

dam; (2) an existing 1,188-foot-long, 8.6-foot-high concrete Providence dam; (3) an existing reservoir having a surface area of 1,792 acres and a storage capacity of 8,925 acre-feet; (4) a proposed powerhouse containing one or more open flume turbine generating units having an installed capacity of 600-kilowatts; (5) a proposed 100-foot-long, 480-VAC transmission line and transformer; and (6) appurtenant facilities. The proposed development would have an average annual generation of 4,000 megawatt-hours.

*Applicant Contact:* Anthony J. Marra Jr., President, Hydro Energy Technologies LLC, 31300 Solon Rd., Suite 12, Solon, OH 44139; phone: (440) 498-1000.

*FERC Contact:* Mary Greene, 202-502-8865.

*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 (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "Quick Comment." For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov); call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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-13611) in the docket number field to access the document. For assistance, contact FERC Online Support.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-28011 Filed 11-20-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13610-000]

#### Hydro Energy Technologies LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications

November 16, 2009.

On October 30, 2009, Hydro Energy Technologies LLC filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Independence Dam Hydroelectric Project, located in Defiance County, in the state of Ohio. 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 the following developments:*

(1) An existing 652-foot-long, 11.8-foot-high concrete gravity Independence dam;

(2) an existing reservoir having a surface area of 545 acres and a storage capacity of 3,270 acre-feet and normal water surface elevation of 600 feet mean sea level; (3) a proposed powerhouse containing one or more vertical open flume turbine generating units having a combined nominal capacity of 1-megawatt; (4) a proposed 150-foot-long, 480-VAC transmission line and transformer; and (5) appurtenant facilities. The proposed development would have an average annual generation of 6,000 megawatt-hours.

*Applicant Contact:* Anthony J. Marra Jr., President, Hydro Energy Technologies LLC, 31300 Solon Rd., Suite 12, Solon, OH 44139; phone: (440) 498-1000.

*FERC Contact:* Mary Greene, 202-502-8865.

*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 (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler

method of submitting text only comments, click on "Quick Comment." For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov); call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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-13610) in the docket number field to access the document. For assistance, contact FERC Online Support.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-28016 Filed 11-20-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. CP10-14-000; PF09-07-000]

#### Kern River Gas Transmission Company; Notice of Application

November 16, 2009.

Take notice that on November 2, 2009, Kern River Gas Transmission Company (Kern River), 2755 East Cottonwood Parkway, Suite 300, Salt Lake City, Utah 84121, filed in the above referenced docket an application pursuant to section 7(c) of the Natural Gas Act seeking authority to expand its system comprised of new facilities and modifications to existing facilities as described more fully herein (Apex Expansion). Specifically, Kern River requests: (1) Authorization to construct, own and operate the facilities needed to expand its year-round, firm transportation capacity from the receipt points in Lincoln County, Wyoming, to the Pecos delivery point in Clark County, Nevada, by approximately 266,000 dekatherms per day (Dth/d); (2) approval of regulatory asset/liability accounting for differences between book and regulatory depreciation resulting from use of Kern River's levelized rate design; (3) approval of incremental transportation rates and fuel factors; and (4) acceptance of the pro forma tariff sheets included in Exhibit P to the application, all as more fully set forth in

the application. This 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, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

The Apex Expansion proposed facilities include: (1) Approximately 28 miles of 36-inch-diameter pipeline to be constructed in an unlooped portion of Kern River's existing mainline system across the Wasatch Mountains in northern Utah, in Morgan, Davis and Salt Lake counties, (2) three additional 16,000 ISO-rated horsepower (hp) compressor units to be installed at existing compressor stations: Coyote Creek in Uinta County, Wyoming; Elberta in Utah County, Utah; and Dry Lake in Clark County, Nevada; (3) restaging of three existing boost compressors, one at each of three existing compressor stations: Coyote Creek, Elberta and Dry Lake; (4) replacement of a boost compressor at Kern River's existing Fillmore compressor station in Millard County, Utah; and (5) the new Milford Compressor Station with a single unit 30,000 ISO-rated hp compressor to be constructed in Beaver County, Utah. The proposed facilities will add a net 78,000 ISO-rated hp to the Kern River system.

The estimated total cost of the proposed 2010 Expansion is \$373 million, which will be financed with a combination of internally generated funds and new debt. Kern River proposes to charge incremental transportation rates and fuel reimbursement charges to Apex Expansion shippers.

Any questions regarding this application should be directed to Michael Loeffler, Senior Director, Certificates and External Affairs, Apex Expansion Project, Kern River Gas Transmission Company, MidAmerican Energy Pipeline Group, 1111 South 103rd Street, Omaha, Nebraska 68124, or (402) 398-7103.

On March 13, 2009, the Commission staff granted Kern River's request to utilize the National Environmental Policy Act (NEPA) Pre-Filing Process and assigned Docket Number PF09-7-000 to staff activities involving the Apex Expansion. Now, as of the filing Kern River's application on November 2, 2009, the NEPA Pre-Filing Process for this project has ended. From this time

forward, Kern River's proceeding will be conducted in Docket No. CP10-14-000, as noted in the caption of this Notice.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify Federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all Federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project

provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentators will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commentators will not be required to serve copies of filed documents on all other parties. However, the non-party commentators will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, 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.

*Comment Date:* December 7, 2009.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9-28017 Filed 11-20-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[EG09-76-000; EG09-80-000; EG09-81-000; EG09-82-000; EG09-83-000; EG09-84-000; EG09-85-000; EG09-86-000; EG09-87-000; EG09-88-000; EG09-89-000]

**Sollunar Energy, Inc.; Fowler Ridge II Wind Farm LLC; St. Clair Power, L.P.; North Hurlburt Wind, LLC; South Hurlburt Wind, LLC; Horseshoe Bend Wind, LLC; Ashtabula Wind II, LLC; Elk City Wind, LLC; FPL Energy Stateline II, Inc.; FPL Energy Illinois Wind, LLC; Silver Sage Windpower, LLC; Notice of Effectiveness of Exempt Wholesale Generator Status**

November 16, 2009.

Take notice that during the month of October 2009, the status of the above-captioned entities as Exempt Wholesale Generators became effective by