

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 2144-038]

City of Seattle; Notice of Application Tendered for Filing With the Commission and Establishing Procedural Schedule for Licensing and Deadline for Submission of Final Amendments

October 8, 2009.

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

a. *Type of Application*: New Major License.

b. *Project No.*: 2144-038.

c. *Date Filed*: September 29, 2009.

d. *Applicant*: City of Seattle.

e. *Name of Project*: Boundary Hydroelectric Project.

f. *Location*: The existing project is located on the Pend Oreille River in Pend Oreille County, Washington. The project currently occupies 920.87 acres of Federal land managed by the U.S. Forest Service and U.S. Bureau of Land Management.

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

h. *Agent Contact*: Jorge Carrasco, Superintendent, Seattle City Light, 700 Fifth Avenue, Suite 3200, Seattle, WA 98124-4023; (206) 615-1091.

i. *FERC Contact*: David Turner (202) 502-6091.

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

k. *Project Description*: The existing project consists of: (1) A concrete arch dam with a crest elevation of 2,004 feet NGVD (North American Vertical Datum), a structural height of 340 feet, a thickness ranging from 8 feet at the crest to 32 feet at the base, and a crest length of 508 feet, with a total length, including the spillways, of 740 feet; (2) two 50-foot-wide spillways fitted with 45-foot-high radial gates, one on each abutment, which have a combined maximum capacity of 108,000 cubic feet per second (cfs) at a forebay water surface elevation of 1994 feet NGVD; (3) seven 21-foot-high by 17-foot-wide, low-level vertical fixed-wheel sluice gates that provide an additional discharge capacity of 252,000 cfs, for a total discharge capacity at the dam of 360,000 cfs; (4) a 17.5-mile-long, 1,794-acre reservoir at a normal full pool elevation of 1,994 feet NGVD with 87,913 acre-feet of gross storage; (5) power intake facilities excavated on the left abutment area consisting of an approximately 300-

foot-wide by 800-foot-long forebay, a trash rack structure across the entrance to the forebay, and the portal face with six 30-foot-wide by 34-foot-high horseshoe-shaped tunnels extending to intake gate chambers; (6) six 315-foot-long penstocks lead from each of the intake gates to one of the six turbine-generator units in the power plant; (7) an underground power plant comprised of a 76-foot wide by 172-foot-high by 477-foot-long machine hall; (8) two 204,506-horsepower (hp) Francis turbines, with 158.4-megawatt (MW) generators, two 204,506-hp Francis turbines, with 161.5-MW generators, and two 259,823-hp Francis turbines, with 200-MW generators for a total authorized generating capacity of 1,003 MW; (9) six draft tubes that discharge water into the tailrace immediately below the dam; (10) six horseshoe-shaped transformer bays; (11) six individual three-phase, 230-kilovolt (kV) transmission lines up the vertical face of the left abutment of the dam to six pairs of transmission towers on top of the abutment; and (12) appurtenant equipment. The applicant proposes to install new high efficiency turbines in Units 55 and 56, concurrently with planned generator rewinds and step-up transformer replacements, to increase the project's total installed capacity to 1,033 MW.

l. *Locations of the Application*: 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 website 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 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.

m. 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.

n. *Procedural Schedule*: On September 30, 2009, Seattle City Light filed an agreement-in-principle and a request to suspend processing of the license application until February 1, 2010 to complete settlement negotiations. The negotiations also involve measures linking the Boundary relicense with the surrender of Pend Oreille County Public Utility District's Sullivan Creek Project No. 2225. In the

interest of furthering settlement negotiations and resolution of both proceedings, we are agreeing to delay the issuance of our ready for environmental analysis notice. Therefore, the application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate and a more detailed schedule will be issued with the ready for environmental analysis notice.

| Milestone | Target date |
|---|----------------|
| Notice of Acceptance and Ready for Environmental Analysis. | March 2010. |
| Filing interventions, comments, recommendations, preliminary terms and conditions, and fishway prescriptions. | May 2010. |
| Notice of availability of the Draft EA. | October 2010. |
| Filing comments on Draft EA | November 2010. |
| Filing modified terms and conditions. | January 2011. |
| Notice of availability of Final EA. | April 2011. |

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-24911 Filed 10-15-09; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Project No. 2692-046]

Duke Energy Carolinas, LLC; Notice of Application for Amendment of License, and Soliciting Comments and Motions To Intervene

October 8, 2009.

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

a. *Application Type*: Request for Waiver.

b. *Project No.*: 2692-046.

c. *Date Filed*: September 22, 2009.

d. *Applicant*: Duke Energy Carolinas, LLC.

e. *Name and Location of Project*: The Nantahala Project is located on the Nantahala River, Dicks Creek, and Whiteoak Creek in Clay and Macon counties, North Carolina.

f. *Filed Pursuant to:* The application was filed pursuant to 18 CFR 4.201.

g. *Applicant Contact:* George A. Galleher, P.E., Duke energy Corporation, LLC, EC11J, PO Box 1006, Charlotte, NC 28201-1006, (704) 382-5236.

h. *FERC Contact:* Any questions on this notice should be addressed to Robert H. Grieve, (202) 502-8752 or robert.grieve@ferc.gov.

i. *Deadline for filing comments and motions:* Comments on the application for amendment of license are due within 30 days of the issuance date of this notice.

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.

Please include the project number (P-2692-046) on any comments or motions filed.

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.

j. *Background and Description of Proposal:* Duke Energy Carolinas, LLC, licensee for the Nantahala Project, filed a request for a waiver of the length-of-time requirement of ordering paragraph (B) of the Order Approving Settlement and Amending License, issued May 5, 1999. Ordering paragraph (B) of that order requires that the licensee release from the Whiteoak Creek pipeline into Dicks Creek a continuous minimum flow of 8 cubic feet per second (cfs) from July 1 to November 15. Ordering paragraph (B) also states, in part, that this flow may be temporarily modified for short periods upon mutual agreement between the licensee and the requisite state and federal resource agencies. In order to refurbish the project station's rotor and paint significant portions of the project penstock, the Whiteoak penstock will be drained, which will eliminate the requisite 8 cfs minimum flow for 71 days.

By order issued April 1, 1996, the Commission defined a temporary modification as a few weeks or less. Therefore, the licensee cannot use the provisions of ordering paragraph (B) of the Commission's May 5, 1999 order, to authorize the long term suspension of the 8 cfs minimum flow. Such a long-term modification would be an amendment of license and must be processed as such.

k. *Locations of the Application:* The licensee's September 22, 2009 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 documents. For assistance, contact FERC Online Support at 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 g 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.

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

Comments—Anyone may submit comments or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210 and 385.214. In determining the appropriate action to take, the Commission will consider all comments and motions to intervene, 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 or motions to intervene must be received on or before the specified comment date for the application.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS" or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: 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.

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.

Kimberly D. Bose,
Secretary.

[FR Doc. E9-24908 Filed 10-15-09; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL09-12-000]

Bonneville Power Administration; Notice of Filing

October 7, 2009.

Take notice that on September 1, 2009, the Bonneville Power Administration (Bonneville) filed, in the above-captioned proceeding, an errata to its Tiered Rate Methodology (errata filing) relating to its Petition for Declaratory Order filed on November 11, 2008. Interventions and protests should be limited to Bonneville's errata filing. The Commission will address all interventions and protests for the November 11, 2008 filing, the January 28, 2009 errata filing and this errata filing in its decision.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a