

## Background

The Boston Felt Project was granted an exemption from licensing on August 29, 1983 (24 FERC ¶ 62,240). The project stopped operations in May 2006, due to a breach of the project dam by high river flows.

By letter of October 12, 2007, the Commission issued a letter to the exemptee directing it to file either a detailed plan and schedule to resume generation at the project, or a request to surrender the exemption. In response, the exemptee filed a plan and schedule on April 28, 2008.

By letter of July 3, 2008, the Commission directed the exemptee to provide quarterly progress reports of the status of project repairs to include documentation of contracts issued, permits obtained, agreements made, etc., which were to be filed October 1, 2008, January 1, 2009, April 1, 2009, July 1, 2009, and October 1, 2009, or until the project had resumed generation. In that letter, the exemptee was reminded that failure to provide progress reports showing adequate progress may subject it to further compliance action.

By letter dated January 21, 2009, the FWS stated that, as a result of the Boston Felt Project being in a state of disrepair, the project was adversely impacting fish and wildlife resources of the Salmon Falls River and cited the need to implement fish passage measures, pursuant to the mandatory terms and conditions of the exemption. In its letter, the FWS further stated that it is in the public interest to revoke the project exemption and require removal of the remaining portion of the dam spillway.

By letter of March 5, 2009, the Commission issued a letter to the exemptee requiring it to show cause why the Commission should not initiate proceedings to revoke its exemption for lack of adequate progress toward the resumption of generation at the project. In that letter, the Commission directed the exemptee to include documentation of contracts issued, permits obtained, agreements made, etc., to demonstrate adequate progress. In its response filed March 31, 2009, the exemptee stated that resumption of generation at the project may be beyond their available resources and further stated that, by August 1, 2009, it would provide the detailed information requested in the Commission's March 5, 2009.

To date, the information requested in the Commission's March 5, 2009 letter, has not been filed and the project remains inoperative.

1. *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.

m. Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number to which the filing refers.

n. *Agency Comments:* Federal, State, and local agencies are invited to file comments on the described proceeding. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-22101 Filed 9-14-09; 8:45 am]

**BILLING CODE 6717-01-P**

## FARM CREDIT ADMINISTRATION

### Farm Credit Administration Board; Sunshine Act; Regular Meeting

**AGENCY:** Farm Credit Administration.

**SUMMARY:** Notice is hereby given, pursuant to the Government in the Sunshine Act (5 U.S.C. 552b(e)(3)), that the October 8, 2009 regular meeting of the Farm Credit Administration Board (Board) has been rescheduled. The regular meeting of the Board will be held Thursday, October 15, 2009 starting at 9 a.m. An agenda for this meeting will be published at a later date.

**FOR FURTHER INFORMATION CONTACT:**

Roland E. Smith, Secretary to the Farm Credit Administration Board, (703) 883-4009, TTY (703) 883-4056.

**ADDRESSES:** Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090.

Dated: September 11, 2009.

**Roland E. Smith,**

*Secretary, Farm Credit Administration Board.*

[FR Doc. E9-22276 Filed 9-11-09; 4:15 pm]

**BILLING CODE 6705-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[DA 09-1960]

### Notice of Debarment; Schools and Libraries Universal Service Support Mechanism

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau (the "Bureau") debar Mr. Douglas A. Benit from the schools and libraries universal service support mechanism (or "Rate Program") for a period of three years based on his conviction of mail fraud in connection with his participation in the program. The Bureau takes this action to protect the E-Rate Program from waste, fraud and abuse.

**DATES:** Debarment commences on the date Mr. Douglas A. Benit receives the debarment letter or September 15, 2009, whichever comes first, for a period of three years.

**FOR FURTHER INFORMATION CONTACT:**

Rebekah Bina, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C330, 445 12th Street, SW., Washington, DC 20554. Rebekah Bina may be contacted by phone at (202) 418-7931 or e-mail at

[Rebekah.Bina@fcc.gov](mailto:Rebekah.Bina@fcc.gov). If Ms. Bina is unavailable, you may contact Michele Berlove, Acting Assistant Division Chief, Investigations and Hearings Division, by telephone at (202) 418-1420 and by e-mail at [michele.berlove@fcc.gov](mailto:michele.berlove@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

The Bureau debarred Mr. Douglas A. Benit from the schools and libraries universal service support mechanism for a period of three years pursuant to 47 CFR 54.8 and 47 CFR 0.111. Attached is the debarment letter, DA 09-1960, which was mailed to Mr. Douglas A. Benit and released on September 1, 2009. The complete text of the notice of debarment is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portal II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. In addition, the complete text is available on the FCC's Web site at <http://www.fcc.gov>. The text may also be purchased from the Commission's duplicating inspection and copying during regular business hours at the contractor, Best Copy and Printing, Inc., Portal II, 445 12th Street, SW., Room CY-B420, Washington, DC 20554, telephone (202) 488-5300 or (800) 378-

3160, facsimile (202) 488-5563, or via e-mail <http://www.bcpweb.com>.

**Hillary S. DeNigro,**

*Chief, Investigations and Hearings Division,  
Enforcement Bureau, Federal  
Communications Commission.*

September 1, 2009

DA 09-1960

VIA CERTIFIED MAIL RETURN  
RECEIPT REQUESTED

AND E-MAIL ([edwishnow@aol.com](mailto:edwishnow@aol.com))  
AND FACSIMILE (248) 258-6007

Mr. Douglas A. Benit  
c/o Edward C. Wishnow  
240 Daines  
Birmingham, MI 48009

Re: Notice of Debarment, File No. EB-09-IH-0402

Dear Mr. Benit:

Pursuant to section 54.8 of the rules of the Federal Communications Commission (the "Commission"), by this Notice of Debarment you are debarred from the schools and libraries universal service support mechanism (or "E-Rate program") for a period of three years.

On June 17, 2009, the Enforcement Bureau (the "Bureau") sent you a Notice of Suspension and Initiation of Debarment Proceedings (the "Notice of Suspension"). That Notice of Suspension was published in the **Federal Register** on July 6, 2009. The Notice of Suspension suspended you from participating in activities associated with or relating to the schools and libraries universal service support mechanism and described the basis for initiation of debarment proceedings against you, the applicable debarment procedures, and the effect of debarment.

Pursuant to the Commission's rules, any opposition to your suspension or its scope or to your proposed debarment or its scope had to be filed with the Commission no later than thirty (30) calendar days from the earlier date of your receipt of the Notice of Suspension or publication of the Notice of Suspension in the **Federal Register**. The Commission did not receive any such opposition.

As discussed in the Notice of Suspension, the United States District Court for the Eastern District of Michigan sentenced you to serve forty-six months in prison following your guilty plea and conviction for the federal crime of mail fraud in connection with your role in a scheme to defraud the Ecorse Public Schools District ("EPS") and the E-Rate program. While employed by EPS, you devised

and participated in a fraudulent scheme to steer contracts to various companies that directly or indirectly benefited you and your companies, including contracts involving E-Rate funds. Such conduct constitutes the basis for your debarment, and your conviction falls within the categories of causes for debarment under section 54.8(c) of the Commission's rules. For the foregoing reasons, you are hereby debarred for a period of three years from the debarment date, i.e., the earlier date of your receipt of this Notice of Debarment or its publication date in the **Federal Register**. Debarment excludes you, for the debarment period, from activities associated with or related to the schools and libraries support mechanism, including the receipt of funds or discounted services through the schools and libraries support mechanism, or consulting with, assisting, or advising applicants or service providers regarding the schools and libraries support mechanism.

Sincerely,

Hillary S. DeNigro

*Chief, Investigations and Hearings Division  
Enforcement Bureau*

cc: Taurus N. Ziedas, United States  
Attorney's Office, Department of Justice (via  
e-mail)

Kristy Carroll, Esq., Universal Service  
Administrative Company (via e-mail)

Attachment 1

June 17, 2009

DA 09-1345

VIA CERTIFIED MAIL RETURN  
RECEIPT REQUESTED

AND E-MAIL ([edwishnow@aol.com](mailto:edwishnow@aol.com))  
AND FACSIMILE (248) 258-6007

Mr. Douglas A. Benit  
c/o Edward C. Wishnow  
240 Daines  
Birmingham, MI 48009

Re: Notice of Suspension and Initiation  
of Debarment Proceedings, File No. EB-09-IH-0402

Dear Mr. Benit:

The Federal Communications Commission ("FCC" or "Commission") has received notice of your conviction of mail fraud, in violation of 18 U.S.C. §§ 2, 1341, and 1346 in connection with your participation in the schools and libraries universal service support mechanism ("E-Rate program"). Consequently, pursuant to 47 C.F.R. § 54.8, this letter constitutes official notice of your suspension from the E-Rate program. In addition, the Enforcement Bureau ("Bureau") hereby notifies you that we are commencing debarment proceedings against you.

#### I. Notice of Suspension

The Commission has established procedures to prevent persons who have "defrauded the government or engaged in similar acts through activities associated with or related to the schools and libraries support mechanism" from receiving the benefits associated with that program. On November 24, 2008, you, Douglas A. Benit, plead guilty to mail fraud in connection with your participation in the E-Rate program. Specifically, you were employed as a school official in the Ecorse Public Schools District ("EPS" or "District") from 1997 to 2003, serving first as the Director of Facility Development and subsequently as the Assistant Superintendent. While employed at EPS, you were also an owner, employee, agent or subcontractor of Coral Technology, Inc. ("Coral"). During your tenure at EPS, you were responsible for approving the construction of new facilities in the District using funds from several sources, including the E-Rate program. You admitted that while employed at EPS and while concealing your associations with Coral from EPS, you and others devised a scheme to defraud the District and the E-Rate program by steering contracts for EPS to various companies that directly or indirectly benefited you and your companies, primarily Coral. In furtherance of the scheme, you submitted to the Universal Service Administrative Company ("USAC") documents supporting Coral's application for federal E-Rate funding, while employed at EPS and within the scope of your official responsibilities. As a result of these contracts, which were paid in part from the E-Rate program, you and your company personally benefited from the fraudulent scheme by at least \$2.276 million.

On March 31, 2009, you were sentenced to serve forty-six months in federal prison, to be followed by thirty-six months of supervised release for your role in the scheme to defraud EPS and the E-Rate program. You were also ordered to pay \$1.34 million in restitution for your role in the scheme.

Pursuant to section 54.8(a)(4) of the Commission's rules, your conviction requires the Bureau to suspend you from participating in any activities associated with or related to the schools and libraries fund mechanism, including the receipt of funds or discounted services through the schools and libraries fund mechanism, or consulting with, assisting, or advising applicants or service providers regarding the schools and libraries support mechanism. Your suspension

becomes effective upon the earlier of your receipt of this letter or publication of notice in the **Federal Register**.

Suspension is immediate pending the Bureau's final debarment determination. In accordance with the Commission's debarment rules, you may contest this suspension or the scope of this suspension by filing arguments in opposition to the suspension, with any relevant documentation. Your request must be received within 30 days after you receive this letter or after notice is published in the **Federal Register**, whichever comes first. Such requests, however, will not ordinarily be granted. The Bureau may reverse or limit the scope of suspension only upon a finding of extraordinary circumstances. Absent extraordinary circumstances, the Bureau will decide any request for reversal or modification of suspension within 90 days of its receipt of such request.

## II. Initiation of Debarment Proceedings

Your guilty plea to criminal conduct in connection with the E-Rate program, in addition to serving as a basis for immediate suspension from the program, also serves as a basis for the initiation of debarment proceedings against you. Your conviction falls within the categories of causes for debarment defined in section 54.8(c) of the Commission's rules. Therefore, pursuant to section 54.8(a)(4) of the Commission's rules, your conviction requires the Bureau to commence debarment proceedings against you.

As with your suspension, you may contest debarment or the scope of the proposed debarment by filing arguments and any relevant documentation within 30 calendar days of the earlier of the receipt of this letter or of publication in the **Federal Register**. Absent extraordinary circumstances, the Bureau will debar you. Within 90 days of receipt of any opposition to your suspension and proposed debarment, the Bureau, in the absence of extraordinary circumstances, will provide you with notice of its decision to debar. If the Bureau decides to debar you, its decision will become effective upon the earlier of your receipt of a debarment notice or publication of the decision in the **Federal Register**.

If and when your debarment becomes effective, you will be prohibited from participating in activities associated with or related to the schools and libraries support mechanism for three years from the date of debarment. The Bureau may, if necessary to protect the public interest, extend the debarment period.

Please direct any response, if by messenger or hand delivery, to Marlene

H. Dortch, Secretary, Federal Communications Commission, 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002, to the attention of Rebekah Bina, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, with a copy to Michele Berlove, Acting Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, Federal Communications Commission. If sent by commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail), the response should be sent to the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, Maryland 20743. If sent by first-class, Express, or Priority mail, the response should be sent to Rebekah Bina, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, SW., Room 4-C330, Washington, DC, 20554, with a copy to Michele Berlove, Acting Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, SW., Room 4-C330, Washington, DC, 20554. You shall also transmit a copy of the response via email to [Rebekah.Bina@fcc.gov](mailto:Rebekah.Bina@fcc.gov) and to [Michele.Berlove@fcc.gov](mailto:Michele.Berlove@fcc.gov).

If you have any questions, please contact Ms. Bina via mail, by telephone at (202) 418-7931 or by e-mail at [Rebekah.Bina@fcc.gov](mailto:Rebekah.Bina@fcc.gov). If Ms. Bina is unavailable, you may contact Ms. Michele Berlove, Acting Assistant Chief, Investigations and Hearings Division, by telephone at (202) 418-1477 and by e-mail at [Michele.Berlove@fcc.gov](mailto:Michele.Berlove@fcc.gov).

Sincerely yours,

Hillary S. DeNigro

Chief, Investigations and Hearings Division  
Enforcement Bureau

cc: Taurus N. Ziedas, United States  
Attorney's Office, Department of Justice (via  
e-mail)

Kristy Carroll, Esq., Universal Service  
Administrative Company (via e-mail)

[FR Doc. E9-22029 Filed 9-14-09; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are

set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than September 30, 2009.

**A. Federal Reserve Bank of Chicago**  
(Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690-1414:

1. *Douglas N. Neighbor*, Kent M. Neighbor, and Gene R. Neighbor, individually to acquire, and the Neighbor Family which consists of Doug and Marva Neighbor, Marion, Iowa; Gene and Betty Jean Neighbor, Alburnett, Iowa; Kent and Irene Neighbor, Winthrop, Iowa; Sandra K. Waring, Walker, Iowa; Steven K. Neighbor; Scott M. Neighbor; Mark A. Neighbor, all of Center Point, Iowa; Eldon L. Neighbor, Central City, Iowa; Konnie I. Borrett, Marion, Iowa; Stephanie R. Neighbor, Cedar Rapids, Iowa; Brent B. Neighbor, Tijeras, New Mexico; Brad D. Neighbor, Espanola, New Mexico; Todd D. Neighbor, Marion, Iowa; Jason M. Neighbor, Alburnett, Iowa; and Michael G. Neighbor, Bettendorf, Iowa; as a group acting in concert, to retain voting shares of Neighbor Insurance Agency, Marion, Iowa, and thereby acquire, and or retain voting shares of Farmers State Bank, Marion, Iowa.

Board of Governors of the Federal Reserve System, September 10, 2009.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E9-22143 Filed 9-14-09; 8:45 am]

BILLING CODE 6210-01-S

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.