

reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program Web site at [http://oe.energy.gov/permits\\_pending.htm](http://oe.energy.gov/permits_pending.htm), or by emailing Odessa Hopkins at [odessa.hopkins@hq.doe.gov](mailto:odessa.hopkins@hq.doe.gov).

Issued in Washington, DC, on November 19, 2008.

**Anthony J. Como,**

*Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.*

[FR Doc. E8-27836 Filed 11-21-08; 8:45 am]

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## DEPARTMENT OF ENERGY

[OE Docket No. EA-344]

### Application To Export Electric Energy; Twin Cities Power—Canada, ULC

**AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.

**ACTION:** Notice of Application.

**SUMMARY:** Twin Cities Power—Canada, ULC (TCP) has applied for authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests, or requests to intervene must be submitted on or before December 24, 2008.

**ADDRESSES:** Comments, protests, or requests to intervene should be addressed as follows: Office of Electricity Delivery and Energy Reliability, Mail Code: OE-20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, 20585-0350 (FAX 202-586-8008).

**FOR FURTHER INFORMATION CONTACT:** Ellen Russell (Program Office) 202-586-9624 or Michael Skinker (Program Attorney) 202-586-2793.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the FPA (16 U.S.C. 824a(e)).

On October 14, 2008, DOE received an application from TCP for authority to transmit electric energy from the United States to Canada as a power marketer. TCP has requested an electricity export authorization with a 5-year term. TCP does not own or control any electric generation, transmission, or distribution

assets, nor does it have a franchised service area. The electric energy which TCP proposes to export to Canada would be surplus energy purchased from electric utilities, Federal power marketing agencies, and other entities within the United States.

TCP will arrange for the delivery of exports to Canada over the international transmission facilities owned by Basin Electric Power Cooperative, Bonneville Power Administration, Eastern Maine Electric Cooperative, International Transmission Co., Joint Owners of the Highgate Project, Long Sault, Inc., Maine Electric Power Company, Maine Public Service Company, Minnesota Power, Inc., Minnkota Power Cooperative, Inc., New York Power Authority, Niagara Mohawk Power Corp., Northern States Power Company, Vermont Electric Power Company, and Vermont Electric Transmission Co.

The construction, operation, maintenance, and connection of each of the international transmission facilities to be utilized by TCP has previously been authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

**Procedural Matters:** Any person desiring to become a party to these proceedings or to be heard by filing comments or protests to this application should file a petition to intervene, comment, or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with DOE on or before the date listed above.

Comments on the TCP application to export electric energy to Canada should be clearly marked with Docket No. EA-344. Additional copies are to be filed directly with Larry Severson, Severson, Sheldon, Dougherty & Molenda P.A., Suite 600, 7300 West 147th Street, Apple Valley, MN 55124-7580 AND Tim Kreiger, Twin Cities Power, LLC, 17725 Juniper Path, Lakeville, MN 55504.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by DOE that the proposed action will not adversely impact the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program Web site at <http://www.oe.energy.gov/>

[permits\\_pending.htm](http://permits_pending.htm), or by e-mailing Odessa Hopkins at [Odessa.hopkins@hq.doe.gov](mailto:Odessa.hopkins@hq.doe.gov).

Issued in Washington, DC, on November 18, 2008.

**Anthony J. Como,**

*Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.*

[FR Doc. E8-27835 Filed 11-21-08; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. IC09-716-000, FERC-716]

#### Commission Information Collection Activities, Proposed Collection; Comment Request; Extension

November 18, 2008.

**AGENCY:** Federal Energy Regulatory Commission, DOE.

**ACTION:** Notice of proposed information collection and request for comments.

**SUMMARY:** In compliance with the requirements of section 3506(c)(2)(a) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104-13), the Federal Energy Regulatory Commission (Commission) is soliciting public comment on the specific aspects of the information collection described below.

**DATES:** Comments in consideration of the collection of information are due January 23, 2009.

**ADDRESSES:** An example of this collection of information may be obtained from the Commission's Web site at (<http://www.ferc.gov/docs-filing/elibrary.asp>). Comments may be filed either electronically or in paper format, and should refer to Docket No. IC09-716-000. Documents must be prepared in an acceptable filing format and in compliance with the Federal Energy Regulatory Commission submission guidelines at <http://www.ferc.gov/help/submission-guide.asp>.

Comments may be filed electronically via the eFiling link on the Commission's Web site at <http://www.ferc.gov>. First time users will have to establish a user name and password (<http://www.ferc.gov/docs-filing/eregistration.asp>) before eFiling. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments through eFiling.

Commenters filing electronically should not make a paper filing. Commenters that are not able to file electronically must send an original and 14 copies of their comments to: Federal

Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426.

Users interested in receiving automatic notification of activity in this docket may do so through eSubscription (at <http://www.ferc.gov/docs-filing/esubscription.asp>). In addition, all comments and FERC issuances may be viewed, printed or downloaded remotely through FERC's Web site using the "eLibrary" link and searching on Docket Number IC09-716. For user assistance, contact FERC Online Support (e-mail at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or call toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659).

**FOR FURTHER INFORMATION CONTACT:**

Michael Miller may be reached by telephone at (202) 502-8415, by fax at (202) 273-0873, and by e-mail at [michael.miller@ferc.gov](mailto:michael.miller@ferc.gov).

**SUPPLEMENTARY INFORMATION:** The FERC is now combining the requirements from both FERC-716 ("Good Faith Request for Transmission Service and Response by Transmitting Utility Under sections 211(a) and 213(a) of the Federal Power Act" (OMB No. 1902-0170)) and FERC-716A ("Application for Transmission Services Under section 211 of the Federal Power Act" (OMB No. 1902-0168)) into a single notice. In addition, the requirements will be labeled FERC-716 and consolidated into a single OMB control no. (OMB No. 1902-0170).

The information collected under the requirements of FERC-716 "Good Faith Request for Transmission Service and Response by Transmitting Utility Under sections 211(a) and 213(a) of the Federal Power Act" (existing/current OMB No. 1902-0170) is used by the Commission to implement the statutory provisions of sections 211 and 213 of the Federal

Power Act (FPA) as amended and added by the Energy Policy Act 1992. For the initial process, the information is not filed with the Commission, however, the request and response may be analyzed as a part of a section 211 proceeding. This collection of information covers the information that must be contained in the request and in the response. Should the parties be unable to resolve outstanding issues, an application may be submitted to the FERC. The Commission may order transmission services under the authority of FPA 211.

The Energy Policy Act of 1992 amended section 211 of the FPA and expanded the Commission's authority to order transmission service. Under the revised section 211, the Commission may order transmission services if it finds that such action would be in the public interest, would not unreasonably impair the continued reliability of electric systems affected by the order, and would meet the requirements of amended section 211 of the FPA.

The Commission's policy statement under Public Law 93-3, Policy Statement Regarding Good Faith Requests for Transmission Services and Responses by Transmitting Utilities Under section 211(a) and 213(a) of the Federal Power Act, as Amended, implemented a data exchange between a transmission requester and a transmitting utility prior to the submission of a section 211 request with the Commission. Components of the data exchange are identified in the Code of Federal Regulations (CFR), 18 CFR 2.20. The general policy sets forth standards by which the Commission determines whether and when a valid good faith request for transmission has been made under section 211 of the FPA. In developing the standards, the Commission sought to encourage an

open exchange of information with a reasonable degree of specificity and completeness between the party requesting transmission services and the transmitting utility. As a result, 18 CFR 2.20 identifies twelve components of a good faith estimate and five components of a reply to a good faith request.

Information in the data exchange is not filed as noted above with the Commission, unless negotiations between the transmission requestor and the transmitting utility have not been successful and the transmission requestor files a section 211 request (formerly FERC-716A, 1902-0168, and incorporated herein) with the Commission.

When negotiations are unsuccessful, the information collected for the "Application for Transmission Services Under section 211 of the Federal Power Act" is used by the Commission to implement the statutory provisions of section 211 of the Federal Power Act (FPA) 16 U.S.C. (824) as amended by the Energy Policy Act 1992 (Pub. L. 102-486) 106 Stat. 2776. Under section 211, the Commission may order transmission services if it finds that such action would be in the public interest and would not unreasonably impair the continued reliability of systems affected by the order. The requirements are detailed in the Code of Federal Regulations (CFR) under 18 CFR part 36.

**Action:** The Commission is requesting a three-year extension of the current expiration date, with no changes to the existing collection of data. The existing requirements for the collections formerly known as FERC-716 and FERC-716A are being combined here under FERC-716.

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

| FERC data collection FERC-716   | Number of respondents annually<br>(1) | Number of responses per respondent<br>(2) | Average burden hours per response<br>(3) | Total annual burden hours<br>(1)×(2)×(3) |
|---|---------------------------------------|---|--|--|
| Information exchange between parties .....                                    | 3                                     | 1   | 100                                      | 300                                      |
| Application submitted to FERC if parties' negotiations are unsuccessful ..... | 3                                     | 1   | 2.5                                      | 8  |
| <b>Total .....</b>  | <b>3</b>                              | <b>2</b>                                  | <b>.....</b>                             | <b>308</b>                               |

For the information exchange, the estimated cost burden to respondents is \$18,228.00 (300 hours ÷ 2080 hours per year × \$126,384 per year average per employee = \$18,228.00). The cost per respondent is \$6,076.00. For the application to FERC, the estimated cost burden to respondents is \$486.00 (8

hours ÷ 2080 hours per year × \$126,384 per year average per employee = \$486.00). The cost per respondent is \$162.00. The total burden hours per year for the information exchange and the application would be 308.

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) adjusting the existing ways to comply with any previously applicable instructions and requirements; (4) training personnel to respond to a collection of information; (5) searching data sources; (6) completing and reviewing the collection of information; and (7) 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 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 *e.g.*, permitting electronic submission of responses.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-27813 Filed 11-21-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12740-001]

#### Hydro Matrix Limited Partnership; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approval of Use of the Traditional Licensing Process

November 18, 2008.

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 12740-001.

c. *Dated Filed:* September 24, 2008.

d. *Submitted By:* Hydro Matrix Limited Partnership.

e. *Name of Project:* Flannagan Hydroelectric Project.

f. *Location:* The project would be located at the U.S. Army Corps of Engineers Flannagan Dam on the Pound River in Dickenson County, Virginia.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Applicant Contact:* James B. Price, President, Hydro Matrix Limited Partnership, P.O. Box 903, Gatlinburg, TN 37738, (865) 436-0402 (business), (803) 215-4165 (mobile).

i. *FERC Contact:* Nicholas Palso, (202) 502-8854 or [nicholas.palso@ferc.gov](mailto:nicholas.palso@ferc.gov).

j. Hydro Matrix Partnership Limited filed its request to use the Traditional Licensing Process on September 24, 2008. Hydro Matrix Partnership Limited filed public notice of its request on September 24, 2008. In a letter dated November 12, 2008, the Director of the Office of Energy Projects approved Hydro Matrix Partnership Limited's request to use the Traditional Licensing Process.

k. With this notice, we are approving Hydro Matrix Limited Partnership's request to be designated as the non-federal representative for section 7 of the Endangered Species Act and its request to initiate consultation under section 106 of the National Historic Preservation Act; and recommending that it begin informal consultation with: (a) The U.S. Fish and Wildlife Service; and (b) the Virginia State Historic Preservation Officer, as required by section 106, National Historical Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. Hydro Matrix Partnership Limited filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

m. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in paragraph h.

Register online at <http://ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filing and issuances related to this or other pending projects.

For assistance, contact FERC Online Support.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E8-27816 Filed 11-21-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13300-000]

#### Marmc Enterprises, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

November 18, 2008.

On October 14, 2008 and supplemented on November 17, 2008, MARMC Enterprises, LLC filed an application, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Third District Reach Project, located on the Mississippi River in Orleans and St. Bernard Parishes, Louisiana. The project uses no dam or impoundment.

The proposed project would consist of: (1) 40 bi-directional Underwater Electric Kite (UEK) turbine generating units, with a total installed capacity of 16-megawatts, (2) an underwater cable approximately 300 foot in length, and (3) appurtenant facilities. The project is estimated to have an annual generation of 137.357-gigawatt-hours, which would be sold to a local utility, industrial or commercial customer, or into the wholesale energy markets.

*Applicant Contact:* Ms. Nicoline Marinovich, MARMC Enterprises, LLC, 816 Pacific Avenue, New Orleans, Louisiana 70114-2438, phone 986-705-2940.

*FERC Contact:* Kelly Houff (202) 502-6393.

*Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications:* 60 days from the issuance of this notice. Comments, motions to intervene, notices of intent, and competing applications 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