

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 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.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-703 Filed 1-14-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[P-13295-000]

#### BPUS Generation Development LLC; Notice of Application for Preliminary Permit Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

January 9, 2009.

On October 2, 2008, BPUS Generation Development LLC filed an application, pursuant to section 4(f) of the Federal Power Act (FPA), to study the proposed Duffey Lakes Pumped Storage Project. The proposed project would be located in Snohomish and King Counties, Washington. The project facilities would be partially located on federal lands administered by the U.S. Department of Agriculture Forest Service. The Commission issued a public notice of the application on November 13, 2008; however, due to an inadvertent error, the notice did not run in the local newspapers. The Federal Power Act legally requires the Commission to issue a public notice in a local newspaper once a week for four weeks. Therefore, we are reissuing the public notice in order to allow the notice to run in a local newspaper in Washington.

The proposed project would consist of: (1) An expanded Duffey Lakes as the upper reservoir; (2) an expanded Lake Cavanaugh as the lower reservoir; (3) a new powerhouse containing four pump/turbine-generator units with a combined capacity of 1,150 megawatts (MW); (4) a new intake structure, headrace tunnel, and two tailraces; (5) a new 5.0-mile-long, 500-kilovolt transmission line, and (6) appurtenant facilities. The proposed project would have an average annual

generation of 3,293 gigawatt-hours (GWh).

*Applicant Contact:* Mr. Jeffrey M. Auser, P.E., BPUS Generation Development LLC, 225 Greenfield Parkway, Suite 201, Liverpool, NY 13088, (315) 413-2821.

*FERC Contact:* Jake Tung, (202) 502-8757.

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 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-13295) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-751 Filed 1-14-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12107-003]

#### Granite County; Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests

January 9, 2009.

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

a. *Type of Application:* A New License. (Major Project).

b. *Project No:* 12107-003.

c. *Date Filed:* August 8, 2008.

d. *Applicant:* Granite County.

e. *Name of Project:* Flint Creek Hydroelectric Project.

f. *Location:* The proposed project would be located on Flint Creek at the

Georgetown Lake Dam, near Philipsburg, in Granite County and Deer Lodge County, Montana. The proposed project would affect about 1266.33 acres of Federal lands within the Beaverhead-Deer Lodge National Forest.

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

h. *Applicant Contact:* Granite County, Maureen Connor, Chairman, Board of County Commissioners, PO Box 925, Philipsburg, Montana 59858-0925; (406) 859-3817, or Roger Kirk, Agent, PO Box 1136, Bozeman, Montana 59771; (406) 587-5086.

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 such requests described in item k 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. *Deadline for filing motions to intervene and protest and request for cooperating agency status:* 60 days from the issuance date of this notice (March 10, 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.

The Commission's Rules of Practice and Procedures 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.

Motions to intervene and protests 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.

l. This application has been accepted for filing, but is not ready for environmental analysis at this time.

m. The Flint Creek project consists of: (1) An existing 2,850 acre reservoir with

31,034 acre-feet of storage at elevation 6,378 feet above mean sea level; (2) an existing 330-foot-long and 44-foot-high earth with masonry-core dam; (3) a new 36-inch-diameter by 6,282-foot-long polymer and/or steel pipeline; (4) a surge tank; (5) a new 36-inch-diameter by approximately 1,463-foot-long buried penstock connecting the surge tank to the new powerhouse; (6) a new approximately 30-foot by 40-foot powerhouse containing one Pelton turbine-generator unit rated at 2 megawatts; (7) a new approximately 95-foot-long buried tailrace; (8) a new approximately 10-foot by 10-foot fenced substation located next to the powerhouse; and (9) all appurtenant structures. The average annual generation of the project is approximately 10 gigawatthours.

n. 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/subscription.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. Any qualified applicant desiring to file a competing application must submit to the Commission, on or before the specified intervention deadline date, a competing development application, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing development application no later than 120 days after the specified intervention deadline date. Applications for preliminary permits will not be accepted in response to this notice.

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 a development application. A notice of intent must be served on the applicant(s) named in this public notice.

Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210,

385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests 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 protests or motions to intervene must be received on or before the specified deadline date for the particular application.

When the application is ready for environmental analysis, the Commission will issue a public notice requesting comments, recommendations, terms and conditions, or prescriptions.

All filings must (1) Bear in all capital letters the title "PROTEST" or "MOTION TO INTERVENE," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," or "COMPETING APPLICATION;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-748 Filed 1-14-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 1267-087]

#### Greenwood County, SC; Notice of Application and Soliciting Comments, Motions To Intervene, and Protests

January 9, 2009.

a. *Type of Application:* Application to temporarily amend the rule curve pursuant to article 407 of the project license.

b. *Project Number:* Project No. 1267-087.

c. *Date Filed:* December 23, 2008.

d. *Applicant:* Greenwood County, South Carolina.

e. *Name of Project:* Buzzard's Roost Hydroelectric Project (FERC No. 1267).

f. *Location:* The project is located on the Saluda River in Greenwood, Laurens and Newberry Counties, South Carolina..

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

h. *Applicant Contact:* Mr. Charles M. Watson Jr., County Attorney, County of Greenwood, 600 Monument St., Suite 102, Greenwood, SC 29646, phone (864) 942-3140.

i. *FERC Contact:* Any questions on this notice should be addressed to B. Peter Yarrington at (202) 502-6129.

j. *Deadline for filing comments and or motions:* January 26, 2009.

k. *Description of Application:* Because of ongoing drought conditions, the applicant seeks approval to temporarily amend article 407 of its project license to revise the schedule for management of lake levels (rule curve). Under the rule curve, the reservoir level is raised to an elevation of 439 feet mean sea level (msl) by April 15 each year.

Beginning on September 1, the reservoir level is then reduced until it reaches 437 feet msl by October 1. The level is then maintained at 437 feet msl until January 1, when it is reduced to 434.5 feet msl by February 1. At that time, the reservoir level is increased and the annual cycle is repeated. The licensee proposes to forgo the reservoir level reduction from 437 feet msl to 434.5 feet msl that would normally occur from January 1 to February 1, 2009, and would then refill the reservoir to the summer elevation of 439 feet msl by March 15, 2009, rather than waiting until April 15.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's 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 (p-1267) to access the document. You may also register online at <http://www.ferc.gov/docs-filing/subscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 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. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to