

Electric Tariff, Original Volume No. 1, which propose to provide the means for the Midwest ISO to bill Midwest ISO's Transmission Owners and International Transmission Company for Midwest ISO's monthly capital costs and the portion of its operating costs consistent with the services the Midwest ISO will be providing prior to the provision of Transmission Service under the Midwest ISO OATT.

The Midwest ISO also seeks waiver of the Commission's regulations, 18 CFR 385.2010 (2001) with respect to service on all parties on the official service list in this proceeding. The Midwest ISO has electronically served a copy of this filing, with attachments, upon all Midwest ISO Members, Member representatives of Transmission Owners and Non-Transmission Owners, the Midwest ISO Advisory Committee participants, Policy Subcommittee participants, as well as all state commissions within the region. In addition, the filing has been electronically posted on the Midwest ISO's Website at [www.midwestiso.org](http://www.midwestiso.org) under the heading "Filings to FERC" for other interested parties in this matter. The Midwest ISO will provide hard copies to any interested parties upon request.

*Comment Date:* January 18, 2002.

#### Standard Paragraph

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. 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. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance). 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 under the "e-Filing" link.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 02-569 Filed 1-9-02; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP02-27-000]

#### Florida Gas Transmission Co.; Notice of Intent To Prepare an Environmental Assessment for the Proposed Phase VI Expansion and Request for Comments on Environmental Issues

January 4, 2002.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Phase VI Expansion involving construction and operation of facilities by Florida Gas Transmission Company (FGT) in the States of Alabama, Florida, Louisiana, and Mississippi.<sup>1</sup> These facilities would consist of about 33.3 miles of various diameter pipeline and 18,600 horsepower (hp) of compression. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice FGT provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing

<sup>1</sup> FGT's application was filed with the Commission under section 7 of the Natural Gas Act and part 157 of the Commission's regulations.

on the FERC Internet Web site ([www.ferc.gov](http://www.ferc.gov)).

#### Summary of the Proposed Project

FGT proposes to construct approximately 33.3 miles of pipeline, consisting of approximately 25.4 miles of additional mainline and 7.9 miles of various diameter (6-inch to 36-inch-diameter) new lateral and lateral loops, as well as 18,600 horsepower of additional compression at 10 compressor stations. FGT proposes to expand the capacity of its facilities in Alabama, Florida, Louisiana, and Mississippi to transport an additional 121,100 million British thermal units per day of natural gas to four separate parties, Orlando Utilities Commission, Reliant Energy Services, Inc., South Florida Natural Gas, and the City of Leesburg, Florida. FGT's proposed facilities are summarized below.

#### Looping of Existing Mainline

1. Loop A—approximately 2.3 miles of 36-inch-diameter pipeline in Mobile County, Alabama;

2. Loop B—approximately 3.0 miles of 36-inch-diameter pipeline in Baldwin County, Alabama;

3. Loop C—approximately 3.1 miles of 30-inch-diameter pipeline in Washington County, Florida. Construction of Loop C for the entire 3.1 miles would coincide with the removal of 3.1 miles of FGT's 24-inch-diameter pipe previously abandoned in place;

4. Loop D—approximately 3.0 miles of 30-inch-diameter pipeline in Suwannee County, Florida, and

5. Loop E—approximately 14.0 miles of 30-inch-diameter pipeline in Washington County, Florida.

#### New Laterals and Lateral Loops

6. Leesburg Lateral Loop—approximately 1.3 miles of 6-inch-diameter pipeline in Lake County, Florida;

7. Cape Kennedy Lateral Loop Extension—approximately 1.4 miles of 16-inch-diameter pipeline in Brevard County, Florida, and

8. Stanton Lateral—approximately 5.2 miles of 16-inch-diameter pipeline in Orange County, Florida.

#### Compressor Station Additions

9. Station No. 9—Up-rate Unit #905 by 400 hp to 2,800 hp in Washington Parish, Louisiana;

10. Station No. 10—Up-rate Unit #1005 by 200 hp to 2,600 hp in Perry County, Mississippi;

11. Station No. 11—Up-rate Unit #1106 by 300 hp to 2,700 hp in Mobile County, Alabama;

12. Station No. 12A—Add new 2,000 hp unit for a total of 15,000 hp in Santa Rosa County, Florida;

13. Station No. 13—Up-rate Unit #1306 by 300 hp to 2,700 hp in Washington County, Florida;

14. Station No. 14—Up-rate Unit #1406 by 300 hp to 2,700 hp in Gadsden County, Florida;

15. Station No. 15A—Add 2,000 hp by exchanging the 15,000 hp Unit #2401 at Station No. 24 with the 13,000 Hp Unit #1507 at Station No. 15A in Taylor County, Florida;

16. Station No. 18—Add a new reciprocating Unit #1806 of 7,200 hp and up-rate an Unit #1805 by 300 hp to 2,700 hp on the existing 24 and 30-inch-diameter mainlines in Orange County, Florida for a total increase of 7,500 hp;

17. Station No. 24—Add a single 7,200 hp Unit #2402 gas-driven centrifugal unit and exchange the 15,000 hp Unit #2401 at Station #24 for the 13,000 hp Unit #1507 at Station No. 15A, resulting in an overall increase of 5,200 hp at Station No. 24 in Gilchrist County, Florida, and

18. Station No. 26—Up-rate Unit #2601 by 400 hp to 7,700 hp on the existing 30-inch West Leg in Citrus County, Florida.

*The general location of the project facilities is shown in appendix 1.<sup>2</sup> If you are interested in obtaining detailed maps of a specific portion of the project, send in your request using the form in appendix 3.*

### Land Requirements for Construction

Construction of the proposed facilities would require about 399.3 acres of land. Following construction, about 190.9 acres would be maintained as new aboveground facility sites. The remaining 208.4 acres of land would be restored and allowed to revert to its former use.

### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us<sup>3</sup> to

discover and address concerns the public may have about proposals. We call this “scoping”. The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

19. Geology and soils.
20. Land use
21. Water resources, fisheries, and wetlands.
22. Cultural resources.
23. Vegetation and wildlife.
24. Air quality and noise.
25. Endangered and threatened species.
26. Hazardous waste.
27. Public safety.

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission’s official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by FGT. This preliminary list of issues may be changed based on your comments and our analysis.

28. Eight residences are within 50 feet of the construction right-of-way.

29. 31 federally listed endangered or threatened species may occur in the proposed project area.

Also, we have made a preliminary decision to not address the impacts of the nonjurisdictional facilities. We will briefly describe their location and status in the EA.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative locations/routes), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

30. Send an original and two copies of your letter to: Linwood A. Watson, Jr., Acting Secretary, Federal Energy Regulatory Commission, 888 First St., NE., Room 1A, Washington, DC 20426.

31. Label one copy of the comments for the attention of Gas Branch 2.

32. Reference Docket No. CP02–27–000.

33. Mail your comments so that they will be received in Washington, DC on or before February 8, 2002.

Comments may also 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 and the link to the User’s Guide. Before you can file comments you will need to create a free account which can be created by clicking on “Login to File” and then “New User Account.”

We may mail the EA for comment. If you are interested in receiving it, please return the Information Request (appendix 3). If you do not return the Information Request, you will be taken off the mailing list.

### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an “intervenor”. Intervenor play a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available on the Commission’s website at the “RIMS” link or from the Commission’s Public Reference and Files Maintenance Branch, 888 First Street, NE., Washington, DC 20426, or call (202) 208–1371. For instructions on connecting to RIMS refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>3</sup> “We”, “us”, and “our” refer to the environmental staff of the Office of Energy Projects (OEP).

intervenor. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's rules of practice and procedure (18 CFR 385.214) (see appendix 2).<sup>4</sup> Only intervenors have the right to seek rehearing of the Commission's decision.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

Additional information about the proposed project is available from the Commission's Office of External Affairs at (202) 208-1088 or on the FERC Web site ([www.ferc.gov](http://www.ferc.gov)) using the "RIMS" link to information in this docket number. Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222.

Similarly, the "CIPS" link on the FERC Internet Web site provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings. From the FERC Internet Web site, click on the "CIPS" link, select "Docket #" from the CIPS menu, and follow the instructions. For assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2474.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 02-570 Filed 1-9-02; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. RT02-2-000, RT01-2-000, RT01-98-000, RT01-95-000, and RT01-86-000]

#### Notice of State-Federal Northeast Regional Panel Discussion

January 3, 2002.

In the matter of: State-Federal Regional RTO Panels; PJM Interconnection, L.L.C.,

Allegheny Electric Cooperative, Inc., Atlantic City Electric Company, Baltimore Gas & Electric Company, Delmarva Power & Light Company, Jersey Central Power & Light Company, Metropolitan Edison Company, PECO Energy Company, Pennsylvania Electric Company, PPL Electric Utilities Corporation, Potomac Electric Power Company, Public Service Electric & Gas Company, UGI Utilities Inc.; PJM Interconnection, L.L.C. and Allegheny Power; New York Independent System Operator, Inc., Central Hudson Gas & Electric Corporation, Consolidated Edison Company of New York, Inc., Niagara Mohawk Power Corporation, New York State Electric & Gas Corporation, Orange and Rockland Utilities, Inc., Rochester Gas & Electric Corporation; Bangor Hydro-Electric Company, Central Maine Power Company, National Grid USA, Northeast Utilities Service Company, The United Illuminating Company, Vermont Electric Power Company, ISO New England Inc.; Notice of State-Federal Northeast Regional Panel Discussion

Take notice that on January 9, 2002, a State-Federal Northeast Regional Panel discussion will be held, pursuant to the Commission's order issued November 9, 2001, in Docket No. RT02-2-000, *et al.*<sup>1</sup> A transcript of the panel discussion will be placed in the above listed dockets.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 02-571 Filed 1-9-02; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

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

January 4, 2002.

This constitutes notice, in accordance with 18 CFR 385.2201(h), 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 a prohibited off-the-record communication relevant to the merits 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 part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become 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 requests only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication should 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 exempt and prohibited off-the-record communications received in the Office of the Secretary within the preceding 14 days. Copies of this filing are on file with the Commission and are available for public inspection. The documents may be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance).

#### Exempt

1. CP01-438-000, 12-28-01, David Swearington
2. Project No. 1927-028, 12-28-01, Ellen D. Smith
3. Project No. 1927-028, 12-28-01, Ellen D. Smith.
4. Project No. 2342-000, 12-28-01, Loree Randall

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 02-573 Filed 1-9-02; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Post-2004 Resource Pool-Loveland Area Projects

**AGENCY:** Western Area Power Administration, DOE.

<sup>4</sup> Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.

<sup>1</sup> Order Announcing the Establishment of State-Federal Regional Panels to Address RTO Issues, Modifying the Application of Rule 2201 in the Captioned Dockets, and Clarifying Order No. 607, 97 FERC ¶ 61,182 (2001).