

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 808(b)(1) and 18 CFR 5.5 of the Commission's regulations.

h. *Potential Applicant Contact:* Mark Morley, H2O Providers, L.L.C., 20 Boulder Crescent, Second Floor, Colorado Springs, CO 80903; or e-mail at KerryP@morleydevelopment.com.

i. *FERC Contact:* Patti Leppert at (202) 502-6034; or e-mail at patricia.leppert@ferc.gov.

j. H2O Providers, L.L.C. reduced the scope of its original project, formally referred to as the Phantom Canyon Pumped Storage Project, to eliminate potential project-related environmental impacts. On July 17, 2009, H2O Providers, L.L.C. filed its request to use the Traditional Licensing Process and provided public notice of its request. In a letter dated August 18, 2009, the Director, Division of Hydropower Licensing, approved H2O Providers, L.L.C.'s request to use the Traditional Licensing Process.

k. With this notice, we are initiating informal consultation with: (a) The U.S. Fish and Wildlife Service and NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402; (b) NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920; and (c) the Colorado State Historic Preservation Officer, as required by section 106 of the National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating H2O Providers, L.L.C. as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act, section 305 of the Magnuson-Stevens Fishery Conservation and Management Act, and section 106 of the National Historic Preservation Act.

m. H2O Providers, L.L.C. filed a Pre-Application Document (PAD, including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.5 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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 or toll

free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in paragraph h.

o. Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Kimberly D. Bose,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. NJ08-6-002]

Orlando Utilities Commission; Notice of Filing

August 19, 2009.

Take notice that on August 17, 2009, Orlando Utilities Commission filed Substitute First Revised Sheet 122A for inclusion in Attachment K of its Open Access Transmission Tariff, in compliance with Ordering Paragraph (F) of the Commission's June 18, 2009 Order, 127 FERC ¶ 61,277 (2009).

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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

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, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5 p.m. Eastern Time on September 16, 2009.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-20640 Filed 8-26-09; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 13529-000]

City of Morgan City, LA; Notice of Competing Preliminary Permit Application Accepted for Filing and Soliciting Comments and Motions To Intervene

August 20, 2009.

On July 6, 2009, the City of Morgan City, Louisiana filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Wax Lake Outlet Project to be located on the Wax Lake Outlet in St. Mary Parish, Louisiana. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of: (1) 25 proposed 200 kilowatt Underwater Electric Kite generating units having a total installed capacity of 5 megawatts; (2) a 1-mile-long, 138 kilovolt transmission line; and (3) appurtenant facilities. The proposed Wax Lake Outlet Project would have an average annual generation of 43.8 gigawatt-hours.

Applicant Contact: Genie Bonner, Executive Secretary, 512 First Street, Morgan City, LA 70381, (985) 385-1770.

FERC Contact: Kim Carter (202) 502-6486.

Competing Application: This application competes with Project No. 13439-000 filed April 29, 2009. Competing applications must be filed on or before August 24, 2009.

Deadline for filing comments, motions to intervene: 60 days from the issuance