

f. *Filed Pursuant to*: The application for amendment of license was filed pursuant to 18 CFR 4.201.

g. *Applicant Contacts*: Mr. Mark Cauchy, Pend Oreille PUD, P.O. Box 190, 130 North Washington, Newport, WA 99156, (509) 447-9331, and Mr. James B. Vasile, Davis Wright Tremaine LP, 1919 Pennsylvania Avenue, NW., Suite 200, Washington, DC 20006, (202) 973-4262.

h. *FERC Contact*: Any questions on this notice should be addressed to Mr. Mark Carter, (202) 502-6554 or [mark.carter@ferc.gov](mailto:mark.carter@ferc.gov), and Ms. Holly Frank, (202) 502-6833 or [holly.frank@ferc.gov](mailto:holly.frank@ferc.gov).

i. *Deadline for filing comments and motions*: Comments on the application for amendment of license are due within 30 days of the issuance date of this notice.

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.

Please include the project number (P-2042-153) on any comments or motions filed.

Comments 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.

j. *Background and Description of Proposal*: On July 11, 2005, the Commission issued a new license for the continued operation of the Box Canyon Project. On November 17, 2006, the Commission issued its order on rehearing of the July 11 relicense order. The relicense order, as amended by the order on rehearing, contains, in their entirety, conditions submitted by the Department of the Interior (Interior) and the U.S. Forest Service pursuant to section 4(e) of the Federal Power Act (FPA) and the fish passage measures prescribed by Interior pursuant to FPA section 18. On November 21, 2006, the Pend Oreille PUD petitioned the Court of Appeals for the District of Columbia for review of the Commission's July 2005 licensing order and its November 2006 order on rehearing, alleging the 4(e) conditions and section 18 prescriptions were not based on substantial evidence. In February 2007 the case was referred to mediation. The parties have settled the issues and developed revised conditions and prescriptions as a result.

The revised section 4(e) conditions and section 18 prescriptions are included as appendices A through D of the settlement agreement filed with the

application for amendment of license. Additional provisions to be included in the license are set forth in appendix E. The settlement agreement also requires Interior and the Forest Service to file revised section 4(e) conditions that will replace certain conditions set forth in the July 11, 2005 licensing order. On April 7 and 9, 2009, respectively, the Forest Service and Interior filed their revised conditions and fishway prescriptions for the project. The Pend Oreille PUD requests that the Commission amend the new license to substitute the revised conditions and prescriptions submitted by the Forest Service and Interior and the additional provisions set forth in Appendix E to the settlement agreement. The Pend Oreille PUD also requests that the Commission make conforming revisions to license articles 401, 402 and 406 to reflect new schedules and other revisions set forth in the revised conditions and prescriptions.

k. *Locations of the Application*: The settlement agreement and application, Interior's revised section 4(e) and section 18 fishway prescriptions and the Forest Service's revised section 4(e) terms and conditions, are 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 documents. 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 g 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.

l. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

Comments—Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. In determining the appropriate action to take, the Commission will consider all comments and motions to intervene, 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 or motions to intervene must be received on or

before the specified comment date for the application.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS" or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

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. E9-11464 Filed 5-15-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

May 7, 2009.

Take notice that the Commission received the following exempt wholesale generator filings:

*Docket Numbers*: EG09-39-000.

*Applicants*: EC&R Papalote Creek I, LLC.

*Description*: Self Certification Notice of Exempt Wholesale Generator Status of EC&R Papalote Creek I, LLC.

*Filed Date*: 05/04/2009.

*Accession Number*: 20090504-5137.  
*Comment Date*: 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers*: EG09-40-000.

*Applicants*: Stony Creek Wind Farm, LLC.

*Description*: Self Certification Notice of Exempt Wholesale Generator Status of Stony Creek Wind Farm, LLC.

*Filed Date*: 05/04/2009.

*Accession Number*: 20090504-5138.  
*Comment Date*: 5 p.m. Eastern Time on Tuesday, May 26, 2009.

Take notice that the Commission received the following electric rate filings:

*Docket Numbers:* ER96-780-020.

*Applicants:* Southern Company Services, Inc.

*Description:* Alabama Power Co *et al.* submits additional information in compliance with FERC's 4/9/09 issuance.

*Filed Date:* 04/30/2009.

*Accession Number:* 20090504-0053.

*Comment Date:* 5 p.m. Eastern Time on Thursday, May 21, 2009.

*Docket Numbers:* ER97-4314-011; ER01-2783-008; ER05-20-003.

*Applicants:* Old Dominion Electric Cooperative, Inc.; TEC Trading, Inc.; New Dominion Energy Cooperative.

*Description:* Old Dominion Electric Cooperative *et al.* submits amendment to the updated maker power analysis and compliance filings.

*Filed Date:* 05/04/2009.

*Accession Number:* 20090506-0091.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER91-569-043; ER01-666-011; ER02-862-011.

*Applicants:* Entergy Services, Inc.; EWO Marketing, LP; Entergy Power Ventures, LP.

*Description:* Entergy Affiliates submits response to the April 9 Letter, which constitutes an amendment to the updated market power analysis originally filed on 8/29/08.

*Filed Date:* 05/04/2009.

*Accession Number:* 20090506-0100.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER99-2284-009; ER99-1773-009; ER99-1761-005; ER00-1026-016; ER01-1315-005; ER01-2401-011; ER98-2184-014; ER98-2186-015; ER00-33-011; ER05-442-003; ER98-2185-014; ER99-1228-007; ER01-751-010; ER97-2904-008.

*Applicants:* AEE 2 LLC; AES Creative Resources LP; AES Eastern Energy, LP; Indianapolis Power & Light Company; AES Ironwood LLC; AES Red Oak LLC; AES Huntington Beach, LLC; AES Redondo Beach, LLC; AES Placerita Inc.; Condon Wind Power, LLC; AES Alamitos, LLC; Storm Lake Power Partners II LLC; Mountain View Power Partners, LLC; Lake Benton Power Partners LLC.

*Description:* Condon Wind Power, LLC *et al.* submits Supplementary Information.

*Filed Date:* 05/01/2009.

*Accession Number:* 20090505-0040.

*Comment Date:* 5 p.m. Eastern Time on Friday, May 22, 2009.

*Docket Numbers:* ER99-2369-006.

*Applicants:* Alliance for Cooperative Energy Services.

*Description:* Notice of Non-Material Change in Status of ACES Power Marketing.

*Filed Date:* 05/04/2009.

*Accession Number:* 20090504-5084.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER03-1284-006; ER05-1202-006; ER05-1262-021; ER06-1093-017; ER06-1122-005; ER07-342-004; ER07-407-005; ER07-522-005; ER08-1111-003; ER08-1225-003; ER08-1226-003; ER08-1227-002; ER08-1228-002.

*Applicants:* High Trail Wind Farm, LLC, Blue Canyon Windpower II LLC, Old Trail Wind Farm, LLC, Telocaset Wind Power Partners, LLC, High Prairie Wind Farm II, LLC, Cloud County Wind Farm, LLC, Pioneer Prairie Wind Farm I, LLC, Arlington Wind Power Project LLC, Flat Rock Windpower LLC, Rail Splitter Wind Farm, LLC, Blue Canyon Windpower LLC, Wheat Field Wind Power Project LLC.

*Description:* Notice of Non-Material Change in Status of Arlington Wind Power Project LLC, *et al.*

*Filed Date:* 05/01/2009.

*Accession Number:* 20090501-5261.

*Comment Date:* 5 p.m. Eastern Time on Friday, May 22, 2009.

*Docket Numbers:* ER04-449-019.

*Applicants:* New York Independent System Operator, Inc.

*Description:* New York Independent System Operator, Inc *et al.* submits amendments to the Open Access Transmission Tariff and the Market Administration and Control Area Services Tariff.

*Filed Date:* 05/04/2009.

*Accession Number:* 20090505-0193.

*Comment Date:* 5 p.m. Eastern Time on Monday, May 18, 2009.

*Docket Numbers:* ER06-739-021; ER06-738-021; ER03-983-020; ER07-501-020; ER07-758-016; ER02-537-024; ER08-649-013.

*Applicants:* East Coast Power Linden Holding, LLC; Cogen Technologies Linden Venture, LP; Fox Energy Company LLC; Birchwood Power Partners, LP; Inland Empire Energy Center, LLC; Shady Hills Power Company, LLC; EFS Parlin Holdings LLC.

*Description:* Notice of Non-Material Change in Status—GE Companies re “Noble II” Passive Interest Consummation.

*Filed Date:* 05/05/2009.

*Accession Number:* 20090505-5045.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER06-1409-004; ER06-1407-004; ER06-1408-004;

ER06-1413-004; ER08-1443-002; ER08-577-005; ER08-578-005; ER08-579-006.

*Applicants:* Noble Altona Windpark, LLC; Noble Bliss Windpark, LLC; Noble Ellenberg Windpark, LLC; Noble Clinton Windpark I, LLC; Noble Great Plains Windpark, LLC; Noble Chateaugay Windpark, LLC; Noble Wethersfield Windpark, LLC.

*Description:* Notice of Non-Material Change in Status of Noble Environmental Power, LLC.

*Filed Date:* 05/04/2009.

*Accession Number:* 20090504-5139.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER07-1356-010; ER07-1358-009; ER07-1112-008; ER07-1113-008; ER07-1116-007; ER07-1117-009; ER07-1118-009; ER00-2885-024; ER01-2765-023; ER09-609-001; ER05-1232-018; ER09-335-004; ER02-1582-021; ER02-2102-023; ER03-1283-018.

*Applicants:* J.P. Morgan Ventures Energy Corporation, BE Allegheny LLC, BE CA LLC, BE Ironwood LLC, BE KJ LLC, BE Rayle LLC, BE Alabama LLC, BE Louisiana LLC, Cedar Brakes I, LLC, Mohawk River Funding IV, LLC, Utility Contract Funding, LLC, Vineland Energy LLC, Central Power & Lime LLC, Cedar Brakes II, LLC.

*Description:* Notice of non-material change in status of J.P. Morgan Ventures Energy Corporation, *et al.*

*Filed Date:* 05/01/2009.

*Accession Number:* 20090501-5266.

*Comment Date:* 5 p.m. Eastern Time on Friday, May 22, 2009.

*Docket Numbers:* ER08-1203-001; EL08-85-001.

*Applicants:* California Independent System Operator Corporation.

*Description:* California Independent System Operator Corporation submits Substitute First Revised Service Agreement No 660.

*Filed Date:* 05/01/2009.

*Accession Number:* 20090504-0188.

*Comment Date:* 5 p.m. Eastern Time on Friday, May 22, 2009.

*Docket Numbers:* ER09-412-003.

*Applicants:* PJM Interconnection LLC.

*Description:* PJM Interconnection, LLC submits revisions to their Open Access Transmission Tariff and Reliability Assurance Agreement among Load Serving Entities in the PJM Region etc. pursuant to FERC's 3/26/09 order.

*Filed Date:* 04/27/2009.

*Accession Number:* 20090430-0240.

*Comment Date:* 5 p.m. Eastern Time on Monday, May 18, 2009.

*Docket Numbers:* ER09-497-002.

*Applicants:* PJM Interconnection LLC.

*Description:* PJM Interconnection, LLC submits compliance filing.

*Filed Date:* 05/04/2009.  
*Accession Number:* 20090505-0103.  
*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER09-644-001.  
*Applicants:* South Carolina Electric & Gas Company.

*Description:* South Carolina Electric & Gas Company submits revisions to its Order No 676-C compliance filing.

*Filed Date:* 05/04/2009.  
*Accession Number:* 20090505-0102.  
*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER09-650-002.  
*Applicants:* PJM Interconnection, LLC.

*Description:* PJM Interconnection, LLC submits the attached revised PJM Open Access Transmission Tariff sheets to comply with the directives in the FERC 4/3/09 Order Accepting Proposed Tariff Revisions Subject to Conditions.

*Filed Date:* 05/04/2009.  
*Accession Number:* 20090505-0109.  
*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER09-769-001.  
*Applicants:* Midwest Independent Transmission System Operator, Inc.

*Description:* Midwest Independent Transmission System Operator, Inc. submits an amendment to its 2/25/09 proposed regarding revisions to the Midwest ISO Open Access Transmission Energy, etc.

*Filed Date:* 05/04/2009.  
*Accession Number:* 20090505-0104.  
*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER09-808-001.  
*Applicants:* Reliant Energy Power Supply, LLC.

*Description:* Reliant Energy Power Supply, LLC submits revised cancelled Third Revised Sheet 1, FERC Electric Tariff, Original Volume 1 reflecting 5/1/09 as the effective date etc.

*Filed Date:* 05/04/2009.  
*Accession Number:* 20090505-0125.  
*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER09-831-001.  
*Applicants:* New York Independent System Operator, Inc.

*Description:* New York Independent System Operator, Inc. *et al.* submits amended and restated executed large generator standard large generator interconnection agreement among the NYISO etc.

*Filed Date:* 05/05/2009.  
*Accession Number:* 20090506-0170.  
*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER09-1063-001.  
*Applicants:* PJM Interconnection, LLC.

*Description:* PJM Interconnection, LLC submits substitute sheets which contains the correct proposed Tariff and Operating revisions.

*Filed Date:* 05/01/2009.  
*Accession Number:* 20090504-0190.  
*Comment Date:* 5 p.m. Eastern Time on Wednesday, May 27, 2009.

*Docket Numbers:* ER09-1075-000.  
*Applicants:* Falcon Energy LLC.  
*Description:* Falcon Energy, LLC submits an Application for Market-Based Rate Authorization and Request for Waivers and Blanket Authorizations and Request for Expedited Treatment of Falcon Energy, LLC.

*Filed Date:* 05/04/2009.  
*Accession Number:* 20090505-0105.  
*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER09-1077-000.  
*Applicants:* Southern California Edison Company.

*Description:* Southern California Edison Company submits Seventh Revised Sheet 54 *et al.* to its FERC Electric Rate Schedule 424 to be effective 7/1/09.

*Filed Date:* 05/01/2009.  
*Accession Number:* 20090504-0136.  
*Comment Date:* 5 p.m. Eastern Time on Friday, May 22, 2009.

*Docket Numbers:* ER09-1093-000.  
*Applicants:* Florida Power Corporation.

*Description:* Florida Power Corporation *et al.* submits its annual cost factor updates that implement the contractually authorized changes in certain cost components for interchange services provided by FPC.

*Filed Date:* 05/01/2009.  
*Accession Number:* 20090505-0128.  
*Comment Date:* 5 p.m. Eastern Time on Friday, May 22, 2009.

*Docket Numbers:* ER09-1094-000.  
*Applicants:* Midwest Independent Transmission System Operator, Inc.

*Description:* Midwest Independent Transmission System Operator, Inc. submits its Requests to Terminate the Market Participant Agreement between the Midwest and Excelsior Ltd and Notice Regarding Continuing and Anticipated Default.

*Filed Date:* 05/04/2009.  
*Accession Number:* 20090505-0106.  
*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* ER09-1096-000.  
*Applicants:* Kentucky Utilities Company.

*Description:* Kentucky Utilities Co. submits its annual update to the formula rates it charges the Kentucky Municipals for wholesale electric service.

*Filed Date:* 05/01/2009.

*Accession Number:* 20090505-0136.  
*Comment Date:* 5 p.m. Eastern Time on Friday, May 22, 2009.

Take notice that the Commission received the following electric securities filings:

*Docket Numbers:* ES09-31-000.  
*Applicants:* Entergy Texas, Inc.  
*Description:* Application of Entergy Texas, Inc. for Authorization Under FPA Section 204.

*Filed Date:* 04/30/2009.  
*Accession Number:* 20090430-5303.  
*Comment Date:* 5 p.m. Eastern Time on Thursday, May 21, 2009.

*Docket Numbers:* ES09-32-000.  
*Applicants:* System Energy Resources, Inc.

*Description:* Application of System Energy Resources, Inc., for Authorization Under FPA Section 204.  
*Filed Date:* 04/30/2009.

*Accession Number:* 20090430-5305.  
*Comment Date:* 5 p.m. Eastern Time on Thursday, May 21, 2009.

*Docket Numbers:* ES09-33-000.  
*Applicants:* Northern Indiana Public Service Company.

*Description:* Application of Northern Indiana Public Service Company under New Docket for authorization under FPA Section 204 to Issue Short-Term Debt and submit Revised Exhibits of on 5/4/09.

*Filed Date:* 04/30/2009; 05/04/2009.  
*Accession Number:* 20090430-5466; 20090504-5140.

*Comment Date:* 5 p.m. Eastern Time on Thursday, May 21, 2009.

*Docket Numbers:* ES09-34-000.  
*Applicants:* ISO New England Inc.

*Description:* ISO New England Inc. Submits Application under Section 204 of the Federal Power Act For An Order Authorizing the Issuance of Securities.  
*Filed Date:* 04/30/2009.

*Accession Number:* 20090504-0152.  
*Comment Date:* 5 p.m. Eastern Time on Thursday, May 21, 2009.

*Docket Numbers:* ES09-35-000.  
*Applicants:* MDU Resources Group, Inc.

*Description:* Application of MDU Resources Group, Inc for authority to issue securities.

*Filed Date:* 04/30/2009.  
*Accession Number:* 20090504-0033.  
*Comment Date:* 5 p.m. Eastern Time on Thursday, May 21, 2009.

Take notice that the Commission received the following open access transmission tariff filings:

*Docket Numbers:* OA08-68-002; OA08-138-001.  
*Applicants:* Cleco Power LLC.

*Description:* Cleco Power LLC Filing to Comply with April 1, 2009 Order.

*Filed Date:* 05/01/2009.  
*Accession Number:* 20090501-5269.  
*Comment Date:* 5 p.m. Eastern Time on Friday, May 22, 2009.

*Docket Numbers:* OA08-145-001.  
*Applicants:* NewCorp Resources Electric Cooperative.

*Description:* Supplement to Order No. 890-B Compliance Filing under OA08-145.

*Filed Date:* 05/04/2009.  
*Accession Number:* 20090504-5136.  
*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

*Docket Numbers:* OA09-17-001.  
*Applicants:* California Independent System Operator Corp.

*Description:* California Independent System Operator Corp submits Appendix L, Methodology to Assess Available Transfer Capability under OA09-17.

*Filed Date:* 04/30/2009.  
*Accession Number:* 20090504-0151.  
*Comment Date:* 5 p.m. Eastern Time on Thursday, May 21, 2009.

*Docket Numbers:* OA09-27-000.  
*Applicants:* Entergy Services, Inc.  
*Description:* Entergy Services, Inc submits revised tariff sheets for the currently effective version of Attachment C to Entergy's Open Access Transmission Tariff under OA09-27.

*Filed Date:* 05/05/2009.  
*Accession Number:* 20090506-0177.  
*Comment Date:* 5 p.m. Eastern Time on Tuesday, May 26, 2009.

Any person desiring to intervene or to protest in any of the above proceedings 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 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.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. E9-11440 Filed 5-15-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL09-51-000]

#### **Borex Ashland LP Complainant, v. ISO New England Inc. Respondent; Notice of Complaint**

May 11, 2009.

Take notice that on May 5, 2009, Borex Ashland LP (Borex Ashland) filed a complaint against ISO New England Inc. (ISO-NE) pursuant to section 206 of the Federal Power Act. Borex Ashland alleges that ISO-NE failed to ensure that Borex Ashland is afforded transmission priority for capacity imports over the New Brunswick interface pursuant to the terms of a grandfathered transmission service agreement between Borex Ashland and Maine Electric Power Company, Inc., (MEPCO).

Borex Ashland certifies that copies of the complaint were served on ISO-NE, MEPCO and affected state public utility commissions.

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 May 26, 2009.

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

[FR Doc. E9-11462 Filed 5-15-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. AC09-86-000, AC09-86-001]

#### **NW Pipeline Co.; Notice of Filing**

May 11, 2009.

Take notice that on April 24, 2009 and May 5, 2009, NW Pipeline Co. submitted requests for waiver of the requirement to file the FERC Form No. 6 from January 1, 2008 to February 23, 2008.

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 or 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