

Marathon alleges that Trailblazer's rates under FTSX Agreement Nos. 927144 and 919467 are unlawful in that they are the product of the exercise of market power by Trailblazer and are unduly discriminatory under section 4 of the Natural Gas Act. Marathon alleges that Trailblazer failed to offer negotiated rate shippers the cost based recourse rate for its Expansion 2002 FTS service and is charging negotiated rate shippers vastly different rates for the same service.

Marathon requests that the Commission order Trailblazer to disgorge and return to Marathon all revenues collected in excess of the applicable cost-of-service rates under FTSX Agreement Nos. 927144 and 919467. In addition, Marathon requests that the Commission rule that Trailblazer may not charge Marathon rates higher than the Commission-approved recourse rates for the remaining terms of these agreements.

Marathon Oil Company certifies that copies of the Complaint were served on the contacts for Trailblazer Pipeline Company as listed on the Commission's list of Corporate Officials.

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. 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 April 13, 2005.

**Linda Mitry,**

*Deputy Secretary.*

[FR Doc. E5-1432 Filed 3-30-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2232-467]

#### Duke Energy Corporation; Notice of Availability of Environmental Assessment

March 22, 2005.

In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Energy Regulatory Commission's (Commission) regulations (18 CFR Part 380), Commission staff have reviewed plans, filed October 8, 2004, to perform embankment seismic stability improvement work at Paddy Creek Dam, part of the Catawba-Wateree Project's Bridgewater Development, which is located on the Catawba River in McDowell and Burke counties, North Carolina. The project occupies nine counties in North Carolina and five counties in South Carolina.

The project licensee, Duke Energy Corporation (Duke Power), plans to add an earthfill berm to the downstream side of the embankment of Paddy Creek Dam. The work is planned because it has been determined that Paddy Creek Dam could fail during the design seismic event. Accordingly, the Commission required remediation under Part 12 of its regulations. In the environmental assessment (EA), Commission staff has analyzed the probable environmental effects of the proposed work and has concluded that approval, with appropriate environmental measures, would not constitute a major Federal action significantly affecting the quality of the human environment.

A copy of the EA is available for review at the Commission's Public Reference Room, or it may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-2232) in the docket number field to access the

document. For assistance, call (202) 502-8222, or (202) 502-8659 (for TTY).

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-1419 Filed 3-30-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 382-026 and Project No. 178-017]

#### Southern California Edison Company and Pacific Gas & Electric Company; Notice of Availability of Draft Environmental Assessment

March 22, 2005.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR Part 380 (Order No. 486, 52 FR 47897), the Office of Energy Projects has reviewed the applications for license for the Borel Hydroelectric Project (P-382-026) and Kern Canyon Hydroelectric Project (P-178-017) and has prepared a Draft Environmental Assessment (DEA) for the projects. The Borel Hydroelectric Project is located on the Kern River near the town of Bodfish in Kern County, California. The canal intake for the project is located on approximately 188 acres of Sequoia National Forest Service lands. The Kern Canyon Hydroelectric Project is located on the Kern River, near the Town of Bakersfield in Kern County, California. The project occupies approximately 11.26 acres of public land located within the Sequoia National Forest.

The DEA contains the Staff's analysis of the potential environmental impacts of the projects and concludes that licensing the projects, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

A copy of the DEA is on file with the Commission and is available for public inspection. The DEA is 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 toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Any comments should be filed within 45 days from the issuance date of this notice and should be addressed to the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1-A, Washington, DC 20426. Please affix "Borel Hydroelectric Project No. 382-026" and/or "Kern Canyon Hydroelectric Project No. 178-017" to all comments. Comments may be filed electronically via the internet in lieu of paper. The Commission strongly encourages electronic filings. 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, contact Emily Carter at (202) 502-6512 or [emily.carter@ferc.gov](mailto:emily.carter@ferc.gov).

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-1418 Filed 3-30-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP05-88-000]

#### Northern Border Pipeline Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Chicago III Expansion Project and Request for Comments on Environmental Issues

March 24, 2005.

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 Chicago III Expansion Project involving construction and operation of facilities by Northern Border Pipeline Company (NBPL) in Johnson and Scott Counties, Iowa and Bureau County, Illinois.<sup>1</sup> These facilities would consist of a new 16,000-horsepower (hp) electric compressor station, installation of additional gas cooling equipment, and changing internals and wheel of compressors. 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.

#### Summary of the Proposed Project

NBPL proposes to construct, modify, install and operate the following facilities:

1. Compressor Station No. 16—Install one new 16,000-hp electric driven

compressor unit at the existing launcher-receiver station site located in Section 17, Township 77 North, Range 5 West, Johnson County, Iowa.

2. Compressor Station No. 17—Install additional gas-cooling equipment and replace the compressor wheel and internals on the existing centrifugal compressor unit located in Section 13, Township 79 North, Range 4 East, Scott County, Iowa. The proposed modification would not result in a change in hp rating.

3. Compressor Station No. 18—Replace the compressor wheel and internals on the existing centrifugal compressor unit located in Section 1, Township 17 North, Range 10 East, Bureau County, Illinois. The proposed modification would not result in a change in hp rating.

NBPL indicates that it would also "certain install related 2.55(a) auxiliary facilities."

NBPL indicates that in order to provide the electric power to operate Compressor Station 16, Central Iowa Power Cooperative (CIPCO) would construct about 1.8 miles of a 69-kilovolt transmission line north of its existing transmission line north of Compressor Station 16. NBPL indicates that CIPCO's planned power line would be regulated by the Iowa Utilities Board and CIPCO would need to file for and obtain the necessary permits and environmental clearances for its planned power line facilities.

The general location of the project facilities is shown in Appendix 1.<sup>2</sup>

#### Land Requirements for Construction

Construction of the proposed facilities would occur on previously disturbed land within each of the three compressor station sites owned by NBPL.

The 16,000-hp electric driven compressor would be installed on a currently designated 10.3-acre Compressor Station 16 site which currently contains an existing NBPL launcher/receiver facility and microwave tower. NBPL would also construct and maintain a new access road to the compressor station.

The proposed modifications for the compressor wheels and internals at Compressor Stations 17 and 18 would occur within the compressor buildings.

<sup>2</sup>The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of all appendices, other than Appendix 1 (maps), are available on the Commission's Web site at the "eLibrary" link or from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

The proposed gas-cooling equipment at Compressor Station 17 would be installed in a previously disturbed area.

NBPL indicates that CIPCO plans to construct a new 1.8-mile long 69-kilovolt transmission line (to provide electrical power to Compressor Station 16) "within state and county road easements utilizing aboveground and "narrow profile" construction methods to minimize land requirements, potential private landowner concerns, and environmental impacts that may be associated with CIPCO's project. Ground disturbance will generally be limited to the areas immediately surrounding the base of the power line poles."

#### 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 to discover and address concerns the public may have about proposals. This process is referred to as "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 staff requests public comments on the scope of the issues to 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.

In the EA we<sup>3</sup> will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils,
- Land use,
- Cultural resources,
- Vegetation and wildlife,
- Air quality and noise,
- Endangered and threatened species,
- Hazardous waste,
- Water resources and fisheries.

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

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

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