

214 of the Commission's rules of practice and procedure (18 CFR 385.211 and 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 motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at the Commission or may be viewed on the Commission's Web site at <http://www.ferc.gov>, using the eLibrary (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 FEROnlineSupport@ferc.gov or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. 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.

Linda Mitry,

Acting Secretary.

[FR Doc. E4-996 Filed 4-30-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6564-002 Oregon]

Jane A. Horning; Notice of Availability of Environmental Assessment

April 23, 2004.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Commission's (Commission) regulations, 18 CFR Part 380 (Order No. 486, 52 FR 47897), the Office of Energy Projects has reviewed the application for surrender of exemption for the constructed Brunswick Creek Project. Jane A. Horning is the exemptee. The project is located on Brunswick Creek, near North Plains, Washington County, Oregon. The Commission staff has prepared an Environmental Assessment (EA) on the exemption surrender.

The EA contains the staff's analysis of the potential environmental impacts of the surrender of the exemption, and has concluded that surrendering the

exemption, would not constitute a major federal action that would significantly affect the quality of the human environment.

A copy of the EA is attached to the Commission order titled "Order Accepting Surrender of Exemption", which was issued on April 23, 2004. The EA is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website 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, contact FERC Online Support at FEROnlineSupport@ferc.gov or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

FOR FURTHER INFORMATION CONTACT: Mr. Blake Condo at (202) 502-8914.

Magalie R. Salas,

Secretary.

[FR Doc. E4-975 Filed 4-30-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application for Surrender of Exemption and Soliciting Comments, Motions To Intervene, and Protests

April 27, 2004.

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

- a. *Application Type:* Surrender of Exemption (5 MW or Less).
- b. *Project No.:* 6338-003.
- c. *Date Filed:* March 29, 2004.
- d. *Applicant:* Suncook Leathers, Inc.
- e. *Name of Project:* Pittsfield.
- f. *Location:* Located on the Suncook River in Merrimack County, New Hampshire.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicant Contact:* David Ossoff, Pittsfield Hydropower Co., Inc., P.O. Box 248, 5 Main St., Pittsfield, New Hampshire 03263, (603) 435-6678.
- i. *FERC Contact:* Regina Saizan, (202) 502-8659.
- j. *Status of Environmental Analysis:* This application is ready for

environmental analysis at this time, and the Commission is requesting comments, reply comments, and recommendations for terms and conditions.

k. *Deadline for filing responsive documents:* The Commission directs, pursuant to Section 4.34(b) of the Regulations (see Order No. 533 issued May 8, 1991, 56 FR 23108, May 20, 1991) that all comments, motions to intervene, protests, and recommendations for terms and conditions concerning the application be filed with the Commission by May 28, 2004. All reply comments must be filed with the Commission by June 14, 2004.

Comments, protests, and interventions may be filed electronically via the Internet CFR 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.

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 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.

l. *Description of Proposed Action:* The existing project consists of: (1) A 21-foot-high, 421-foot-long concrete and stone gravity dam; (2) a 20-acre reservoir; (3) an intake structure; (4) a 9-foot-diameter, 200-foot-long steel penstock; (5) a powerhouse containing a 420-kW turbine-generator; (6) a 65-foot-long tailrace; and (7) appurtenant facilities. The applicant seeks to surrender the exemption because the project is no longer economically feasible.

m. *Locations of Application:* A copy of the application is available for inspection and reproduction at the Commission in the 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 website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number, here P-6338, in the docket number field to access the document. For assistance, call toll-free (866) 208-3676 or e-mail FEROnlineSupport@ferc.gov. For TTY, call (202) 502-8659. A copy is also available for inspection and

reproduction at the address in item h. above.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. 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.

p. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "REPLY COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "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 the original and eight copies to: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to the Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

q. 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 any 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. E4-985 Filed 4-30-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Ferc Staff Attendance at Meetings of Southwest Power Pool Regional State Committee, Board Of Directors and Members

April 23, 2004.

The Federal Energy Regulatory Commission hereby gives notice that members of its staff may attend the April 26 and 27, 2004 meetings of the Southwest Power Pool (SPP) Regional State Committee, SPP Board of Directors and SPP Members. The staff's attendance is part of the Commission's ongoing outreach efforts.

The discussions may address matters at issue in the following proceedings:

Docket Nos. RT04-1-000 and ER04-48-000, *Southwest Power Pool, Inc.*;

Docket No. ER04-434-000, *Southwest Power Pool, Inc.*;

Docket No. ER04-658-000, *Southwest Power Pool, Inc.*

The April 26, 2004 SPP Regional State Committee meeting is expected to begin at approximately 2 p.m. The meeting will take place at the Westin Hotel Oklahoma City, One North Broadway, Oklahoma City, OK 73102. The meeting is open to the public.

The April 27, 2004 SPP Board of Directors and SPP Members meetings are expected to begin at approximately 10 a.m. These meetings will take place at the Westin Hotel Oklahoma City, One North Broadway, Oklahoma City, OK 73102. These meetings are open to the public.

For more information, contact Tony Ingram, Office of Markets, Tariffs and Rates, Federal Energy Regulatory Commission at (202) 502-8938 or tony.ingram@ferc.gov.

Magalie R. Salas,

Secretary.

[FR Doc. E4-974 Filed 4-30-04; 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

April 26, 2004.

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

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or prohibited off-the-record communication relevant to the merit's of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be 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 will be 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 prohibited and exempt communications recently received in the Office of the Secretary. The communications listed are grouped by docket numbers. 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 (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 or toll free at (866)208-3676, or for TTY, contact (202)502-8659.

Prohibited:

Docket number	Date filed	Presenter or requester
1. CP04-58-000.	4-22-04	Grieten Sebastien, et al. ¹