

days from the issuance date of this notice.

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 in 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.

j. *Description of Project:* The proposed project, using the Corps' existing Morgantown Lock and Dam, would consist of: (1) Five 50-foot-long, 96-inch-diameter steel penstocks, (2) a powerhouse containing five generating units with a total installed capacity of 5.5 megawatts, (3) a 200-yard-long, 14.7-kilovolt transmission line connecting to an existing substation, and (4) appurtenant facilities. The project would have an average annual generation of 34 gigawatthours.

k. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" 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](mailto:FERConLineSupport@ferc.gov). For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item g above.

l. *Competing 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.

m. *Competing Development Application:* 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.

n. *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.

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, .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.

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 an 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, 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.

[FR Doc. 03-3657 Filed 2-13-03; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Tendered for Filing With the Commission and Soliciting Additional Study Requests

February 7, 2003.

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

a. *Type of Application:* Exemption from licensing.

b. *Project No.:* 12433-000.

c. *Date Filed:* January 24, 2003.

d. *Applicant:* Indian River Power Supply LLC.

e. *Name of Project:* Indian River Hydro Project.

f. *Location:* On the Westfield River, near the Town of Russell, in Hampden County, Massachusetts. The proposed project would not occupy any federal lands.

g. *Filed Pursuant to:* Public Utility Regulatory Policies Act of 1978, 16 U.S.C. 2705, 2708.

h. *Applicant Contact:* Richard E. Lynch, Sr., Indian River Power Supply LLC, 22 Woodland Avenue, Westfield, MA 01085-2221, (413) 562-0588.

i. *FERC Contact:* Gaylord W. Hoisington, (202) 502-6032 or [gaylord.hoisington@ferc.gov](mailto:gaylord.hoisington@ferc.gov).

j. *Cooperating Agencies:* We are asking Federal, State, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the environmental document. Agencies who would like to request cooperating status should follow the instructions for filing comments described in item k below.

k. Pursuant to section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian tribe, or person must file a request for a study with the Commission not later than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.

l. *Deadline for Filing Additional Study Requests and Request for Cooperating Agency Status:* March 25, 2003.

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.

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.

Additional study requests and request for cooperating agency status 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. After logging into the eFiling system, select "Comment on Filing" from the Filing Type Selection screen and continue with the filing process.

m. The application is not ready for environmental analysis at this time.

n. *Description of Project:* The proposed project would consist of: (1) An existing 3-foot-high, 377-foot-long concrete dam; (2) a 13-acre impoundment with normal storage of 620 acre-feet to 720 acre-feet; (3) two existing 7-foot-diameter to 12-foot-diameter, 65-foot-long steel penstocks equipped with trashracks; (4) an

existing 60-foot-long, 60-foot-wide, 25-foot-high powerhouse containing two Francis turbines with a total installed capacity of 700 kilowatts; (5) a proposed 933-foot-long transmission line connecting to an existing distribution system, and (6) appurtenant facilities. The project would have an average annual generation of 7,400,000 kilowatts.

o. A copy of the application is on file with the Commission and is available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

p. With this notice, we are initiating consultation with the Massachusetts State Historic Preservation Officer (SHPO), as required by Section 106 of the National Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

q. *Procedural schedule:* The application should be processed according to the following Hydro Licensing schedule. Revisions to the schedule will be made as appropriate. The Commission staff proposes to issue one Environmental Assessment (EA) rather than issuing a draft and final EA. Staff intends to provide a 30 day period for entities to comment on the EA, and will take into consideration all comments filed on the EA before final action is taken on the exemption from licensing application. If any person or organization objects to the staff proposed process, they should file comments by the date stipulated in item l above, briefly explaining the basis for their objection.

*Issue Acceptance or Deficiency Letter:* March 2003

*Issue Acceptance Letter:* May 2003

*Issue Scoping Document 1 for Comments:* July 2003

*Request Additional Information:* August 2003

*Issue Scoping Document 2, if Necessary:* October 2003

*Notice of Application Is Ready for Environmental Analysis:* November 2003

*Notice of the Availability of the EA:* May 2004

*Ready for Commission's Decision on the Application:* August 2004

Magalie R. Salas,  
Secretary.

[FR Doc. 03-3658 Filed 2-13-03; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP03-162-003]

#### Trailblazer Pipeline Company; Notice of Compliance Filing

February 7, 2003.

Take notice that on January 31, 2003, Trailblazer Pipeline Company (Trailblazer) filed the following documents:

1. Exhibit No. TPC-1 (Revised): Testimony of Bruce H. Newsome on behalf of Trailblazer Pipeline Company, and Mr. Newsome's related affidavit.

2. Exhibit No. TPC-81 (Revised): Revised Tariff Sheets. Exhibit No. TPC-81 (Revised) is sponsored by Mr. Newsome.

Trailblazer states that the purpose of this filing is to comply with the hearing procedural schedule adopted January 17, 2003, in the above-captioned docket. Trailblazer notes that the tariff sheets are tendered for filing to be a part of its FERC Gas Tariff, Third Revised Volume No. 1, with an effective date of January 1, 2003.

Trailblazer states that copies of the filing have been mailed to all parties set out on the Commission's official service list in Docket No. RP03-162.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with section 385.211 of the Commission's rules and regulations. All such protests must be filed in accordance with section 154.210 of the Commission's regulations. 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 proceedings. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or TTY,