

Rate Schedule LSS and section 3 of its Rate Schedule GSS, Transco refunded to its LSS and GSS customers \$1,006,425.00 resulting from the refund of Dominion Transmission, Inc. in Docket No. IN04–2–000.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

*Intervention and Protest Date:* 5 p.m. Eastern Time on September 17, 2004.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4–2219 Filed 9–15–04; 8:45 am]

BILLING CODE 6717–01–P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2114–120]

#### Progressive Hydro LLC, Complainant, v. Public Utility District No. 2 of Grant County, WA, Respondent; Notice of Complaint

September 10, 2004.

Take notice that on September 1, 2004, Progressive Hydro LLC, pursuant to Rule 206 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission, 18 CFR 385.206 (2004), filed a Complaint against Public Utility District No. 2 of Grant County, Washington (Grant PUD), licensee for the Priest Rapids Hydroelectric Project, FERC Project No. 2114.

Progressive Hydro alleges that Grant PUD violated the Commission's November 21, 2002, order directing Grant PUD "to remove Section 8 from the Surplus Sales Contract and Section 7, clauses (d), (f), and (g) from the Reasonable Portion Contract." Progressive Hydro further alleges that after November 21, 2002, in power-sales negotiations with new potential purchaser or purchasers, Grant PUD insisted that the specified clauses be inserted in new power purchase contracts. Progressive Hydro also alleges that Grant PUD violated a separate requirement to remove the provisions when the Commission issued its Order Denying Rehearing on April 16, 2003. Progressive Hydro claims that as a result of these actions Grant PUD successfully prevented competition for the new license for the Priest Rapids Hydroelectric Project, for the deadline for filing competing applications for the new license was October 31, 2003.

Progressive Hydro requests that the Commission find that, as a result of Grant PUD's conduct that the Commission must: (1) Refuse to issue a new license to Grant PUD; (2) declare that the Priest Rapids Project is an "orphaned" project; and (3) solicit applications for a new license from all interested entities except Grant PUD.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedures (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 notice of intervention or motion to intervene, as

appropriate. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

*Comment Date:* 5 p.m. eastern time on September 30, 2004.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4–2208 Filed 9–15–04; 8:45 am]

BILLING CODE 6717–01–P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Tapoco Project No. 2169–020]

#### Alcoa Power Generating, Inc.; North Carolina/Tennessee; Notice of Availability of Final Environmental Assessment

September 10, 2004.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR Part 380, the Office of Energy Projects (staff) has reviewed the application for a new major license for the Tapoco Project, located on the Little Tennessee and Cheoah Rivers in Graham and Swain Counties, North Carolina and Blount and Monroe Counties, Tennessee, and prepared a final environmental assessment (FEA) for the project. The project affects federal lands of the U.S. Forest Service and the National Park Service.

The FEA contains staff's analysis of the potential environmental effects of

the existing project and concludes that licensing the project, with staff's recommended measures, would not constitute a major federal action significantly affecting the quality of the human environment.

A copy of the FEA and application 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 "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, or for TTY, (202) 502-8659. Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

The Commission strongly encourages electronic filings. Comments 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.

For further information, please contact Randy Yates by e-mail at [lorance.yates@ferc.gov](mailto:lorance.yates@ferc.gov) or phone (770) 452-3784.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-2209 Filed 9-15-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. RM01-8-000, ER02-2001-000]

#### Electric Quarterly Reports; Notice of Electric Quarterly Reports Users Workshop

September 9, 2004.

This notice announces a two-day EQR Users Group Workshop in Washington, DC on September 21 and 22, 2004. All interested parties are invited to attend. The meeting will be held in the Commission Meeting Room at FERC headquarters, 888 First Street, NE., Washington, DC. For those unable to attend in person, access to some of the workshop sessions will be available by teleconference. These sessions are intended to be interactive meetings with considerable discussion of detailed elements of the EQR. The agenda for the Workshop is posted on FERC's Web site at <http://www.ferc.gov/EventCalendar/>

*EventDetails.aspx*  
*?ID=1270&CalType=%20&*  
*Date=9%2f21%2f2004&CalendarID=0.*

The teleconferenced Users Group Meeting will run from 1 p.m. to 5 p.m. (e.s.t.) on Tuesday, September 21, and from 11 a.m. to 12:30 p.m. (e.s.t.) on Wednesday, September 22. There will be informal working sessions which will not be available via teleconference as follows: (1) Tuesday morning, from 9 a.m. until 12 p.m., (2) Wednesday, from 9:30 a.m. to 11 a.m.; and (3) Wednesday, from 1:30 p.m. to 3:45 p.m. Those interested in participating in person or via teleconference are asked to register online by Friday, September 17, 2004, at <http://www.ferc.gov/whats-new/registration/eqr-0921-form.asp>. There is no registration fee.

Interested parties wishing to file comments may do so under the above-captioned Docket Numbers. Those filings will be available for review at the Commission 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, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or via phone at (866) 208-3676 (toll-free). For TTY, contact (202) 502-8659.

For additional information, please contact Mark Blazejowski of FERC's Office of Market Oversight & Investigations at (202) 502-6055 or by e-mail, [mark.blazejowski@ferc.gov](mailto:mark.blazejowski@ferc.gov).

**Magalie R. Salas,**  
Secretary.

[FR Doc. E4-2211 Filed 9-15-04; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Erie Boulevard Hydropower, L.P.; Project No. 7387-019—New York, Piercefield Hydroelectric Project; Notice of Proposed Restricted Service List for a Programmatic Agreement for Managing Properties Included in or Eligible for Inclusion in the National Register of Historic Places

September 10, 2004.

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular

phase or issue in a proceeding.<sup>1</sup> The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

The Commission staff is consulting with the New York State Historic Preservation Officer (New York SHPO) and the Advisory Council on Historic Preservation (Council) pursuant to the Council's regulations, 36 CFR Part 800, implementing section 106 of the National Historic Preservation Act, as amended, (16 U.S.C. Section 470 f), to prepare and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at Project No. 5334-019.

The Programmatic Agreement, when executed by the Commission, and the New York SHPO would satisfy the Commission's section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR 800.13[e]). The Commission's responsibilities pursuant to section 106 for the Piercefield Hydroelectric Project would be fulfilled through the Programmatic Agreement, which the Commission proposes to draft in consultation with certain parties listed below. The executed Programmatic Agreement would be incorporated into any Order issuing a license.

Erie Boulevard Hydropower, L.P., as Licensee for Project No. 7387, and the Saint Regis Mohawk Tribe are invited to participate in consultation to develop the Programmatic Agreement.

For purposes of commenting on the programmatic agreement, we propose to restrict the service list for the aforementioned projects as follows:

Dr. Laura Henley Dean Advisory Council on Historic Preservation The Old Post Office Building, Suite 803 1100 Pennsylvania Avenue, NW., Washington, DC 20004  
Sheree Bonaparte Tribal Historic Preservation Officer Saint Regis Mohawk Tribe 412 State Route 37 Akwesasne, NY 13655

Ruth L. Pierpont, Director New York State Office of Parks, Recreation and Historic Preservation Historic Preservation Field Services Bureau Peebles Island P.O. Box 189 Waterford, NY 12188-0189

Mr. Jerry L. Sabattis, P.E., Licensing Coordinator Erie Boulevard Hydropower, L.P. 225 Greenfield Parkway Liverpool, NY, 13088

Mr. Samuel S. Hirschey, P.E., Manager, Licensing, Compliance, and Project

<sup>1</sup> 18 CFR Section 385.2010.