25304,

*Phone:* (304) 925-4300.

##### Evening Scoping Meeting

*Date:* Wednesday, November 12, 2008.

*Time:* 7 p.m. to 9 p.m. (EST).

*Location:* Country Inn & Suites by Carlson, 105 Alex Lane, Charleston, WV 25304,

*Phone:* (304) 925-4300.

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 will be available at the scoping meetings, or may be viewed on the Web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

#### Site Visit

The licensee and Commission staff will conduct a site visit of the projects on Wednesday, November 12, 2008, starting at 8 a.m. (EST). All participants should meet at the parking lot of the Winfield powerhouse by 8 a.m. From there, we will continue on to the Marmet and London powerhouses,

concluding site visits by noon. All participants are responsible for their own transportation to the powerhouse sites. Anyone with questions about the site visit should contact Teresa Rogers of Appalachian Power Company at (540) 985-2441 or by e-mail at [tprogers@aep.com](mailto:tprogers@aep.com) on or before November 5, 2008.

*Date:* Wednesday, November 12, 2008.

*Time:* 8 a.m. to 12 p.m. (EST).

*Location:* Winfield at 3732 Winfield Road, Winfield, WV 25213.

*Phone:* (304) 348-4644.

#### Meeting Objectives

At the scoping meetings, staff will: (1) Initiate scoping of the issues; (2) review and discuss existing conditions and resource management objectives; (3) review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss the appropriateness of any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n. of this document.

#### Meeting Procedures

The meetings will be recorded by a stenographer and will become part of the formal record of the Commission proceeding on the project.

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

[FR Doc. E8-24958 Filed 10-20-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12451-023]

#### SAF Hydroelectric, LLC; Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

October 14, 2008.

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 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.

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## 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