

consistent with legislated activities and to determine the dollar share of the Congressional appropriation to be awarded to successful applicants.

This information collection is being submitted under the Streamlined Clearance Process for Discretionary Grant Information Collections (1894-0001). Therefore, the 30-day public comment period notice will be the only public comment notice published for this information collection.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 3958. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202-4537. Requests may also be electronically mailed to the Internet address [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202-401-0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. E9-3994 Filed 2-24-09; 8:45 am]

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## DEPARTMENT OF ENERGY

[OE Docket No. EA-349]

### Application To Export Electric Energy; Bruce Power Inc.

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

**ACTION:** Notice of application.

**SUMMARY:** Bruce Power Inc. 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 March 27, 2009.

**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, DC 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 February 3, 2009, DOE received an application from Bruce Power Inc. for authority to transmit electric energy from the United States to Canada as a power marketer using international transmission facilities located at the United States border with Canada. Bruce Power Inc. is incorporated under the *Business Corporations Act* (Ontario) and has its principal place of business in Tiverton, Ontario, Canada. Bruce Power Inc. does not own any electric transmission facilities nor does it hold a franchised service area. The electric energy which Bruce Power Inc. proposes to export to Canada would be surplus energy purchased from electric utilities, Federal power marketing agencies, and other entities within the United States. Bruce Power Inc. has requested an electricity export authorization with a 5-year term.

Bruce Power Inc. will arrange for the delivery of exports to Canada over the international transmission facilities owned by Bangor Hydro-Electric Company, 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 Bruce Power Inc. have 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 Procedure (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 Bruce Power Inc. application to export electric energy to Canada should be clearly marked with Docket No. EA-349. Additional copies are to be filed directly with Richard Horrobin, Vice President of Power Marketing, Bruce Power L.P., 177 Tie Road, R.R. #2, P.O. Box 1540, Building B10, Tiverton, ON N0G 2T0 AND Brian Armstrong, Executive Vice President & General Counsel, Bruce Power L.P., 177 Tie Road, R.R. #2, P.O. Box 1540, Building B10, Tiverton, ON N0G 2T0. 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 on 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://www.oe.energy.gov/permits_pending.htm), or by e-mailing [Odessa.Hopkins@hq.doe.gov](mailto:Odessa.Hopkins@hq.doe.gov).

Issued in Washington, DC, on February 18, 2009.

**Anthony J. Como,**

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

[FR Doc. E9-4051 Filed 2-24-09; 8:45 am]

BILLING CODE 6450-01-P

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## DEPARTMENT OF ENERGY

[OE Docket No. PP-334]

### Notice of Intent To Prepare an Environmental Impact Statement; Energia Sierra Juarez U.S. Transmission, LLC

**AGENCY:** Department of Energy (DOE).

**ACTION:** Notice of Intent to Prepare an Environmental Impact Statement (EIS).

**SUMMARY:** The Department of Energy (DOE) announces its intention to prepare an EIS on the proposed Federal action of granting a Presidential permit to construct a new electric transmission line across the U.S.-Mexico border in southeastern California. DOE has determined that issuance of a Presidential permit for the proposed

project would constitute a major Federal action that may have a significant effect upon the environment within the meaning of the National Environmental Policy Act of 1969 (NEPA). For this reason, DOE intends to prepare an EIS entitled *Energia Sierra Juarez Transmission Line Environmental Impact Statement* (DOE/EIS-0414) to address potential environmental impacts from the proposed action and reasonable alternatives. The EIS will be prepared in compliance with NEPA and applicable regulations, including DOE NEPA implementing regulations at 10 CFR Part 1021. Because of previous public participation activities, DOE does not plan to conduct additional scoping meetings for this EIS. However, any timely written comments submitted will be considered by DOE in determining the scope of the EIS.

**DATES:** As discussed below, the public participation process that DOE conducted following publication of a notice of intent to prepare an environmental assessment will serve as the scoping for this EIS. DOE will consider any additional comments received or postmarked by March 27, 2009 in defining the scope of the EIS. Comments received or postmarked after that date will be considered to the extent practicable.

**ADDRESSES:** Comments on the scope of the EIS and requests to be added to the document mailing list should be addressed to: Dr. Jerry Pell, Office of Electricity Delivery and Energy Reliability (OE-20), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; by electronic mail to [Jerry.Pell@hq.doe.gov](mailto:Jerry.Pell@hq.doe.gov); or by facsimile to 202-318-7761.

For general information on the DOE NEPA process contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (GC-20), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; or by facsimile at 202-586-7031.

**FOR FURTHER INFORMATION CONTACT:** Dr. Jerry Pell, 202-586-3362, or [Jerry.Pell@hq.doe.gov](mailto:Jerry.Pell@hq.doe.gov). For general information on the DOE NEPA process, contact Ms. Carol M. Borgstrom at 202-586-4600 or leave a message at 800-472-2756.

**SUPPLEMENTARY INFORMATION:** Executive Order (EO) 10485, as amended by EO 12038, requires that a Presidential permit be issued by DOE before electric transmission facilities may be constructed, operated, maintained, or connected at the U.S. international border. The EO provides that a Presidential permit may be issued after

a finding that the proposed project is consistent with the public interest and after favorable recommendations from the U.S. Departments of State and Defense. In determining consistency with the public interest, DOE considers the environmental impacts of the proposed project under NEPA, determines the project's impact on electric reliability (including whether the proposed project would adversely affect the operation of the U.S. electric power supply system under normal and contingency conditions), and considers any other factors that DOE may find relevant to the public interest. The regulations implementing the EO have been codified at 10 CFR 205.320-205.329. DOE's issuance of a Presidential permit indicates that there is no Federal objection to the project, but does not mandate that the project be undertaken.

Energia Sierra Juarez U.S. Transmission, LLC (ESJ, formerly Baja Wind U.S. Transmission, LLC), has applied to DOE's Office of Electricity Delivery and Energy Reliability (OE) for a Presidential permit to construct either a double-circuit 230,000-volt (230-kV) or a single-circuit 500-kV transmission line on either lattice towers or steel monopoles. ESJ's proposed transmission line would connect wind turbines (the La Rumorosa Project) to be located in the vicinity of La Rumorosa, Baja California, Mexico, to the existing Southwest Powerlink (SWPL) 500-kV transmission line. The ESJ Presidential permit application, including associated maps and drawings, can be downloaded in its entirety from the DOE program Web site at [http://www.oe.energy.gov/permits\\_pending.htm](http://www.oe.energy.gov/permits_pending.htm) (see PP-334).

One portion of the proposed transmission project would consist of two miles of transmission located in Mexico that would be constructed, owned, operated, and maintained by a subsidiary of Sempra Energy Mexico and would be subject to the permitting requirements of the Mexican Government. The remaining portion of the proposed transmission project would consist of a one-mile transmission line constructed by ESJ within the United States on private land. The entire electrical output of the La Rumorosa Project (1250 megawatts) would be dedicated to the U.S. market and delivered using the proposed international transmission line. For reasons discussed below, the EIS will consider only impacts that occur inside the United States.

ESJ's proposed transmission line would connect to a substation to be constructed by the San Diego Gas & Electric Company in response to

requests by power suppliers to connect to the SWPL. The substation, to be known as the East County Substation, would be located just south of the SWPL right-of-way near the community of Jacumba, California, and would contain equipment for accepting interconnections at both the 230-kV and the 500-kV level. The 230-kV connection equipment would be located just to the west of the 500-kV connection equipment, both within the confines of the substation boundary. Accordingly, ESJ has identified two routing/voltage alternatives to coincide with interconnection at the 230-kV or at the 500-kV level.

#### **Agency Purpose and Need, Proposed Action, and Alternatives**

The purpose and need for DOE's action is to decide whether to grant ESJ's application for a Presidential permit for the proposed international electric transmission line. DOE's proposed action is to issue a Presidential permit for the construction, operation, maintenance, and connection of the proposed international electric transmission line. If granted, the Presidential permit would authorize only the one-mile portion of the applicant's proposal that would be constructed and operated wholly within the United States.

Both of ESJ's proposed route alternatives would cross the U.S.-Mexico border at the same location. However, the route alternative identified as A1 in the Presidential permit application would be constructed at 500-kV and would be the eastern alternative; the other route alternative, identified as A2, would be constructed at 230-kV and be located to the west of the A1 alternative. Both alternatives would be located wholly within private property in eastern San Diego County near the unincorporated community of Jacumba. In addition to the alternatives proposed by ESJ, DOE will also consider the environmental impacts of a "No Action" alternative.

DOE originally considered an environmental assessment (EA) (to be titled *Baja Wind U.S. Transmission Environmental Assessment*) to be the appropriate level of review under NEPA. DOE published a Notice of Intent to Prepare an Environmental Assessment and to Conduct Public Scoping Meetings in the **Federal Register** on August 4, 2008 (73 FR 45218). In that notice DOE stated "if at any time during preparation of the EA DOE determines that an environmental impact statement (EIS) is needed \* \* \* DOE will consider any comments on the scope of the EA received during [the EA

scoping process] in preparing such an EIS.’’

### Identification of Environmental Issues

When publishing its notice of intent to prepare an EA on August 4, 2008, DOE opened a 30-day scoping period during which the public was invited to participate in the identification of potential environmental impacts that may result from construction of the ESJ transmission line project and reasonable alternatives. DOE conducted two scoping meetings in Jacumba. Nine issues and concerns were identified as a result of the scoping opportunity. These issues and concerns are (1) visual impacts, (2) avian mortality, (3) impacts to protected, threatened, endangered, or sensitive species of animals or plants, or their critical habitats, (4) impacts to cultural or historic resources, (6) impacts to human health and safety, (6) impacts to air, soil, and water, (7) land use impacts, (8) impacts of seismic activity, and (9) impacts from development of wind generation. In the EIS DOE will analyze these issues and others it finds appropriate to address, such as greenhouse gas emissions and global climate change and also intentional destructive acts, such as terrorism. No additional construction or routing alternatives were proposed as a result of the scoping process.

Several commenters in this proceeding have asked DOE to evaluate the impacts associated with activities that will occur inside Mexico (e.g., from the construction and operation in Mexico of the wind generators). NEPA does not require an analysis of environmental impacts that occur within another sovereign nation that result from approved actions by that nation. The EIS, however, will evaluate all relevant environmental impacts within the U.S. related to or caused by project-related activities in Mexico.

Based on comments received during the initial EA process, and the potential for public controversy, DOE has determined an EIS to be the proper NEPA compliance document.

### EIS Preparation and Schedule

In preparing the Draft EIS, DOE will consider comments received during the scoping period. Because of previous public participation activities, DOE does not plan to conduct additional scoping meetings for this EIS. However, any timely additional written comments submitted will be considered by DOE in determining the scope of the EIS.

DOE anticipates issuing a Draft EIS in the fall of 2009. DOE will provide a public comment period of at least 45 days from the Environmental Protection

Agency’s (EPA’s) Notice of Availability (NOA) of the Draft EIS and will hold at least one public hearing during the public comment period.

DOE will include all comments received on the Draft EIS, and responses to those comments, in the Final EIS. DOE will issue a Record of Decision no sooner than 30 days from EPA’s NOA of the Final EIS.

Persons who submitted comments during the scoping process will receive a copy of the Draft EIS. Other persons who would like to receive a copy of the document for review when it is issued should notify Dr. Jerry Pell at the address provided above.

Issued in Washington, DC, on February 18, 2009.

**Patricia A. Hoffman,**

*Acting Assistant Secretary, Office of Electricity Delivery and Energy Reliability.*

[FR Doc. E9-4049 Filed 2-24-09; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

**[Project No. 12619-002; Project No. 13363-000; Project No. 13364-000; Project No. 13366-000]**

### **Cascade Creek, LLC; City and Borough of Wrangell, AK; Petersburg Municipal Power and Light; City of Angoon, AK; Notice of Competing Preliminary Permit Applications Accepted for Filing and Soliciting Comment, Motions To Intervene, and Competing Applications**

February 18, 2009.

Cascade Creek, LLC (Cascade), City and Borough of Wrangell, Alaska (Wrangell), Petersburg Municipal Power and Light (Petersburg) and the City of Angoon, Alaska filed applications, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Ruth Lake Project, to be located on Ruth Lake and Delta Creek, in an unorganized Borough near Petersburg, Alaska. There are no existing facilities. The project would be located in the Tongass National Forest. All of these applications were filed electronically and given the filing date of February 3, 2009, at 8:30 a.m.

#### *The proposed Ruth Lake Projects:*

The proposed Ruth Lake Project by Cascade Creek, LLC for Project No. 12619-002 filed on February 3, 2009 at 8:30 a.m. would consist of: (1) A proposed 170-foot-high concrete arch dam at the exit of the natural Ruth Lake; (2) an existing reservoir having a surface area of 130 acres and a storage capacity

of 17,000 acre-feet and normal water surface elevation of 1,527 feet mean sea level (msl); (3) a proposed 12,600-foot-long, 6 to 12-inch diameter combination bored tunnel and steel penstock; (4) a proposed powerhouse containing three new generating units having an installed capacity of 20 megawatts; (5) an existing 20-mile-long, 138 kilovolt transmission line; and (6) appurtenant facilities. The proposed Ruth Lake Project would have an average annual generation of 70 gigawatt-hours. Cascade is also exploring alternatives that would connect this project to their Cascade Creek Project, which they have preliminary permit for FERC No. 12495.

The proposed Ruth Lake Project by City and Borough of Wrangell, Alaska for Project No. 13363-000 filed on February 3, 2009 at 8:30 a.m. would consist of: (1) A proposed 170-foot-high concrete arch dam at the exit of the natural Ruth Lake; (2) an existing reservoir having a surface area of 130 acres and a storage capacity of 17,000 acre-feet and normal water surface elevation of 1,527 feet mean sea level (msl); (3) a proposed 12,600-foot-long, 6 to 12-foot diameter combination bored tunnel and steel penstock; (4) a proposed powerhouse containing three new generating units having an installed capacity of 20 megawatts; (5) an existing 20-mile-long, 138 kilovolt transmission line; and (6) appurtenant facilities. The proposed Ruth Lake Project would have an average annual generation of 70 gigawatt-hours.

The proposed Ruth Lake Project by Petersburg Municipal Power and Light for Project No. 13363-000 filed on February 3, 2009 at 8:30 a.m. would consist of: (1) A proposed 200-foot-high concrete faced rockfill dam at the exit of the natural Ruth Lake; (2) an existing reservoir having a surface area of 190 acres and a storage capacity of 17,000 acre-feet and normal water surface elevation of 1,560 feet mean sea level (msl); (3) a proposed 3,500-foot-long, 10-foot diameter tunnel and a 7,800-foot-long, 6-foot-diameter steel penstock; (4) a proposed powerhouse containing three new generating units having an installed capacity of 20 megawatts; (5) would connect directly to their distribution system; and (6) appurtenant facilities. The proposed Ruth Lake Project would have an average annual generation of 70 gigawatt-hours.

The proposed Ruth Lake Project by City of Angoon, Alaska for Project No. 13366-000 filed on February 3, 2009 at 8:30 a.m. would consist of: (1) A proposed 170-foot-high concrete arched dam at the exit of the natural Ruth Lake; (2) an existing reservoir having a surface area of 130 acres and a storage capacity