

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

**Records Governing Off-the Record Communications; Public Notice**

May 19, 2005.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file

associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a 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 a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall 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 are 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 off-the-record communications recently received in the Office of the Secretary. The communications listed are grouped by docket numbers in ascending order. These filings are 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 (FERRIS) 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.

Docket No.	Date filed	Presenter or requester
Prohibited:		
1. ER03-563-000 .....	5-4-05	Mary H. Smith.
2. Project No. 2210-000 .....	4-27-05	Tom Merriman.
Exempt:		
1. CP02-378-002 .....	4-7-05	Hon. Gerald Theunissen. Hon. Mickey Frith. Hon. Elcie Guillory. Hon. Chuck Kleckley. Hon. Willie Mount. Hon. Brett Geymann. Hon. Ronnie Johns. Hon. Dan Morrish.
2. CP04-386-000 .....	5-3-05	Hon. Kay Bailey Hutchison.
3. Project No. 620-009 .....	5-6-05	Gregory S. Risdahl.
4. Project No. 2150-033 .....	5-6-05	Steve Hocking.
5. Project No. 2150-033 .....	5-9-05	Steve Hocking.
6. Project No. 2210-090 .....	4-25-05	Hon. Virgil H. Goode, Jr.
7. Project No. 2671-000 .....	4-27-05	Hon. Susan M. Collins.
8. Project No. 7528-004 .....	4-28-05	Anthony Tur.

**Magalie R. Salas,**

Secretary.

[FR Doc. E5-2698 Filed 5-26-05; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. PL04-3-000]

**Natural Gas Interchangeability; Notice Seeking Comments**

May 19, 2005.

On May 17, 2005, the Commission held a technical conference on the above-captioned docket to receive further comments on the Natural Gas Council's reports: *White Paper on*

*Liquid Hydrocarbon Drop Out in Natural Gas Infrastructure and White Paper on Natural Gas Interchangeability and Non-Combustion End Use.* At the conclusion of the technical conference, Chairman Pat Wood announced that the Commission would entertain further comment on the white papers for twenty-one days. The NGC white papers are accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and are available for review in the Commission's Public Reference Room in Washington, DC. The Commission will use the reports and comments received to inform its decisions as to how it should address issues of natural gas quality and natural gas interchangeability.

Chairman Wood further stated that the Commission would also entertain comment on a petition for rulemaking filed by the Natural Gas Supply Association (NGSA) in the captioned docket. Comments on the NGSA petition for rulemaking also will be accepted for twenty-one days.

Comments requested by this Notice should be filed no later than twenty-one days from the date of this Notice, as indicated by the comment date below. The Commission encourages electronic submission of comments 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 their comments to the Federal Energy

Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

Note that also 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:* June 9, 2005.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-2702 Filed 5-26-05; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Construction and Operation of the Proposed Big Stone II Power Plant and Transmission Project, South Dakota and Minnesota

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

**ACTION:** Notice of intent.

**SUMMARY:** The Western Area Power Administration (Western), U.S. Department of Energy (DOE) intends to prepare an Environmental Impact Statement (EIS) for the construction and operation of the proposed Big Stone II Power Plant and Transmission Project (Project) in South Dakota and Minnesota. The Rural Utilities Service, U.S. Department of Agriculture (RUS), will participate as a cooperating agency. Missouri River Energy Services (MRES, Applicant), on behalf of the Big Stone II Project co-owners, has applied to interconnect the proposed Project to Western's power transmission system. The EIS will address the construction and operation of the proposed Project, which includes a nominal 600 megawatt (MW) (net) coal-fired power plant and ancillary equipment and facilities in eastern South Dakota, upgrades of existing transmission lines and facilities, and up to 129 miles of new transmission lines in South Dakota and Minnesota. Western will hold a 60-day scoping period and scoping meetings near the Project area to receive input on the scope of the EIS.

**DATES:** Open-house public scoping meetings will be held June 14-16, 2005, between 5 and 8 p.m. Written comments on the scope of the EIS must be received by 11:59 p.m., July 26, 2005 which marks the end of the EIS scoping period.

**ADDRESSES:** The open-house public scoping meetings will be held in South

Dakota and Minnesota. The June 14, 2005, meeting will be held at the Lantern Inn, 1010 S. Dakota Street in Milbank, South Dakota. On June 15, 2005, the meeting will be held at the Best Western Prairie Inn, 200 E. Highway 28 in Morris, Minnesota. The June 16, 2005, meeting will be held at the Kilowatt Community Center, 600 Kilowatt Drive in Granite Falls, Minnesota. Written comments regarding the scoping process should be addressed to NEPA Document Manager, Big Stone II EIS, A7400, Western Area Power Administration, P.O. Box 281213, Lakewood, CO 80228-8213, telephone (800) 336-7288, fax (720) 962-7263 or 7269, e-mail [BigStoneEIS@wapa.gov](mailto:BigStoneEIS@wapa.gov).

**FOR FURTHER INFORMATION CONTACT:**

NEPA Document Manager, Big Stone II EIS, A7400, Western Area Power Administration, P.O. Box 281213, Lakewood, CO 80228-8213, telephone (800) 336-7288, fax (720) 962-7263 or 7269, e-mail [BigStoneEIS@wapa.gov](mailto:BigStoneEIS@wapa.gov). For general information on DOE's National Environmental Policy Act (NEPA) review procedures or status of a NEPA review, contact Ms. Carol M. Borgstrom, Director of NEPA Policy and Compliance, EH-42, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, telephone (202) 586-4600 or (800) 472-2756.

**SUPPLEMENTARY INFORMATION:** Western intends to prepare an EIS on the proposal by the Project co-owners to construct and operate the Project in eastern South Dakota and western Minnesota. The Project co-owners include:

- Otter Tail Corporation dba Otter Tail Power Company, lead developer, Fergus Falls, Minnesota
- Missouri River Energy Services, applicant, Sioux Falls, South Dakota
- Central Minnesota Municipal Power Agency, Blue Earth, Minnesota
- Great River Energy, Elk River, Minnesota
- Heartland Consumers Power District, Madison, South Dakota
- Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., Bismarck, North Dakota
- Southern Minnesota Municipal Power Agency, Rochester, Minnesota

The EIS will address the construction and operation of the proposed Project, which includes a nominal 600 MW (net) coal-fired power plant and ancillary equipment and facilities in eastern South Dakota, upgrades of existing transmission lines and facilities, and up to 129 miles of new transmission lines in South Dakota and Minnesota. In addition to the proposed action, the no-action alternative, and any action

alternatives defined as a result of the EIS scoping process will also be addressed in the EIS. The EIS process will comply with NEPA (42 U.S.C. 4321-4347, as amended), Council on Environmental Quality regulations for implementing NEPA (40 CFR parts 1500-1508), and DOE NEPA implementing procedures (10 CFR part 1021).

MRES has applied to interconnect the proposed Project to Western's power transmission system. Western is a power marketing agency of DOE that markets Federal electric power to municipalities, public utilities, and Native American tribes. Western offers capacity on its transmission system to deliver electricity when such capacity is available, under Western's Open Access Transmission Service Tariff (63 FR 5376). The Tariff has been approved by the Federal Energy Regulatory Commission (Commission) as meeting or exceeding the requirements of the Commission's Final Order Nos. 888, 888A, 888B and 888C, which are intended to ensure non-discriminatory transmission system access. Pursuant to the Commission's Order Nos. 2003, 2003-A and 2003-B, Western submitted revisions to its non-jurisdictional Tariff on January 25, 2005, to the Commission. The purpose of the filing was to revise certain terms of Western's original Tariff and to incorporate the Large Generator Interconnection Procedures, and a Large Generator Interconnection Agreement. Western needs to grant or deny MRES's interconnection request under the provisions of its revised Tariff.

Seven co-owners are proposing to construct a second electric generating unit, named Big Stone II, on an industrial site adjacent to the existing Big Stone Plant (unit 1) located in Grant County east of Milbank and northwest of Big Stone City, South Dakota. On-site construction is proposed to begin in the spring of 2007, with proposed commercial operation in 2011. The Project would serve the co-owners' customer base loads.

The existing Big Stone Plant is located on an approximately 2,200-acre site. Otter Tail Power Company owns a 295-acre parcel adjacent to the existing site and has under option to purchase, on behalf of the Project, an additional 625 acres. Based on preliminary project engineering, the Project co-owners have legal access to all plant site property that is necessary to complete Big Stone II construction. A portion of the existing Big Stone Plant site is leased to the Northern Lights Ethanol Plant and provides steam and process water to that facility.