

spectrum. In the case of the 1710–1755 MHz band, this involved moving Federal systems completely out of the allocated band. It is possible, however, that technological advances or more spectrum-efficient techniques, if implemented across all Federal agencies or entire services, may permit increased consolidation or sharing among Federal agencies. This, in turn, could result in release of additional spectrum that could be auctioned for commercial services. Under this approach the Federal users might still remain in the band. Could this approach result in the potential for increased opportunities to accommodate new commercial services? Are there other approaches to accommodating new commercial services in bands used by the Federal government?

#### *e. Urban versus Rural Relocation*

Federal policies favor nationwide availability of advanced services.<sup>70</sup> Advanced wireless industry efforts to transition agencies thus far, however, appear to have concentrated on populated areas. To date, agencies in remote areas for the most part have been able to accommodate buildouts through the coordination process.<sup>71</sup> In the future, should Federal/non-Federal sharing in remote regions substitute for outright reallocation? How would continued Federal use hinder commercial deployment in remote areas?

Dated: June 30, 2009.

#### **Anna M. Gomez,**

*Deputy Assistant Secretary for Communications and Information.*

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**BILLING CODE 3510–60–S**

<sup>70</sup> See generally White House, Technology, “Drive Economic Growth and Solve National Problems by Deploying a 21st Century Infrastructure,” available at [www.whitehouse.gov/issues/technology](http://www.whitehouse.gov/issues/technology); Press Release, NTIA, “Vilsack, Copps and Wade Kick Off American Recovery and Reinvestment Act’s Broadband Initiative” (Mar. 10, 2009) available at [http://www.ntia.doc.gov/press/2009/BTOP\\_RFI\\_090310.pdf](http://www.ntia.doc.gov/press/2009/BTOP_RFI_090310.pdf).

<sup>71</sup> See generally *Second Annual Relocation Report*, supra note 5, at A–1 and n. 2 (USDA extensions of relocation time lines in remote areas did not impact commercial deployment).

## **DEPARTMENT OF ENERGY**

### **Federal Energy Regulatory Commission**

[Project No. 3633–037]

#### **Alternative Energy Associates Limited Partnership; KC Brighton LLC; Notice of Application for Transfer of License, and Soliciting Comments, Motions To Intervene, and Protests**

June 26, 2009.

On June 8, 2009, Alternative Energy Associates Limited Partnership (Transferor) and KC Brighton LLC (Transferee) filed a joint application for transfer of license of the Brighton Dam Project. The Project is located on the Patuxent River in Howard and Montgomery Counties, Maryland.

Applicants seek Commission approval to transfer the license for Brighton Dam Project from Alternative Energy Associates Limited Partnership to KC Brighton LLC.

*Applicant Contact:* For Transferor, Alternative Energy Associates Limited Partnership, Barbara Exter, Alternative Energy Associates Limited Partnership, 123 Piano Drive, Newark, DE 19713–1984, telephone (302) 293–9544.

For Transferee, KC Brighton LLC, Kelly W. Sackheim, KC Brighton LLC, 5096 Cocoa Palm Way, Fair Oaks, CA 95628–519, telephone (916) 267–5937.

*FERC Contact:* Patricia W. Gillis, (202) 502–8735.

Deadline for filing comments, protests, and motions to intervene: 30 days from the issuance of this notice. Comments and motions to intervene 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–3633–037) in the docket number field to access the document.

For assistance, call toll-free 1–866–208–3372.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9–15892 Filed 7–6–09; 8:45 am]

**BILLING CODE 6717–01–P**

## **DEPARTMENT OF ENERGY**

### **Federal Energy Regulatory Commission**

[Docket No. CP09–433–000; PF09–4–000]

#### **Fayetteville Express Pipeline LLC; Notice of Application**

June 26, 2009.

Take notice that on June 15, 2009, Fayetteville Express Pipeline LLC (Fayetteville Express), 500 Dallas Street, Suite 1000, Houston, Texas 77002, filed an application in Docket No. CP09–433–000 pursuant to section 7(c) of the Natural Gas Act (NGA), and parts 157 and 284 of the Commission’s regulations requesting: (1) Authorization to construct and operate a new approximately 185-mile, 42-inch natural gas pipeline located in Arkansas and Mississippi capable of transporting up to 2,000,000 Dth/day; (2) a blanket certificate authorizing Fayetteville Express to engage in certain self-implementing routine activities under part 157, subpart F, of the Commission’s regulations; and (3) a blanket certificate authorizing Fayetteville Express to transport natural gas, on an open access and self-implementing basis, under part 284, subpart G of the Commission’s regulations. Additionally, Fayetteville Express seeks approval of its proposed recourse rates, and *pro forma* tariff, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

Any questions regarding the applications should be directed to Ronald Brown, Vice President, Fayetteville Express Pipeline LLC, 500 Dallas Street, Suite 1000, Houston, Texas 77002; telephone: (713) 369–9290 or e-mail: [ronald\\_brown@kindermorgan.com](mailto:ronald_brown@kindermorgan.com).

The 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, contact FERC at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (886) 208–3676 or TTY, (202) 502–8659.