

to the conference, please e-mail [Sarah.McKinley@ferc.gov](mailto:Sarah.McKinley@ferc.gov) no later than 5 p.m. (EDT) on Tuesday, August 18, 2009. You will then receive a confirmation e-mail containing the dial-in number and password. Staff requests that, to the extent possible, individuals calling from the same location share a single telephone line.

The conference will not be transcribed, and all interested persons will be afforded the opportunity to file post-conference comments. Dates for filing such comments will be established at the technical conference. Also, representatives from the Commission's Dispute Resolution Services office will be available to offer assistance to the parties to the extent they seek to pursue settlement negotiations.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an e-mail to [accessibility@ferc.gov](mailto:accessibility@ferc.gov) or call toll free 1-866-208-3372 (voice) or 202-208-1659 (TTY), or send a FAX to 202-208-2106 with the required accommodations.

For further information about this conference, please contact: Sarah McKinley, 202-502-8368, [Sarah.McKinley@ferc.gov](mailto:Sarah.McKinley@ferc.gov), for logistical issues and either Kendra Pace at 202-502-6703 or e-mail [Kendra.Pace@ferc.gov](mailto:Kendra.Pace@ferc.gov) or Christopher Demko at 202-502-6519 or e-mail [Christopher.Demko@ferc.gov](mailto:Christopher.Demko@ferc.gov) for other concerns.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. AD09-9-000]

#### Small Hydropower Development in the United States; Notice of Technical Conference

August 14, 2009.

Take notice that the Federal Energy Regulatory Commission will hold a Commissioner-led technical conference on December 2, 2009, from 1 p.m. to 5 p.m. Eastern Time in the Commission Meeting Room at the Federal Energy

Regulatory Commission, 888 First Street, NE., Washington, DC 20426. The conference will be open to the public and advance registration is not required.

The purpose of this conference is to explore issues related to licensing small non-federal hydropower projects in the United States. Specifically, the participants will discuss the Commission's program for granting licenses and exemptions from licensing, including 5-megawatt and conduit exemptions. The conference will also provide an opportunity for industry, state and federal agencies, tribes, and other stakeholders to express their views and suggestions for processing applications for small hydropower projects. The agenda for this conference will be published at a later date.

A free webcast of this conference will be available through <http://www.ferc.gov>. Transcripts of the conference will also be made available. Instructions for viewing the webcast and for obtaining transcripts will be published at a later date.

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For more information about this conference, please contact Steve Hocking at (202) 502-8753 or [steve.hocking@ferc.gov](mailto:steve.hocking@ferc.gov).

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-20239 Filed 8-21-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

#### Records Governing Off-the-Record Communications; Public Notice

July 31, 2009.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who

make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are 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 eLibrary 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.

Exempt:

Docket No.	File date	Presenter or requester
1. CP08-431-000 .....	07-28-09	Sherrod Brown.
2. P-400-051 .....	08-05-09	Greg Stobb, Edwin Schlapfer.