

acre-feet of water annually from Big Stone Lake. The permit specifies the diversion rates allowed by the proposed plant, authorizes the construction of the water use system, and the placing of water to beneficial use subject to certain conditions. The permit includes the same withdrawal restrictions based on Big Stone Lake water levels and time of year as in the permit for the existing plant. The water appropriation permit was issued by the SDWMB in the interest of public policy, and thus water appropriations by the proposed Project are in conformance with South Dakota laws. The SDWMB, in issuing the permits for water withdrawal, have determined that the proposed water use would not be damaging for the intended purpose. Additionally, in accordance with the Settlement Agreement approved by the Minnesota Public Utilities Commission, the Project's Co-owners have agreed to provide all data used to evaluate the effects of water withdrawals from Big Stone Lake to the South Dakota Department of Environment and Natural Resources and MnDNR and to participate in meetings with State agencies to address the management of the Big Stone Lake water flow and level issues. Western notes MnDNR's desire to have the Minnesota/South Dakota Boundary Commission reconvened, however, that decision rests with the respective State governors.

#### Decision

Western's environmental record of decision (ROD) is to allow the Co-Owners' request for interconnection to Western's transmission system at Morris and Granite Falls substations in Minnesota and to complete modifications to these substations to support the interconnection.<sup>2</sup> Western's environmental decision to grant this interconnection request satisfies the agency's statutory mission and the Co-owners' objectives while minimizing harm to the environment. Additionally, an interconnection agreement must be completed in accordance with Western's Tariff.

The Co-owners have committed to minimize the proposed Project's impact on the environment through the Project's design, the use of pollution control technology, the offset of carbon dioxide emissions, and the implementation of mitigation measures as summarized in Tables 2.2-7, 2.2-8, and 2.6-2 of the Final EIS. For its part,

Western will adhere to mitigation measures for all modifications at its Morris and Granite Falls substations as noted in Table 2.2-9 of the Final EIS. Western conditions its environmental approval of the Co-owner's request to interconnect to Western's transmission system upon the adoption and implementation of the mitigation measures as described in the Final EIS.

This decision is based on the information contained in the Big Stone II Power Plant and Transmission Project Final EIS (DOE/EIS-0377). This ROD was prepared pursuant to the requirements of the Council on Environmental Quality Regulations for Implementing NEPA (40 CFR parts 1500-1508) and DOE's Procedures for Implementing NEPA (10 CFR part 1021).

Dated: August 14, 2009.

**Timothy J. Meeks,**

*Administrator.*

[FR Doc. E9-20300 Filed 8-21-09; 8:45 am]

BILLING CODE 6450-01-P

#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Project No. 1494-348-OK]

##### Grand River Dam Authority; Notice of Availability of Environmental Assessment

August 14, 2009.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR part 380 (Order No. 486, 52 FR 47879), the Office of Energy Projects has reviewed Grand River Dam Authority's proposed shoreline management plan (SMP) for the Pensacola Hydroelectric Project, located on the Grand River in Craig, Delaware, Mayes, and Ottawa Counties, Oklahoma, and has prepared an environmental assessment (EA) on the SMP.

A copy of the EA is on file with the Commission and is available for public inspection. The EA may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-1494) 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, or for TTY, (202) 502-8659.

Any comments on the EA should be filed by September 14, 2009, and should be addressed to the Secretary, Federal

Energy Regulatory Commission, 888 First Street, NE., Room 1-A, Washington, DC 20426. Please reference the project name and project number (P-1494-348) on all comments. Comments 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 under the "eFiling" link. For further information, contact Brian Romanek at (202) 502-6175.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-20235 Filed 8-21-09; 8:45 am]

BILLING CODE 6717-01-P

#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Docket Nos. ER08-1113-004; ER08-1113-005]

##### California Independent System Operator Corporation; Supplemental Notice of Technical Conference

August 14, 2009.

On July 29, 2009, the Commission issued an order establishing technical conference in the above-captioned proceedings to explore issues concerning Market Efficiency Enhancement Agreements (MEEA) between the California Independent System Operator Corporation (CAISO) and eligible market participants. The technical conference will be held on Thursday, August 20, 2009, at 10 a.m. (EDT), in Hearing Room 7 at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426 and ending at approximately 4 p.m. (EDT). The following additional information and instruction is provided regarding the conference.

The technical conference will afford Commission staff and interested parties an opportunity to discuss the issues related to the MEEAs. The conference is intended to be a working session focused on discussing the information necessary to execute a MEEA and the transactions under a MEEA that should receive MEEA pricing. The July 29, 2009 order outlined the issues to be discussed.

The technical conference will be open to the public. Although staff encourages all interested parties to attend in person, the conference will be accessible via telephone on a listen-only basis. For information regarding telephone access

<sup>2</sup> Western's authority to issue a record of decision is pursuant to authority delegated on October 4, 1999, from the Assistant Secretary for Environment, Safety and Health to Western's Administrator.

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.

[FR Doc. E9-20214 Filed 8-21-09; 8:45 am]

BILLING CODE 6717-01-P

## 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.

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 (866) 208-3372 (voice) or (202) 208-1659 (TTY), or send a FAX to (202) 208-2106 with the required accommodations.

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]

BILLING CODE 6717-01-P

## 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.