

gates and 3 roller gates and a 600-foot-long lock; and (2) a 12,152-acre reservoir with a normal pool elevation of 529.5 feet mean sea level.

The proposed Burlington Project would consist of: (1) Thirty submersible 500-kilowatt turbine generating units with total installed capacity of 15 megawatts (MW); (2) a 1-mile-long, 12.5-kilovolt (kV) transmission line; and (3) appurtenant facilities. The project would have an estimated average annual generation of 76,831 megawatts-hours (MWh), which would be sold to Alliant Energy. The project would be located along the western half of the Corps dam.

*Applicant Contact:* Mr. Doug Worden, City Manager, City of Burlington, Iowa, 400 Washington Street, Burlington, Iowa 52601, (319) 753-8120.

The proposed L&D 18 Project would consist of: (1) Twenty six Very Low Head generating units and 100 hydrokinetic generating units with a total installed capacity of 24.5 MW; (2) a 5.68-mile-long, 69-kV transmission line; and (3) appurtenant facilities. The project would have an estimated average annual generation of 119,500 MWh, which would be sold to Alliant Energy. The project would be located in the middle of the Mississippi River just downstream of the Corps dam.

*Applicant Contact:* Mr. Daniel R. Irvin, Free Flow Power Corporation, 33 Commercial Street, Gloucester, MA 01930, phone (978) 252-7631.

*FERC Contact:* Patrick Murphy, (202) 502-8755.

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-13429 or 13455) 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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**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12731-002]

#### **Natural Currents Energy Services, LLC; Notice of Intent To File License Application, Filing of Draft Application, Request for Waivers of Integrated Licensing Process Regulations Necessary for Expedited Processing of a Hydrokinetic Pilot Project License Application, and Soliciting Comments**

May 15, 2009.

a. *Type of Filing:* Notice of Intent to File a License Application for an Original License for a Hydrokinetic Pilot Project.

b. *Project No.:* 12731-002.

c. *Date Filed:* May 15, 2009.

d. *Submitted By:* Natural Currents Energy Services, LLC.

e. *Name of Project:* Angoon Tidal Power Pilot Project.

f. *Location:* In Kootznahoo Inlet on the western shore of Admiralty Island, near the City of Angoon in the Skagway-Hoonah-Angoon Census Area of southeastern Alaska.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Applicant Contact:* Roger Bason, President, Natural Currents Energy Services, 24 Roxanne Blvd., Highland, NY 12528; (845) 691-4008; [info@naturalcurrents.com](mailto:info@naturalcurrents.com).

i. *FERC Contact:* Steve Hocking (502) 552-8753.

j. Natural Currents Energy Services, LLC (Natural Currents) has filed with the Commission: (1) A notice of intent (NOI) to file an application for an original license for a hydrokinetic pilot project and a draft license application with monitoring plans; (2) a proposed schedule; (3) a request to be designated as the non-Federal representative for section 7 of the Endangered Species Act consultation; and (4) a request to be designated as the non-Federal representative for section 106 consultation under the National Historic Preservation Act (collectively the pre-filing materials).

k. With this notice, we are soliciting comments on the pre-filing materials listed in paragraph j above, including the draft license application and

monitoring plans. All comments should be sent to the address above in paragraph h. In addition, all comments (original and eight copies) must be filed with the Commission at the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. All filings with the Commission must include on the first page, the project name (Angoon Tidal Power Pilot Project) and number (P-12731-002), and bear the heading "Comments on the proposed Angoon Tidal Power Pilot Project." Any individual or entity interested in submitting comments on the pre-filing materials must do so by July 14, 2009.

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.

l. With this notice, we are approving Natural Currents' request to be designated as the non-Federal representative for section 7 of the Endangered Species Act (ESA) and its request to initiate consultation under section 106 of the National Historic Preservation Act; and recommending that it begin informal consultation with: (a) The U.S. Fish and Wildlife Service and the National Marine Fisheries Service as required by section 7 of ESA; and (b) the Alaska State Historic Preservation Officer, as required by section 106, National Historical Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

m. This notice does not constitute the Commission's approval of Natural Currents' request to use the Pilot Project Licensing Procedures. Upon its review of the project's overall characteristics relative to the pilot project criteria, the draft license application contents, and any comments filed, the Commission will determine whether there is adequate information to conclude the pre-filing process.

n. The proposed Angoon Tidal Power Pilot Project would consist of eight (8) 25-kw Red Hawk Tidal Turbines, with a combined maximum output of 200 kW for the pilot project. Initially, the turbines would be mounted on portable anchored barges to test different positions within the site for the best turbine performance. Following the location of the desired development site, tidal turbines will be mounted on constructed docks or piers secured to the solid, scoured, subsurface bedrock. The transmission intertie is to be determined. The estimated annual

generation of the project would be 525,600 kilowatt-hours  
 o. A copy of the draft license application and all pre-filing materials are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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.

p. Pre-filing process schedule. The pre-filing process will be conducted pursuant to the following tentative schedule. Revisions to the schedule below may be made based on staff's review of the draft application and any comments received.

| Milestone   | Date   |
|---|--|
| Comments on pre-filing materials due .....  | July 14, 2009.   |
| Issuance of meeting notice (if needed) .....  | July 29, 2009.   |
| Public meeting/technical conference (if needed) .....                                       | August 28, 2009.   |
| Issuance of notice concluding pre-filing process and ILP waiver request determination ..... | August 13, 2009 (if no meeting is needed).<br>September 14, 2009 (if meeting is needed). |

q. Register online at <http://ferc.gov/esubscribenow.htm> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

**Kimberly D. Bose,**  
*Secretary.*  
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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket Nos. CP09-409-000]

**Williston Basin Interstate Pipeline Company; Notice of Application**

May 15, 2009.

Take notice that on May 12, 2009, Williston Basin Interstate Pipeline Company (Williston Basin), P.O. Box 5601, Bismarck North Dakota 58506-5601, filed in Docket Number CP09-409-000, pursuant to section 7(c) of the Natural Gas Act (NGA), an application for authority to acquire certain gas volumes to replenish lost cushion gas in its Elk Basin Storage Reservoir located in Park County, Wyoming and Carbon County, Montana. This filing 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, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Any questions regarding this Application or Petition should be

directed to Keith A. Tiggelaar, Director of Regulatory Affairs for Williston Basin, 1250 West Century Avenue, Bismarck, North Dakota 58503, by phone at (701) 530-1560 or by e-mail at [keith.tiggelaar@wbip.com](mailto:keith.tiggelaar@wbip.com).

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding, or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

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 below listed comment date, 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 with the Commission and must mail a copy to the applicant and to every other party in the proceeding. 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 commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right