

agency's comments must also be sent to the Applicant's representatives.

**Magalie R. Salas,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Soliciting Motions To Intervene, Protests, and Comments

November 18, 2005.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Preliminary Permit.

b. *Project No.:* 12621-000.

c. *Date filed:* October 11, 2005.

d. *Applicant:* Cascade Creek, LLC.

e. *Name of Project:* Scenery Lake Project.

f. *Location:* The project would be located on Scenery Lake and Scenery Creek, in Petersburg-Wrangell Borough, Alaska. The project would be located within the Tongrass National Forest.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Mr. Steven C. Marmon, Cascade Creek, LLC, 3633 Alderwood Avenue, Bellingham, WA 98225, Phone (360) 738-9999.

i. *FERC Contact:* Robert Bell, (202) 502-6062.

j. *Deadline for filing comments, protests, and motions to intervene:* 60 days from the issuance date of this notice.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Project:* The proposed project would consist of: (1) An existing natural lake having a storage capacity of 50,000 acre-feet and normal water surface elevation of 1,070 feet mean sea level, (2) a proposed lake tap structure, (3) a proposed 7,500-foot-long, 8-foot-diameter steel tunnel/penstock, (4) a proposed powerhouse containing two to four generating units with a total installed capacity from 40

to 80 megawatts, (5) a proposed 7-mile-long, 138-kilovolt transmission line; and (6) appurtenant facilities. The project would have an annual generation of 60 gigawatt hours, which would be sold to a local utility.

l. *Locations of Applications:* A copy of the application is available for inspection and reproduction at the Commission in the Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also 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, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h. above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Competing Preliminary Permit:* Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

o. *Competing Development Application:* Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

p. *Notice of Intent:* A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to

submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

q. *Proposed Scope of Studies Under Permit:* A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

r. *Comments, Protests, or Motions To Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

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 "e-filing" link. The Commission strongly encourages electronic filing.

s. *Filing and Service of Responsive Documents:* Any filings must bear in all capital letters the title "COMMENTS", "COMPETING APPLICATION", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

t. *Agency Comments:* Federal, State, and local agencies are invited to file comments on the described application. A copy of the application may be

obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-6498 Filed 11-23-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application for Non-Project Use of Project Lands And Waters And Soliciting Comments, Motions to Intervene, and Protests

November 18, 2005.

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-Project Use of Project Lands and Waters.

b. *Project No.:* 2042-033.

c. *Date Filed:* November 1, 2005.

d. *Applicant:* Public Utility District No. 1 of Pend Oreille County.

e. *Name of Project:* Box Canyon Hydroelectric Project.

f. *Location:* Pend Oreille River in northeastern Washington and northwestern Idaho. The project occupies about 717 acres of federal lands, including about 190 acres within the Colville National Forest, about 493 acres within the Kalispel Indian Reservation, and lands administered by the Bonneville Power Administration, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the Bureau of Land Management.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r) and 799 and 801.

h. *Applicant Contact:* Mr. Mark Cauchy, Director, Regulatory and Environmental Affairs, Public Utility District No. 1 of Pend Oreille County, P.O. Box 190, Newport, WA 99153, (509) 447-9331

i. *FERC Contacts:* Any questions on this notice should be addressed to Ms. Shana High at (202) 502-8674.

j. *Deadline for filing comments and or motions:* December 19, 2005.

All documents (original and eight copies) should be filed with: Ms. Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington DC 20426. Please include the project number (P-2042-033) on any comments or motions

filed. 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. The Commission strongly encourages e-filings.

k. *Description of Proposal:* Public Utility District No. 1 of Pend Oreille County is requesting Commission approval to permit the development of a 40-slip marina within the project boundary. The marina is to be included in a proposed RV resort community near Cusick, Washington in Pend Oreille County. With the exception of the marina, the RV resort will be constructed on non-project lands.

l. *Location of the Applications:* The filings are available for review at the Commission in the Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, 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 call the Helpline at (866) 208-3676 or contact [FERCONLineSupport@ferc.gov](mailto:FERCONLineSupport@ferc.gov). For TTY, contact (202) 502-8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. Agency Comments—Federal, State, and local agencies are invited to file

comments on the described applications. A copy of the applications may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

q. 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 at <http://www.ferc.gov> under the "e-Filing" link.

**Magalie R. Salas,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. AD05-13-000]

#### Joint Boards on Security Constrained Economic Dispatch; Notice Announcing the Agenda for the PJM/MISO Joint Board Meeting

November 16, 2005.

On September 30, 2005, the Commission announced its intention to hold initial joint board meetings.<sup>1</sup> These joint board meetings are being held pursuant to section 1298 of the Energy Policy Act of 2005,<sup>2</sup> which added section 223 to the Federal Power Act (FPA).<sup>3</sup> FPA section 223 requires the Commission to convene joint boards on a regional basis pursuant to FPA section 209 "to study the issue of security constrained economic dispatch for the various market regions," "to consider issues relevant to what constitutes 'security constrained economic dispatch' and how such a mode of operating \* \* \* affects or enhances the reliability and affordability of service," and "to make recommendations to the Commission." Subsequently, several notices were issued providing details on the joint boards and the joint board meetings.<sup>4</sup>

<sup>1</sup> Joint Boards on Security Constrained Economic Dispatch, 112 FERC ¶ 61,353 (2005) (September 30 Order).

<sup>2</sup> Pub. L. No. 109-58, § 1298, 119 Stat. 594, 986 (2005).

<sup>3</sup> 16 U.S.C. §§ 824 *et seq.* (2000).

<sup>4</sup> Three notices were issued on October 14, 21 and 27, 2005, in accordance with the September 30 Order. The first notice announced the location and other details for the joint board meetings. The