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[FR Doc. E9-12074 Filed 5-22-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2206-038]

#### Progress Energy Carolinas, Inc.; Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

May 18, 2009.

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

- a. *Application Type*: Non-project use of project lands.
- b. *Project No.*: 2206-038.
- c. *Date Filed*: April 14, 2009.
- d. *Applicant*: Progress Energy Carolinas, Inc.
- e. *Name of Project*: Yadkin-Pee Dee Hydroelectric Project.
- f. *Location*: The proposed non-project use is on Lake Tillery in Stanly County, North Carolina.
- g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicant Contact*: Larry Mann, Progress Energy Carolinas, Inc., 179 Tillery Dam Road, Mount Gilead, NC 27306, (919) 546-5300.
- i. *FERC Contact*: Mark Carter, (202) 502-6554, mark.carter@ferc.gov.
- j. *Deadline for Filing Comments, Motions to Intervene, and Protests*: June 18, 2009.

All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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 whose name appears on 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, it must also serve a copy of the document on that resource agency. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Request*: Progress Energy Carolinas, Inc. requests Commission authorization to grant Ken's Landing, LLC permission to expand an existing marina located on project lands. The expansion would include the removal of 26 boat slips (occupying an area of 6,360 square feet) and the addition of 40 new boat slips (occupying an area of 17,600 square feet). Prior to filing of the application, Ken's Landing, LLC consulted with appropriate agencies and other entities, including the U.S. Fish and Wildlife Service, North Carolina (NC) Wildlife Resources Commission, NC Department of Environment and Natural Resources, and NC Department of Cultural Resources.

l. *Locations of the Application*: A copy of the application is available for inspection and reproduction at the Commission's 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 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. You may also register Online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3372 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 (h) above.

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

n. *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.

o. Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers.

p. *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.

q. 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 at <http://www.ferc.gov> under the "e-Filing" link.

Kimberly D. Bose,  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13429-000, Project No. 13455-000]

#### City of Burlington, IA; FFP Iowa 5, LLC Notice of Preliminary Permit Applications Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

May 15, 2009.

On April 8, 2009, the City of Burlington, Iowa filed an application, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the City of Burlington Hydroelectric Project (Burlington Project) No. 13429, to be located on the Mississippi River, in Des Moines County, Iowa and Henderson County, Illinois. On April 29, 2009, FFP Iowa 5, LLC filed an application, pursuant to the FPA, proposing to study the feasibility of the Mississippi River Lock and Dam No. 18 Water Power Project (L&D 18 Project) No. 13455, to be located on the Mississippi River, in Des Moines County, Iowa.

The proposed Burlington and L&D 18 projects would be located at the existing U.S. Army Corps of Engineers (Corps) Lock and Dam No. 18 comprised of: (1) A 1,350-foot-long dam with 14 taintor