

Following the repeal of PUHCA 1935 and the enactment of PUHCA 2005, in Order No. 667² the Commission amended its regulations to add procedures for self-certification by entities seeking exempt wholesale generator (EWG) and foreign utility company (FUCO) status. This self-certification is similar to the process available to entities that seek qualifying facility status.

An EWG is a “person engaged directly or indirectly through one or more affiliates, and exclusively in the business of owning or operating, or both owning and operating, all or part of one or more eligible facilities and selling electric energy at wholesale.”³ A FUCO is a company that “owns or operates facilities that are not located in any state and that are used for the generation, transmission, or distribution of electric

energy for sale or the distribution at retail of natural or manufactured gas for heat, light, or power, if such company: (1) Derives no part of its income, directly or indirectly, from the generation, transmission, or distribution of electric energy for sale or the distribution at retail of natural or manufactured gas for heat, light, or power, within the United States; and (2) neither the company nor any of its subsidiary companies is a public-utility company operating in the United States”.⁴

An exempt EWG or FUCO or its representative may file with the Commission a notice of self certification demonstrating that it satisfies the definition of exempt wholesale generator or foreign utility company. In the case of EWGs, the person filing a notice of self certification must also file

a copy of the notice of self certification with the state regulatory authority of the state in which the facility is located and that person must also represent to the Commission in its submission that it has filed a copy of the notice with the appropriate state regulatory authority.⁵

A submission of the information is necessary for the Commission to carry out its responsibilities under EPAct 2005.⁶ The Commission implements its responsibilities through the Code of Federal Regulations 18 CFR Part 366. These filing requirements are mandatory.

Action: The Commission is requesting a three-year extension of the current expiration date without any changes to the reporting requirements.

Burden Statement: Public reporting burden for this collection is estimated as:

Number of respondents annually (1)	Number of responses per respondent (2)	Average burden hours per response (3)	Total annual burden hours (1)x(2)x(3)
199	1	6	1,194

The estimated total cost to respondents is \$72,549 [1,194 hours + 2080⁷ hours per year × \$126,384⁸ per year = \$72,549]. The cost per respondent is equal to \$364.

The reporting burden includes the total time, effort, or financial resources expended to generate, maintain, retain, disclose, or provide the information including: (1) Reviewing instructions; (2) developing, acquiring, installing, and utilizing technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) training personnel to respond to an information collection; (4) searching data sources; (5) preparing and reviewing the information collection; and (6) transmitting or otherwise disclosing the information.

The estimate of cost for respondents is based upon salaries for professional and clerical support, as well as direct and indirect or overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information

technology. Indirect or overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other

technological collection techniques or other forms of information technology.

Kimberly Bose,
Secretary.

[FR Doc. E8–27563 Filed 11–19–08; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2242–078]

Eugene Water and Electric Board; Notice of Settlement Agreement and Soliciting Comments, Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions, and Revised Schedule for Environmental Assessment

November 14, 2008.

Take notice that the following hydroelectric application has been filed

² Repeal of the Public Utility Holding Company Act of 1935 and Enactment of the Public Utility Holding Company Act of 2005, 70 FR 75,592 (2005), FERC Statutes and Regulations ¶ 31,197 (2005), *order on reh’g*, 71 FR 28,446 (2006), FERC Statutes

and Regulations ¶ 31,213 (2006), *order on reh’g*, 71 FR 42,750 (2006), FERC Statutes and Regulations ¶ 31,224 (2006), *order on reh’g*, FERC ¶ 61,133 (2007).

³ 18 CFR 366.1.

⁴ 18 CFR 366.1.

⁵ 18 CFR 366.7.

⁶ 42 U.S.C. 16451 *et seq.*

⁷ Number of hours an employee works per year.

⁸ Average annual salary per employee.

with the Commission and is available for public inspection:

a. *Type of Application:* New Major License and Settlement Agreement.

b. *Project No.:* 2242-078.

c. *Date Filed:* The license application was filed on November 24, 2006. The settlement agreement was filed on October 23, 2008.

d. *Applicant:* Eugene Water and Electric Board.

e. *Name of Project:* Carmen-Smith Hydroelectric Project.

f. *Location:* On the McKenzie River in Lane and Linn Counties, near McKenzie Bridge, Oregon. The project occupies approximately 560 acres of the Willamette National Forest.

g. *Filed Pursuant to:* The license application was filed pursuant to Federal Power Act, 16 U.S.C. 791(a)-825(r). The settlement agreement was filed pursuant to Rule 602 of the Commission's Rules of Practice and Procedure, 18 CFR 385.602.

h. *Applicant Contact:* Randy L. Berggren, General Manager, Eugene Water and Electric Board, 500 East 4th Avenue, P.O. Box 10148, Eugene, OR 97440, (541) 484-2411.

i. *FERC Contact:* Bob Easton, (202) 502-6045 or robert.easton@ferc.gov.

j. *Deadlines for Filing Comments:* Comments on the settlement agreement are due 20 days from the issuance date of this notice, with reply comments due 30 days from the issuance date of this notice. Comments, recommendations, terms and conditions, and prescriptions are due 60 days from the issuance date of this notice, with reply comments due 105 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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 on 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.

Comments, recommendations, terms and conditions, and prescriptions 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 (<http://www.ferc.gov>) under the "e-Filing" link.

k. This application has been accepted for filing and is now ready for environmental analysis.

1. The Carmen-Smith Hydroelectric Project consists of two developments, the Carmen development and the Trail Bridge development. The Carmen development includes: (1) A 25-foot-high, 2,100-foot-long, and 10-foot-wide earthen Carmen diversion dam with a concrete weir spillway, (2) a 11,380-foot-long by 9.5-foot-diameter concrete Carmen diversion tunnel located on the right abutment of the spillway, (3) a 235-foot-high, 1,100-foot-long, and 15-foot-wide earthen Smith diversion dam with a gated Ogee spillway, (4) a 7,275-foot-long by 13.5-foot-diameter concrete-lined Smith power tunnel, (5) a 1,160-foot-long by 13-foot-diameter steel underground Carmen penstock, (6) a 86-foot-long by 79-foot-wide Carmen powerhouse, (7) two Francis turbines each with a generating capacity of 52.25 megawatts (MW) for a total capacity of 104.50 MW, (8) a 19-mile, 115-kilovolt (kV) transmission line that connects the Carmen powerhouse to the Bonneville Power Administration's Cougar-Eugene transmission line; and (9) appurtenant facilities.

The Trail Bridge development includes: (1) A 100-foot-high, 700-foot-long, and 24-foot-wide earthen Trail Bridge dam section with a gated Ogee spillway, (2) a 1,000-foot-long and 20-foot-wide emergency spillway section, (3) a 300-foot-long by 12-foot-diameter concrete penstock at the intake that narrows to a diameter of 7 feet, (4) a 66-foot-long by 61-foot-wide Trail Bridge powerhouse, (5) one Kaplan turbine with a generating capacity of 9.975 MW; (6) a one-mile, 11.5-kV distribution line that connects the Trail Bridge powerhouse to the Carmen powerhouse; and (7) appurtenant facilities.

m. EWEB filed the Relicensing Settlement Agreement on behalf of itself and the National Marine Fisheries Service, U.S. Fish and Wildlife Service, U.S. Department of Agriculture Forest Service, Oregon Department of Environmental Quality, Oregon Department of Fish and Wildlife, Oregon Parks and Recreation Department, Confederated Tribes of the Grand Ronde Community of Oregon, Confederated Tribes of Siletz Indians of Oregon, Confederated Tribes of the Warm Springs Reservation of Oregon, American Whitewater, Cascadia Wildlands Project, Oregon Hunters Association, Oregon Wild, Rocky Mountain Elk Foundation, McKenzie Flyfishers, and Trout Unlimited. The purpose of the agreement is to balance the interests of all the parties and to provide a balance between the resources

affected by the project and project operations. The agreement is also designed to satisfy the interests of state and federal agencies with statutory authority, trust responsibility, and obligations associated with resources that may be affected by the project. The agreement includes environmental protection, mitigation, and enhancement measures through a series of proposed license articles and exhibits to the agreement, as well as other provisions related to items such as the duration of the new license, coordination and decision making, commitments of governmental parties under related statutory authorities, dispute resolution and agreement termination, and other general provisions. EWEB requests on behalf of all the parties that the proposed license articles be incorporated into the new license by the Commission without material modification.

n. A copy of the application and the settlement agreement 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, 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 item h above.

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

o. A license applicant must file no later than 60 days following the date of issuance of this notice: (1) A copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

p. Procedural schedule: At this time we anticipate preparing one environmental assessment (EA). Recipients will have 30 days to provide the Commission with any written comments on the EA. A revised EA may be prepared based on the comments received. The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Comments, terms and conditions due.	January 2009
Reply comments due	March 2009
Notice of the Availability of the EA.	May 2009
End of public comment period on EA.	June 2009
Final decision on license	February 2010

Kimberly D. Bose,

Secretary.

[FR Doc. E8-27566 Filed 11-19-08; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 3015-012]

Four Dam Pool Power, Agency Southeast Alaska Power Agency; Notice of Application for Transfer of License, and Soliciting Comments, Motions to Intervene, and Protests

November 14, 2008.

On October 6, 2008, Four Dam Pool Power Agency (Transferor) and Southeast Alaska Power Agency (Transferee) filed an application, for transfer of license of the Lake Tyee Project, located on Tyee Creek in Wrangell-Peterson, Alaska.

Applicants seek Commission approval to transfer the license for the Four Dam Pool Power Agency to Southeast Alaska Power Agency.

Applicant Contact: Mr. William H. Prentice, Ater Wynne LLP, 222 SW Columbia Street, Suite 1800, Portland, OR 97201-6618, phone (503) 226-1191
FERC Contact: Robert Bell, (202) 502-6062.

Deadline for filing comments, motions to intervene: 30 days from the issuance of this notice. Comments, motions to intervene, and notices of intent may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project can be viewed or printed on the "eLibrary" link of the Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-3015-012) in the docket

number field to access the document. For assistance, call toll-free 1-866-208-3372.

Kimberly D. Bose,

Secretary.

[FR Doc. E8-27561 Filed 11-19-08; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2742-036]

Four Dam Pool Power Agency; Cooper Valley Electric Association, Inc.; Notice of Application for Transfer of License, and Soliciting Comments, Motions To Intervene, and Protests

November 14, 2008.

On October 6, 2008, Four Dam Pool Power Agency (Transferor) and Cooper Valley Electric Association, Inc. (Transferee) filed an application for transfer of license of the Solomon Gulch Project, located on the Solomon Gulch Creek in Valdez-Cordova Area, Alaska.

Applicants seek Commission approval to transfer the license for the Four Dam Pool Power Agency to Cooper Valley Electric Association, Inc.

Applicant Contact: Mr. William H. Prentice, Ater Wynne LLP, 222 SW Columbia Street, Suite 1800, Portland, OR 97201-6618, phone (503) 226-1191 and Mr. Robert A. Wilkinson, CEO, Cooper Valley Electric Association, Inc., P.O. Box 45, Glennallen, AK 99588-0045.

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

Deadline for Filing Comments, Motions To Intervene: 30 days from the issuance of this notice. Comments, motions to intervene, and notices of intent may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings, please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project can be viewed or printed on the "eLibrary" link of the Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-2742-036) in the docket number

field to access the document. For assistance, call toll-free 1-866-208-3372.

Kimberly D. Bose,

Secretary.

[FR Doc. E8-27568 Filed 11-19-08; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2911-035]

Four Dam Pool Power Agency, Southeast Alaska Power Agency; Notice of Application for Transfer of License, and Soliciting Comments, Motions To Intervene, and Protests

November 14, 2008.

On October 6, 2008, Four Dam Pool Power Agency (Transferor) and Southeast Alaska Power Agency (Transferee) filed an application, for transfer of license of the Swan Lake Project, located on Falls Creek in Ketchikan, Alaska.

Applicants seek Commission approval to transfer the license for the Four Dam Pool Power Agency to Southeast Alaska Power Agency.

Applicant Contact: Mr. William H. Prentice, Ater Wynne LLP, 222 SW Columbia Street, Suite 1800, Portland, OR 97201-6618, phone (503) 226-1191.

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

Deadline for filing comments, motions to intervene: 30 days from the issuance of this notice. Comments, motions to intervene, and notices of intent may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-2911-035) in the docket number field to access the document.