

*Comment Date:* 5 p.m. Eastern Time on January 16, 2009.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E8-30618 Filed 12-23-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No.: 13301-001]

#### Town of Afton; Notice of Application Tendered for Filing With the Commission and Soliciting Additional Study Requests

December 17, 2008.

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

a. *Type of Application:* small hydroelectric exemption.

b. *Project No.:* 13301-001.

c. *Date filed:* November 25, 2008.

d. *Applicant:* Town of Afton.

e. *Name of Project:* Town of Afton Culinary Water System Hydroelectric Project.

f. *Location:* In Swift Creek Canyon, near the town of Afton, Lincoln County, Wyoming. The project would occupy 10.5 acres of federal land managed by the Forest Service within the Bridger-Teton National Forest.

g. *Filed Pursuant to:* Public utility Regulatory Policies Act 1978, 16 U.S.C. 2705, 2708.

h. *Applicant Contact:* Town of Afton, James K. Sanderson, 416 Washington Street, P.O. Box 310, Afton, WY 83110, or Brent L. Smith, Symbiotics, LLC, P.O. Box 535, Rigby, ID 83402, (208) 745-0834.

i. *FERC Contact:* Gaylord Hoisington, (202) 502-6032 or [gaylord.hoisington@ferc.gov](mailto:gaylord.hoisington@ferc.gov).

j. *Cooperating agencies:* We are asking Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the environmental document. Agencies who would like to request cooperating status should follow the instructions for filing comments described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See*, 94 FERC ¶ 61,076 (2001).

k. Pursuant to Section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or

person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the date of this notice, and serve a copy of the request on the applicant.

l. *Deadline for filing additional study requests and requests for cooperating agency status:* February 17, 2009.

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.

Additional study requests and requests for cooperating agency status 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.

m. The application is not ready for environmental analysis at this time.

n. The Town of Afton Culinary Water System Hydroelectric Project consist of: (1) An existing underground intermittent spring (Periodic Springs) that provides the town's water; (2) an existing 97,000 gallon buried concrete surge tank; (3) an existing 16,775-foot-long, 18-inch-diameter iron ductile pipe; (3) construction of a new 30-foot-high by 20-foot-square powerhouse containing a 225 kilowatt Pelton impulse turbine and generator; and (4) other appurtenances. The project is estimated to generate an average of 1,272,463 kilowatt-hours annually.

Water flow from the spring is piped to a 97,000 gallon buried concrete surge tank. From the surge tank, the water flows through a 16,775-foot-long pipe to an existing water treatment facility. The original water treatment plan design incorporated a bifurcation of the 18-inch pipe before it reached the treatment plant. It is at this bifurcation that a proposed 18-inch pipe will be fitted that will divert up to 12-cubic-foot-per-second (cfs) (design capacity of the turbine unit) to the proposed power house and Pelton turbine and generator. Upon exiting the turbine the water will flow through a new chlorination system and into the existing 1 million gallon water storage tank and used as need by the town. The power from the project will be used on site to operate the water treatment plant and other electrical needs at the plant.

o. A copy of the application 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](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 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.

p. With this notice, we are initiating consultation with the Wyoming State Historic Preservation Officer (SHPO), as required by § 106, National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36, CFR, at § 800.4.

q. *Procedural schedule and final amendments:* The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule and procedure will be made as appropriate.

Request Additional Information—February 25, 2009.

Issue Acceptance letter—March 1, 2009.  
Issue scoping document 1—June 30, 2009.

Issue ready for environmental analysis—August 1, 2009.

Issue environmental analysis—October 1, 2009.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E8-30565 Filed 12-23-08; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL09-23-000]

#### Welch Motel, Inc.; Welch Oil Inc.; Boondocks USA Truck Stop; Bob Welch; Complainants v. Midland Power Cooperative; Corn Belt Power Cooperative; Respondents; Notice of Complaint

December 17, 2008.

Take notice that on December 17, 2008, pursuant to section 206 of the Rules and Practice and Procedure, 18 CFR 385.206, Welch Motel, Inc., Welch Oil, Inc., Boondocks USA Truck Stop, and Bob Welch (Complainants) filed a formal complaint against Midland

Power Cooperative and Corn Belt Power Cooperative (Respondents) requesting that the Commission issue an order to (a) Allow the Complainants to enter into a contract to consume all of the electric energy and capacity generated by their wind turbine at 3065 220th St. Williams, Iowa 50271-7518 before drawing power from Midland Power Cooperative; (b) require Midland Power Cooperative to program its electric meter in such a way that Complainants are not billed for electricity until Complainants have consumed all of their electric energy from their wind turbine or; (c) in the alternative, if the Commission fails to act within 90 days, to be allowed to enter into any court whether federal or state, for the enforcement of the Public Utility Regulatory Policies Act.

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 January 6, 2009.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E8-30563 Filed 12-23-08; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PF08-34-000]

#### **Questar Overthrust Pipeline Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Point of Rocks and Rock Springs Compression Expansion Project and Request for Comments on Environmental Issues**

December 17, 2008.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will identify and address the potential environmental impacts that could result from the construction and operation of the Point of Rocks and Rock Springs Compression Expansion Project (Compression Expansion Project) planned by Questar Overthrust Pipeline Company (Overthrust). The EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. Your input will help determine which issues need to be evaluated in the EA. Please note that the scoping period will close on January 23, 2009. Details on how to submit comments are provided in the Public Participation section of this notice.

This notice is being sent to affected landowners; federal, state, and local government agencies; elected officials; Native American groups; other interested parties; and local libraries and newspapers. State and local government representatives are asked to notify their constituents of this planned project and to encourage them to comment on their areas of concern.

As a landowner receiving this notice, you may be contacted by an Overthrust representative about the acquisition of an easement to construct, operate, and maintain the project facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is

approved by the FERC, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with federal or state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" 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 Project**

The planned project consists of construction and operation of a new Point of Rocks Compressor Station and expansion of Overthrust's existing Rock Springs Compressor Station, all in Sweetwater County, Wyoming. Overthrust would install one 16,000-horsepower compressor unit at each station. The planned facilities would provide an additional 320,000 dekatherms per day of capacity from Opal, Wyoming, eastward to an interconnect with the Rockies Express Pipeline system at Wamsutter, Wyoming.

The existing Rock Springs Compressor Station is sited on 5.9 acres of land administered by the Bureau of Land Management (BLM), Rock Springs Field Office. Here, the new compressor unit would be installed within an existing compressor building. Construction at the Rock Springs Compressor Station would take place entirely within the existing fenced station site. The Point of Rocks Compressor Station would be located on a 550-foot by 600-foot site, totaling 7.6 acres on property owned by the BLM and one private landowner. Anadarko Land Corporation owns about 70 percent of the 7.6 acres and the BLM, Rock Springs Field Office manages the remaining 30 percent of the planned site. About 1,000 feet of an existing 10-foot-wide dirt road would be improved in order to provide access to the new compressor station.

The general location of the planned facilities is shown in appendix A.<sup>1</sup>

<sup>1</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of all appendices 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 "Additional Information" section of this notice. Copies of the appendices were sent to all those receiving this notice in the mail. Requests for