

of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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*Comment Date:* 5 p.m. Eastern Time on January 21, 2009.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E8-31430 Filed 1-6-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP09-43-000]

#### Heavenly Valley, L.P.; Notice of Filing

December 30, 2008.

Take notice that on December 22, 2008, Heavenly Valley, L.P. (Heavenly Valley) filed an application, pursuant to Section 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's Rules and Regulations, to request certificates of public convenience and necessity authorizing Heavenly Valley to construct, own, and operate a natural gas pipeline in Eldorado County, California and Douglas County, Nevada (Powderbowl Pipeline); and to continue operating an existing 4,500 feet pipeline system at Heavenly Mountain. The application is on file with the Commission and open for public inspection. This filing 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, 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.

The Powderbowl Pipeline is a 1.86-mile, 4-inch diameter natural gas pipeline that will begin at Southwest Gas Corporation's existing above-ground

meter station interconnection on the Nevada side and be terminated at the to-be-constructed Powderbowl Lodge on the California side. The Powderbowl Pipeline will be constructed entirely in Heavenly Valley's property. Heavenly Valley also seeks authorization to continue operating the existing 4,500-foot pipeline which was constructed by Heavenly Valley's predecessor in 2000 and has been operated by Heavenly Valley. The 4,500-foot pipeline is also confined in Heavenly Valley's property. These facilities will provide gas for heating and cooking at the Powderbowl Lodge. Heavenly Valley plans to complete construction of the proposed facilities by October 15, 2009.

Any questions regarding the application are to be directed to Andrew Strain, Vice President of Planning and Government Affairs, Heavenly Mountain Resort, P. O. Box 2180, Stateline, NV 89449, phone (775) 586-2313.

Any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the below listed comment date, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

Motions to intervene, protests and 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. The Commission strongly encourages electronic filings.

*Comment Date:* January 21, 2009.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E8-31429 Filed 1-6-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL09-26-000]

#### New York State Electric & Gas Corporation; Notice of Filing

December 30, 2008.

Take notice that on December 23, 2008, pursuant to Rule 207 of the Commission's Rules of Practice and Procedure, 18 CFR 385.207, New York State Electric & Gas Corporation (NYSEG) filed a petition for declaratory order, requesting the Commission to require New York Independent System Operator, Inc. (NYISO) to rebill certain charges, resulting from metering errors, dated back from inception of the NYISO in 1999, to correct incorrect invoices to NYSEG for purchases of energy totaling approximately \$20 million.

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, 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 comment date. On or before the comment date, it is not necessary to 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.

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