

to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. E8-27727 Filed 11-20-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL09-10-000]

#### **Ameren Services Company, Complainant, v. Midwest Independent Transmission System Operator, Inc., Respondent; Notice of Complaint**

November 17, 2008.

Take notice that on November 10, 2008, Ameren Services Company (Complainant), on behalf of certain of its affiliates filed, pursuant to sections 206 of the Federal Power Act, 16 U.S.C. 824(e) and Rule 206 of the Commission's Regulations, 18 CFR 385.206, a formal complaint, motion for consolidation, or alternatively, motion for extension of refund period against Midwest Independent Transmission

System Operator, Inc. (Respondent) alleging that the Revenue Sufficiency Guarantee charge allocation provisions of the Respondent's tariff are unjust, unreasonable, and unduly discriminatory, and should be revised. Complainant also requests that the Commission establish a refund-effective date of November 10, 2008 with respect to the requested tariff revisions.

The Complainant certifies that copies of the complaint were served on the contacts for the Respondent 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, 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 December 1, 2008.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-27690 Filed 11-20-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP09-10-000]

#### **Dominion Transmission, Inc.; Notice of Intent To Prepare an Environmental Assessment for the Proposed Rural Valley Project, Request for Comments on Environmental Issues**

November 17, 2008.

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 Rural Valley Project involving construction and operation of facilities by Dominion Transmission, Inc. (DTI) in Armstrong, Westmoreland, Elk and McKean Counties, PA.<sup>1</sup> These facilities would consist of about 1.40 miles of various diameter pipeline, 57,500 horsepower (hp) of compression and four new Metering and Regulation (M&R) stations. 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.

If you are a landowner receiving this notice, you may be contacted by a DTI company representative about survey permission and/or the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the natural gas company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice DTI provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet Web site (<http://www.ferc.gov>).

#### **Summary of the Proposed Project**

DTI proposes to create a firm transportation outlet for natural gas

<sup>1</sup> On October 15, 2008, DTI filed its application with the Commission under section 7 of the Natural Gas Act and Part 157 of the Commission's regulations. The Commission issued its Notice of Application on October 27, 2008.

supplies in western Pennsylvania by providing 57,500 dekatherms per day from multiple locations along lines LN-19 and LN-20 to an existing interconnect with Texas Eastern Transmission. DTI seeks authority to:

- Install a compressor station, consisting of two high speed reciprocating gas compressor units, one 1,775 unit hp and one 3,550 hp unit, totaling 5,325 hp, known as the Rural Valley Compressor Station, located approximately three miles west of Rural Valley, PA;

- Install 1.08 miles of 10-inch-diameter pipeline interconnecting Dominion People's Line TP-7625 with DTI's new Rural Valley Compressor Station;

- Install 0.02 mile of 10-inch-diameter pipeline interconnecting DTI's LN-19 with the new compressor station;

- Install 0.30 mile of 8-inch-diameter discharge pipeline connecting the compressor station to DTI's LN-50X3;

- Install a new M&R station (Rural Valley) adjacent to the Rural Valley Compressor Station in Armstrong County, PA;

- Install a pig launcher and receiver adjacent to the Rural Valley M&R station;

- Install a new M&R station (Oakford) within the existing Oakford Compressor Station boundary in Westmoreland County, PA;

- Install a new M&R station (National Forest) located on a former M&R site adjacent to the LN-20 right-of-way (ROW) in Elk County, PA; and

- Install a new M&R station (Big Springs), located at an existing pig launcher location adjacent to the LN-20 ROW in McKean County, PA.

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

#### Land Requirements for Construction

Project activities will occur on property that will be purchased by DTI from private landowners who adjoin the property of the proposed compressor and M&R station sites in Armstrong County, property already owned by DTI, and land to be leased from the Alleghany National Forest and the Commonwealth of PA, Bureau of Forestry. Construction of the proposed aboveground facilities would impact about 7.0 acres of land. Following

construction, approximately 6.4 acres would be maintained for operation. The remaining 0.6 acres of land would be restored and allowed to revert to its former use. Construction of the proposed pipelines would impact about 15.3 acres of land. Following construction, approximately 8.35 acres of land would be maintained for operation. The remaining 6.95 acres of land would be restored and allowed to revert to its former use.

#### 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
- Water resources, fisheries, and wetlands
- Cultural resources
- Vegetation and wildlife
- Air quality and noise
- Endangered and threatened species
- Hazardous waste
- Public safety

We will also evaluate reasonable 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 published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected

landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

#### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by DTI. This preliminary list of issues may be changed based on your comments and our analysis.

- Proposed right-of-way width and configuration.
- Impacts on 8.6 acres of agricultural land, including a total of 3.2 acres of prime farmland soils.
- Impacts of air and noise emissions.

#### Public Participation

You can make a difference by providing us with your specific comments or concerns about the Rural Valley Project. Your comments should focus on the potential environmental effects of the proposal, reasonable alternatives, and measures to avoid or lessen the environmental impacts. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send in your comments so that they will be received in Washington, DC on or before December 18, 2008.

For your convenience, there are three methods which you can use to submit your comments to the Commission. In all instances please reference the project docket number with your submission. The docket number can be found on the front of this notice. The Commission encourages electronic filing of comments and has dedicated eFiling expert staff available to assist you at (202) 502-8258 or [eFiling@ferc.gov](mailto:eFiling@ferc.gov).

(1) You may file your comments electronically by using the *Quick Comment* feature, which is located on the Commission's internet Web site at <http://www.ferc.gov> under the link to *Documents and Filings*. A Quick Comment is an easy method for interested persons to submit text-only comments on a project.

(2) You may file your comments electronically by using the *eFiling* feature, which is located on the

<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.

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

Commission's internet Web site at <http://www.ferc.gov> under the link to *Documents and Filings*. eFiling involves preparing your submission in the same manner as you would if filing on paper, and then saving the file on your computer's hard drive. You will attach that file as your submission. New eFiling users must first create an account by clicking on "Sign up" or "eRegister". You will be asked to select the type of filing you are making. A comment on a particular project is considered a "Comment on a Filing."

(3) You may file your comments via mail to the Commission by sending an original and two copies of your letter to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1A, Washington, DC 20426.

Label one copy of the comments for the attention of Gas Branch 3, PJ11.3.

#### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding, or "intervenor". To become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214). Intervenor has the right to seek rehearing of the Commission's decision. Motions to Intervene should be electronically submitted using the Commission's eFiling system at <http://www.ferc.gov>. Persons without Internet access should send an original and 14 copies of their motion to the Secretary of the Commission at the address indicated previously. Persons filing Motions to Intervene on or before the comment deadline indicated above must send a copy of the motion to the Applicant. All filings, including late interventions, submitted after the comment deadline must be served on the Applicant and all other intervenors identified on the Commission's service list for this proceeding. Persons on the service list with e-mail addresses may be served electronically; others must be served a hard copy of the filing.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

#### Environmental Mailing List

As described above, we may publish and distribute the EA for comment. If you are interested in receiving an EA for

review and/or comment, please return the Environmental Mailing List Form (Appendix 3). If you do not return the Environmental Mailing List Form, you will be taken off the mailing list. All individuals who provide written comments will remain on our environmental mailing list for this project.

#### Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number, (CP09-10-000), excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

Finally, public meetings or site visits will be posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.

#### Kimberly D. Bose,

Secretary.

[FR Doc. E8-27691 Filed 11-20-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12646-001—Oklahoma Pine Creek Lake Dam Hydroelectric Project]

#### City of Broken Bow, OK; Notice of Proposed Restricted Service List for a Programmatic Agreement for Managing Properties Included in or Eligible for Inclusion in the National Register of Historic Places

November 17, 2008.

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding.<sup>1</sup> The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

Commission staff is consulting with the Oklahoma State Historic Preservation Officer (Oklahoma SHPO) and the Advisory Council on Historic Preservation (Council) pursuant to the Council's regulations, 36 CFR part 800, implementing section 106 of the National Historic Preservation Act, *as amended*, (16 U.S.C. 470 f), to prepare and execute a programmatic agreement (PA) for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at the Pine Creek Lake Dam Hydroelectric Project No. 12646 (Pine Creek Project).

The PA, when executed by the Commission and the Oklahoma SHPO, would satisfy the Commission's section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR 800.13[e]). The Commission's responsibilities pursuant to section 106 for the Pine Creek Project would be fulfilled through the PA, which Commission staff proposes to draft in consultation with the parties listed below. The executed PA would be incorporated into any order issuing a license for the project.

The City of Broken Bow, Oklahoma, as the license applicant for the Pine Creek Project, is invited to participate in consultations to develop the PA and to sign as a concurring party to the PA.

For purposes of commenting on the PA, we propose to restrict the service

<sup>1</sup> 18 CFR section 385.2010.