

foot-long tailrace tunnel; (7) a 72-foot-wide, 130-foot-high, and 360-foot-long underground powerhouse; (8) four reversible pump-turbine units at 325 megawatts each, for a total installed capacity of 1,300 megawatts; (9) a 28-foot-wide, 28-foot-high, by 6,625-foot-long access tunnel to the underground powerhouse; (10) a water supply pipeline ranging from 12-to 24-inch-diameter totaling 15.3 miles; (11) a 13.5-mile-long, 500-kilovolt transmission line connecting to a new Interconnection Collector Substation; and (12) appurtenant facilities. The average annual generation is estimated to be 22.2 gigawatt-hours.

o. A copy of the application 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 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 h 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.

p. With this notice, we are initiating consultation with the California State Historic Preservation Officer (SHPO), as required by 106, National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36, CFR, at 800.4.

q. *Procedural schedule:* The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule will be made as appropriate.

Study Requests, Deficiency/Additional Information Letter (if needed) .....	July 2009.
Issue Acceptance Letter .....	November 2009.
Notice that Application is Ready for Environmental Analysis .....	November 2009.
Agency Comments, Terms, and Conditions .....	January 2010.
Applicant Reply Comments .....	March 2010.
Notice of the Availability of the Draft EIS .....	June 2010.
Notice of the Availability of the Final EIS .....	November 2010.

**Kimberly D. Bose,**  
*Secretary.*  
[FR Doc. E9-16561 Filed 7-10-09; 8:45 am]  
BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 13449-000]

**McGinnis, Inc.; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications**

July 6, 2009.

On April 29, 2009, McGinnis, Inc. filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Markland Hydrokinetic Project, located on the Ohio River, in Gallatin County, Kentucky, and Switzerland County, Indiana. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of: (1) A 100 to 300-foot-long by 20 to 52-foot-wide barge spudded down to the riverbed; (2) 10 6-8-foot-long by 6-8-foot-diameter turbine-generators mounted in line along the side of the

barge; (3) one armored, high-voltage cable transmitting the generated power to the existing transmission line located adjacent to the proposed project area; and (4) appurtenant facilities. The proposed project would generate about 1,533 megawatt-hours.

*Applicant Contact:* Bruce D. McGinnis, Sr., McGinnis, Inc., P.O. Box 534, 502 Second St. Ext., South Point, OH 45680, phone: (740) 377-4391.

*FERC Contact:* Sergiu Serban, 202-502-6211.

*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, including a copy of the application, 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-13449) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

**Kimberly D. Bose,**  
*Secretary.*  
[FR Doc. E9-16446 Filed 7-10-09; 8:45 am]  
BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Project No. 485-063]

**Georgia Power Company; Notice of Intent To File License Application, Filing of Pre-Application Document, Commencement of Licensing Proceeding, and Scoping; Request for Comments on the Pad and Scoping Document, and Identification of Issues and Associated Study Requests**

July 6, 2009.

a. *Type of Filing:* Notice of Intent to File License Application for a New License and Commencing Licensing Proceeding.

b. *Project No.:* 485-063.

c. *Dated Filed:* May 6, 2009.

d. *Submitted By:* Georgia Power Company.

e. *Name of Project:* Bartletts Ferry Hydroelectric Project.

f. *Location:* On the Chattahoochee River in Harris County, Georgia and Lee and Chambers counties, Alabama. The project does not occupy any federal lands.

g. *Filed Pursuant to:* 18 CFR Part 5 of the Commission's Regulations.

h. *Potential Applicant Contact:* Charles H. Huling P.E., Vice President, Georgia Power Company, Environmental Affairs, 241 Ralph McGill Boulevard, NE., BIN 10221, Atlanta, GA 30308-3374. Attn. George A. Martin.

i. *FERC Contact:* Janet Hutzel at (202) 502-8675, or e-mail at [janet.hutzel@ferc.gov](mailto:janet.hutzel@ferc.gov).

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 o 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. With this notice, we are initiating informal consultation with: (a) The U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402, and (b) the Alabama and Georgia State Historic Preservation Officers, 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.

l. With this notice, we are designating Georgia Power Company as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act and section 106 of the National Historic Preservation Act.

m. Georgia Power Company filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (<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. A copy is also available for inspection and reproduction at the address in paragraph h.

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.

o. With this notice, we are soliciting comments on the PAD and Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application (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 (Bartletts Ferry Hydroelectric Project) and the project number (P-485-063), and bear the heading "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," "Request for Cooperating Agency Status," or "Communications to and from Commission Staff." Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by September 4, 2009.

Comments on the PAD and SD1, study requests, requests for cooperating agency status, and other permissible forms of communications with the Commission 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/docs-filing/ferconline.asp>) under the "e-filing" link. For a simpler method of submitting text only comments, click on "Quick Comment."

p. Although our current intent is to prepare an environmental assessment (EA), there is the possibility that an Environmental Impact Statement (EIS) will be required. Nevertheless, this meeting will satisfy the NEPA scoping requirements, irrespective of whether an EA or EIS is issued by the Commission.

#### Scoping Meetings

Commission staff will hold scoping meetings in the vicinity of the project at the times and places noted below. The daytime meetings will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meetings are primarily for receiving input from the public. We invite all interested

individuals, organizations, and agencies to attend any of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:

#### August 4, 2009, Daytime Scoping Meeting

*Date:* Tuesday, August 4, 2009.

*Time:* 1 p.m. EST.

*Location:* City of Valley, Alabama's Community Center, 130 Sportsplex Drive, Valley, Alabama 36854.

#### August 4, 2009, Evening Scoping Meeting

*Date:* Tuesday, August 4, 2009.

*Time:* 6 p.m. EST.

*Location:* City of Valley, Alabama's Community Center, 130 Sportsplex Drive, Valley, Alabama 36854.

#### August 6, 2009, Daytime Scoping Meeting

*Date:* Thursday, August 6, 2009.

*Time:* 1 p.m. EST.

*Location:* Old Mountain Hill Schoolhouse, 47 Mountain Hill Road, Fortson, Georgia 31808.

#### August 6, 2009, Evening Scoping Meeting

*Date:* Thursday, August 6, 2009.

*Time:* 6 p.m. EST.

*Location:* Old Mountain Hill Schoolhouse, 47 Mountain Hill Road, Fortson, Georgia 31808.

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list. Copies of SD1 will be available at the scoping meetings, or may be viewed on the Web at <http://www.ferc.gov>, using the "eLibrary" link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

#### Site Visit

Georgia Power Company and Commission staff will conduct a site visit of the project facilities on Wednesday, August 5, 2009, starting at 10:30 a.m. EST. The site visit will entail touring the project dam and powerhouse. At 1 p.m. EST, a tour of Lake Harding will start from the project's powerhouse. Anyone interested in visiting the project

facilities and/or touring Lake Harding must send an e-mail to Bartletts Ferry Relicensing, at [bfrellice@southerco.com](mailto:bfrellice@southerco.com), by July 24, 2009. Please indicate if you want to visit the project facilities, tour Lake Harding, or both. Participants of the tours must provide identification, sign a liability waiver, and wear appropriate clothing and closed toed shoes. If any participant attending any part of the sites visit is disabled or has special needs, please e-mail Bartletts Ferry Relicensing, at [bfrellice@southerco.com](mailto:bfrellice@southerco.com).

#### Meeting Objectives

At the scoping meetings, staff will: (1) Initiate scoping of the issues; (2) review and discuss existing conditions and resource management objectives; (3) review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss the appropriateness of any federal or state agency or Indian tribe acting as a cooperating agency for development of an environmental document.

Meeting participants should come prepared to discuss their issues and/or concerns. Please review the PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n. of this notice.

#### Meeting Procedures

The meetings will be recorded by a stenographer and will become part of the formal record of the Commission proceeding on the project.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-16444 Filed 7-10-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2165-029]

#### Alabama Power Company; Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

July 2, 2009.

a. *Type of Application:* Non-project use of project lands and waters.

b. *Project Number:* 2165-029.

c. *Date Filed:* June 5, 2009.

d. *Applicant:* Alabama Power Company.

e. *Name of Project:* Warrior River Hydroelectric Project.

f. *Location:* The project is located on Sipsley Fork and the Black Warrior River in Cullman, Tuscaloosa, Walker, and Winston Counties, Alabama. The proposed action would occur at the Lewis Smith Development in Cullman County.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a), 825(r) and 799 and 801.

h. *Applicant Contact:* Mr. Jason Powers, Alabama Power Company, 600 18th Street North, Birmingham, Alabama 35203, telephone: (205) 257-4070.

i. *FERC Contact:* Any questions on this notice should be addressed to Christopher Yeakel at (202) 502-8132, or e-mail address:

[christopher.yeakel@ferc.gov](mailto:christopher.yeakel@ferc.gov).

j. *Deadline for filing comments and or motions:* August 3, 2009.

k. *Description of Request:* Alabama Power Company proposes to permit Mr. Lynn Layton to replace one existing, covered, 10-slip boat dock with three covered boat docks, each with 10 slips at Cushman's Marina, located on the Warrior River Project. Each dock would consist of: (1) A 50-foot-long ramp; (2) an equalizing platform; (3) a 78-foot-long central walkway; and (4) ten 12-foot-wide by 28-foot-long slips. Navigational lighting would be installed on each dock. No fuel-dispensing or sewage-pumping facilities are proposed. The docks would be available for rental by the general public. The licensee also proposes to allow the removal of an existing building at the site, and the construction of a new patio within the project boundary.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also 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 (p-2165) to access the document. You may also register online at <http://www.ferc.gov/docs-filing/subscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3372 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also

available for inspection and reproduction at the address in item (h) above.

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

n. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, 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, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers (P-2165-029). All documents (original and eight copies) should be filed with: 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.

p. *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.

q. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link.

**Kimberly D. Bose,**

*Secretary.*

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