

cogeneration facilities which meet certain technical and corporate criteria. Facilities that meet these criteria are deemed qualifying facilities (QFs).

The Energy Policy Act of 2005 (EPA 2005) <sup>1</sup> and in particular section 1253(a), added section 210(m) to the PURPA providing, among other things, for termination of the requirement that an electric utility enter into a new contract or obligation to purchase electric energy from qualifying cogeneration facilities and qualifying small power production facilities (QFs) if the Commission finds that the QF has nondiscriminatory access to one of three categories of markets defined in section 210(m)(1)(A), (B) or (C). Thus, to relieve an electric utility of its mandatory purchase obligation under PURPA, the Commission has to identify which, if any, markets meet the criteria contained in 210(m)(1)(A), (B) or (C), and, if such markets are identified, it must determine whether QFs have nondiscriminatory access to those markets.

In 18 CFR Part 292, the Commission provides: (1) QF certification criteria, (2) QF application information, (3) a description of some of the benefits afforded QFs,<sup>2</sup> and (4) transaction obligations electric utilities have with respect to QFs.

Among the PURPA benefits identified in Part 292, are the requirements for electric utilities: (1) To make avoided cost information and system capacity needs available to the public; (2) to purchase energy and capacity from QFs favorably priced on the basis of the avoided cost of the power that is displaced by the QF power (i.e., the incremental cost to the purchasing utility if it had generated the displaced power or purchased it from another source); (3) to sell backup, maintenance and other power services to QFs at rates based on the cost of rendering the services; (4) to provide certain interconnection and transmission services priced on a nondiscriminatory basis; and (5) to operate in “parallel” with other interconnected QFs so that

they may be electrically synchronized with electric utility grids.

A blank FERC Form No. 556 may be downloaded from the Commission’s Web site: <http://www.ferc.gov/docs-filing/hard-fil.asp#556>. Click on the Electric tab, then click the Form No. 556 link. Choose from an MS Word or RTF format in the Downloads & Links column. Examples of filings may be viewed through the Commission’s eLibrary system. Click on the red eLibrary link found at the top of any of the Commission’s Web pages, choose General Search, then under Class/Type Info choose Type: Qualifying Facility Application or PURPA Energy Utility Filing; then click the Submit button at the bottom of the page.

*Action:* The Commission is requesting a three-year extension of the current expiration date.

*Burden Statement:* The public reporting burden for this collection is estimated to be as follows:

FERC-556	Number of respondents annually (1)	Number of responses per respondent (2)	Average burden hours per response (3)	Total annual burden hours (1) × (2) × (3)
FERC Certification .....	4	1	20	80
Self Certification .....	820	1	3	2460
Total .....	824	.....	.....	2540

The estimated total cost to respondents is \$154,334.31 [2,540 hours divided by 2,080 hours <sup>3</sup> per year, times \$126,384 <sup>4</sup> equals \$154,334.31]. The cost per respondent is \$187.30.

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 respondent’s cost estimate is based on 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 burden estimate 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

respondent information collection burden.

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

[FR Doc. E9-3452 Filed 2-18-09; 8:45 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. CP07-367-005]

**Columbia Gas Transmission, LLC; Notice of Application**

February 11, 2009.

Take notice that on February 10, 2009, Columbia Gas Transmission, LLC (Columbia) filed an application to amend the certificate issued under section 7 of the Natural Gas Act to revise initial rates and estimated costs and revise certain exhibits in the Order Issuing Certificates and Approving

<sup>1</sup> Pub. L. 109-58, 1253, 119 Stat. 594 (2005).

<sup>2</sup> Other benefits may be available to certain QFs pursuant to other federal, state or local laws.

<sup>3</sup> Number of hours an employee works each year.

<sup>4</sup> Average annual salary per employee.

Abandonment dated January 14, 2008, 122 FERC ¶ 61,021, in this proceeding.

Any questions regarding this application should be directed to counsel for Columbia, Frederic J. George, Columbia Gas Transmission, LLC, P.O. Box 1273, Charleston, WV 25325-1273; telephone: (304) 357-2359, fax (304) 357-3206; e-mail: [fgeorge@nisource.com](mailto:fgeorge@nisource.com).

Any person desiring to intervene or to protest in any of the above proceeding must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference 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 email 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 Monday, February 23, 2009.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-3448 Filed 2-18-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2232-561]

#### Duke Energy Carolinas, LLC; Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

February 11, 2009.

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

a. *Application Type:* Non-Project Use of Project Lands and Waters.

b. *Project No.:* 2232-561.

c. *Date Filed:* January 14, 2009.

d. *Applicant:* Duke Energy Carolinas.

e. *Name of Project:* Catawba-Wateree Project.

f. *Location:* The project is located on Lake Hickory in Alexander County, North Carolina. The project does not occupy federal lands.

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

h. *Applicant Contact:* Mr. Kelvin K. Reagan, Duke Energy Carolinas, Senior Lake Services Representative, P.O. Box 1006, Charlotte, NC 28201-1006, (704) 382-9386.

i. *FERC Contact:* Rebecca Martin at 202-502-6012, or e-mail [rebecca.martin@ferc.gov](mailto:rebecca.martin@ferc.gov).

j. *Deadline for Filing Comments and/or Motions:* March 11, 2009.

All documents (original and eight copies) should be filed with: The Secretary, Kimberly D. Bose, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P-2232-561) on any comments or motions filed.

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 whose name appears 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. A copy of any

motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Application:* The licensee requests Commission approval to lease 2.39 acres of land within the project boundary to C. Stafford, LLC to expand the Taylorsville Beach Marina. The proposal is to increase the marina's boat-docking capacity from 48 slips to 136 slips. The boat-docking locations would be constructed in seven sections of floating dock. The marina would also include 17 personal watercraft slips, boat ramps for dry storage, a staging area, and an open deck area for fishing. The development would also include two gas-dock facilities and a pump-out station. No dredging is proposed.

l. *Location of 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 to access the document. 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, call 1-866-208-3372, 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 intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments 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 comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular