

Commission, 888 First Street, NE., Washington, DC 20426, and should refer to Docket No. IC09-916-001.

All comments may be viewed, printed or downloaded remotely via the Internet through FERC's homepage using the "eLibrary" link. For user assistance, contact fercolinesupport@ferc.gov or toll-free at (866) 208-3676 or for TTY, contact (202) 502-8659.

FOR FURTHER INFORMATION CONTACT:

Ellen Brown may be reached by telephone at (202) 502-8663, by fax at (202) 273-0873, and by e-mail at ellen.brown@ferc.gov.

SUPPLEMENTARY INFORMATION: The Commission is requesting comments on the record retention requirements of FERC-916,¹ "Record Retention Requirements for Pipelines Providing Unbundled Sales Service, and Persons Holding Blanket Marketing Certificates," OMB Control No. 1902-0224. The FERC-916 record retention requirements are contained in 18 CFR 284.288(b) and 284.403(b).

The Commission's regulations at 18 CFR 284.288 and 284.403 provide that applicable sellers of natural gas adhere to a code of conduct when making gas sales in order to protect the integrity of the market. The Commission imposes the FERC-916 record retention requirement on applicable sellers to "retain, for a period of five years, all data and information upon which it billed the prices it charged for natural gas it sold pursuant to its market based sales certificate or the prices it reported for use in price indices." FERC uses the FERC-916 records to monitor the jurisdictional transportation activities and unbundled sales activities of interstate natural gas pipelines and blanket marketing certificate holders.

The record retention period of five years is necessary due to the importance of records related to any investigation of possible wrongdoing and related to assuring compliance with the codes of conduct and the integrity of the market. The requirement is necessary to ensure

consistency with the rule prohibiting market manipulation (regulations adopted in Order No. 670, implementing the EAct 2005 anti-manipulation provisions)² and the generally applicable five-year statute of limitations where the Commission seeks civil penalties for violations of the anti-manipulation rules or other rules, regulations, or orders to which the price data may be relevant.

Failure to have this information available would mean the Commission is unable to perform its regulatory functions and to monitor and evaluate transactions and operations of interstate pipelines and blanket marketing certificate holders.

Action: The Commission is requesting a three-year extension of the current expiration date for the FERC-916, with no changes to the requirements.

Burden Statement: Public reporting burden for this collection is estimated at:

| FERC requirements | Number of respondents annually | Number of responses per respondent | Average burden hours per response | Total annual burden hours |
|-------------------|--------------------------------|------------------------------------|-----------------------------------|---------------------------|
| | (1) | (2) | (3) | (1) × (2) × (3) |
| FERC-916 | 222 | 1 | 1 | 222 |

The estimated total annual cost to respondents includes hours for labor (222 hrs. at \$17 per hour, for a labor cost of \$3,774) and record storage costs (using an estimated 12,548 cu. ft of records in off-site storage, for a total record storage cost of \$81,051). The total annual cost (labor plus off-site record storage) is \$84,825; the total annual cost per respondent is \$382.

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 estimate of cost for respondents is based upon 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 collections of information are 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 estimates of the burden of the proposed collections 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 the burden of the collection of information on those who

are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-13542 Filed 6-9-09; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC09-914-001]

Commission Information Collection Activities (FERC-914); Comment Request; Submitted for OMB Review

June 3, 2009.

AGENCY: Federal Energy Regulatory Commission, Energy.

ACTION: Notice.

SUMMARY: In compliance with the requirements of section 3507 of the

¹ FERC-916 was formerly called "FERC-916(549)," with the intent of consolidating the FERC-916 into the FERC-549 (OMB Control No.

1902-0086). FERC has decided not to consolidate the FERC-916 into the FERC-549, so this Notice deals only with the FERC-916 requirements.

² 18 CFR 1c.1 and 1c.2, 71 FR 4,244 (2006).

Paperwork Reduction Act of 1995, 44 U.S.C. 3507, the Federal Energy Regulatory Commission (Commission or FERC) has submitted the information collection described below to the Office of Management and Budget (OMB) for review of the information collection requirements. Any interested person may file comments directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission received no comments in response to the **Federal Register** notice (74FR 15472, 4/6/2009) and has made this notation in its submission to OMB.

DATES: Comments on the collection of information are due by July 10, 2009.

ADDRESSES: Address comments on the collection of information to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Federal Energy Regulatory Commission Desk Officer. Comments to OMB should be filed electronically, c/o *oira_submission@omb.eop.gov* and include OMB Control Number 1902-0231 as a point of reference. The Desk Officer may be reached by telephone at 202-395-4638.

A copy of the comments should also be sent to the Federal Energy Regulatory Commission and should refer to Docket No. IC09-914-001. Comments may be filed either electronically or in paper format. Those persons filing electronically do not need to make a paper filing. Documents filed electronically via the Internet must be prepared in an acceptable filing format and in compliance with the Federal Energy Regulatory Commission submission guidelines. Complete filing instructions and acceptable filing formats are available at <http://www.ferc.gov/help/submission-guide/electronic-media.asp>. To file the document electronically, access the Commission's Web site and click on Documents & Filing, E-Filing (<http://www.ferc.gov/docs-filing/efiling.asp>), and then follow the instructions for each screen. First time users will have to establish a user name and password. The Commission will send an automatic acknowledgement to the sender's e-mail address upon receipt of comments.

For paper filings, an original and 2 copies of the comments should be submitted to the Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street, NE., Washington, DC 20426, and should refer to Docket No. IC09-914-001.

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FOR FURTHER INFORMATION CONTACT:

Ellen Brown may be reached by telephone at (202)502-8663, by fax at (202)273-0873, and by e-mail at ellen.brown@ferc.gov.

SUPPLEMENTARY INFORMATION: FERC is requesting comments on the FERC-914,¹ "Cogeneration and Small Power Production—Tariff Filings," OMB Control No. 1902-0231. The information filed in FERC-914 enables the Commission to exercise its wholesale electric rate and electric power transmission oversight and enforcement responsibilities in accordance with the Federal Power Act, the Department of Energy Organization Act (DOE Act) and EAct 2005.

In Orders 671 and 671-A,² the Commission revised its regulations that govern qualifying small power production and cogeneration facilities. Among other things, the Commission eliminated certain exemptions from rate regulation that were previously available to qualifying facilities (QFs). New qualifying facilities may need to make tariff filings if they do not meet the new exemption requirements of 18 CFR Part 292.

Section 205(c) of the FPA requires that every public utility have all of its jurisdictional rates and tariffs on file with the Commission and make them available for public inspection, within such time and in such form as the Commission may designate. Section 205(d) of the FPA requires that every public utility must provide notice to

¹ Normally, these requirements and burden would be included in FERC-516, "Electric Rate Schedule Filings" (OMB Control No. 1902-0096). However, FERC-516 is currently the subject of OMB review, so the Commission will continue to track these requirements (and the related burden hours) separately under FERC-914 [formerly labeled "FERC-914(516)"]. FERC-914 covers the tariff filing requirements under 18 CFR Part 35 for those qualifying facilities that do not meet the exemption requirements in 18 CFR Part 292. In the future, FERC plans to incorporate the FERC-914 reporting requirements and related burden into the FERC-516.

² *Revised Regulations Governing Small Power Production and Cogeneration Facilities*, Order No. 671, 71 FR 7852 (Feb. 15, 2006), FERC Stats. & Regs. ¶ 31,203 (2006); and *Revised Regulations Governing Small Power Production and Cogeneration Facilities*, Order 671-A, 71 FR 30585 (May 30, 2006), in Docket No. RM05-36.

FERC and the public of any changes to its jurisdictional rates and tariffs, file such changes with FERC, and make them available for public inspection, in such manner as directed by the Commission. In addition, FPA section 206 requires FERC, upon complaint or its own motion, to modify existing rates or services that are found to be unjust, unreasonable, unduly discriminatory or preferential. FPA section 207 further requires the Commission upon complaint by a State commission and a finding of insufficient interstate service, to order the rendering of adequate interstate service by public utilities, the rates for which would be filed in accordance with FPA sections 205 and 206.

FERC implemented the Congressional mandate of EAct 2005 to establish criteria for new qualifying cogeneration facilities by: (1) Amending the exemptions available to qualifying facilities from the FPA and from PUHCA [resulting in the burden imposed by FERC-914, the subject of this Notice]; (2) ensuring that these facilities are using their thermal output in a productive and beneficial manner; that the electrical, thermal, chemical and mechanical output of new qualifying cogeneration facilities is used fundamentally for industrial, commercial, residential or industrial purposes; and there is a continuing progress in the development of efficient electric energy generating technology; (3) amending the FERC Form 556³ to reflect the criteria for new qualifying cogeneration facilities; and (4) eliminating ownership limitations for qualifying cogeneration and small power production facilities. FERC satisfied the statutory mandate and its continuing obligation to review its policies encouraging cogeneration and small power production, energy conservation, efficient use of facilities and resources by electric utilities and equitable rates for energy customers.

Action: The Commission is requesting a three-year extension of the current expiration date for the FERC-914,¹ with no changes to the reporting requirements.

Burden Statement: Public reporting burden for this collection is estimated at:

³ The FERC-556 is cleared separately as OMB Control No. 1902-0075 and is not a subject of this Notice.

| FERC Data collection—FERC-914 | Number of respondents annually | Number of responses per respondent | Average burden hours per response | Total annual burden hours |
|--|--------------------------------|------------------------------------|-----------------------------------|---------------------------|
| | (1) | (2) | (3) | (1) × (2) × (3) |
| FPA Section 205 filings | 100 | 1 | 183 | 18,300 |
| Electric quarterly reports (initial) | 100 | 1 | 230 | 23,000 |
| Electric quarterly reports (later) | 100 | 3 | 6 | 1,800 |
| Change of status | 100 | 1 | 3 | 300 |
| Total | | | | 43,400 |

The estimated total annual cost to respondents is \$2,676,966.10 [43,400 hours divided by 2,080 hours⁴ per year, times \$128,297⁵ equals \$2,676,966.10]. The cost per respondent is \$26,769.66. The estimated burden covers the qualifying facilities required to file electric quarterly reports, change of status filings, and tariff filings to comply with section 205 of the Federal Power Act (FPA).

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 estimate of cost for respondents is based upon 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 collections of information are 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 estimates of the burden of the proposed collections 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 the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

Kimberly D. Bose,

Secretary.

[FR Doc. E9-13540 Filed 6-9-09; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 12717-002]

Northern Illinois Hydropower, LLC; Notice of Application Tendered for Filing with the Commission, Soliciting Additional Study Requests, Establishing Procedural Schedule for Licensing, and Deadline for Submission of Final Amendments

June 3, 2009.

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

a. *Type of Application:* Original License.

b. *Project No.:* P-12717-002.

c. *Date Filed:* May 27, 2009.

d. *Applicant:* Northern Illinois Hydropower, LLC.

e. *Name of Project:* Brandon Road Hydropower Project.

f. *Location:* U.S. Army Corps of Engineers Brandon Road Lock and Dam on the Illinois River, in the City of Joliet, Will County, Illinois. The project will occupy approximately 1.6 acres of federal land.

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

h. *Applicant Contact:* Damon Zdunich, Northern Illinois Hydropower,

LLC, 801 Oakland Avenue, Joliet, IL 60435, (312) 320-1610.

i. *FERC Contact:* Dr. Nicholas Palso, (202) 502-8854.

j. *Cooperating Agencies:* Federal, State, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item l below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. See, 94 FERC ¶ 61,076 (2001).

k. Pursuant to Section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days after the application is filed, and serve a copy of the request on the applicant.

l. *Deadline for filing additional study requests and requests for cooperating agency status:* July 27, 2009.

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.

Additional study requests and requests for cooperating agency status 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 at (<http://www.ferc.gov>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "Quick Comment."

m. This application is not ready for environmental analysis at this time.

n. *Description of Project:* The Brandon Road Project would utilize the Corps of Engineer's existing Brandon Road Dam

⁴ Number of hours an employee works each year.

⁵ Average annual salary per employee.