

F = Tribal Allocation

*Approval of the Office of the Secretary.* The Secretary of Energy has approved publication of this notice.

Issued in Washington, DC, on April 8, 2009.

**Steven G. Chalk,**

*Principal Deputy Assistant Secretary, Energy Efficiency and Renewable Energy.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13342-000]

#### Hydro Energy Technologies, LLC; Notice of Preliminary Permit Applications Accepted for Filing and Soliciting Comment, Motions To Intervene, and Competing Applications

April 8, 2009.

On December 9, 2008, Hydro Energy Technologies, LLC filed an application, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Berlin Lake Hydroelectric Project, to be located on the Mahoning River, in Portage and Mahoning Counties, Ohio.

The proposed Berlin Lake Project would be located at: (1) The existing U.S. Army Corps of Engineers Berlin Lake Dam, which is 663.5 feet long and 96 feet high; and (2) an existing 5,500-acre reservoir with a water surface elevation of 1,032 feet mean sea level.

The proposed project would consist of: (1) A new powerhouse containing one or more turbine/generators with a total installed capacity of 2.5 megawatts; (2) a new 90-inch-diameter, 250-foot-long penstock; (3) a new 0.5-mile-long, 12.5-kilovolt transmission line; and (4) appurtenant facilities. The Berlin Lake Project would have an estimated average annual generation of 12,155 megawatt-hours, which would be sold to a local utility.

*Applicant Contact:* Mr. Anthony J. Marra Jr., Managing Partner, 31300 Solon Rd., Suite 12, Solon, Ohio 44139, (440) 498-1000.

*FERC Contact:* John Ramer, (202) 502-8969.

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 Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13342) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

**Kimberly D. Bose,**

*Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP09-111-000]

#### Texas Eastern Transmission, LP; Notice of Application

April 8, 2009.

Take notice that on April 7, 2009, Texas Eastern Transmission, LP (Texas Eastern), 5400 Westheimer Court, Houston, Texas 77056, filed in the above referenced docket an application pursuant to section 7(b) of the Natural Gas Act (NGA) and part 157 of the Commission's regulations, for an order granting the authorization to abandon in place approximately 25.43 miles of Line 3, consisting of 19.80 miles of 26-inch pipeline and 5.63 miles of 20-inch pipeline, beginning at the Summerfield Compressor Station at milepost (MP) 31.52 in Noble County, Ohio, and ending at MP 56.95, approximately 160-foot upstream of the Meter and Regulatory Station 70004/74040 in Monroe County, Ohio. In addition, Texas Eastern proposes to remove a launcher barrel and mainline valve at MP 51.31 located at a fenced valve site along the 25.43-mile segment of Line 3, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site Web 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 at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (886) 208-3676 or TTY, (202) 502-8659.

Any questions concerning this application may be directed to Garth Johnson, General Manager, Rates and Certificates, Texas Eastern Transmission, LP, PO Box 1642, Houston, Texas 77251-1642, at (713) 627-5415.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made in the proceeding with the Commission and must mail a copy to the applicant and to every other party. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings