

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. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

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 document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5 p.m. Eastern Time on April 6, 2010.

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

[FR Doc. 2010-6985 Filed 3-29-10; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12555-004-PA]

#### Mahoning Creek Hydroelectric Company, LLC; Notice of Availability of Environmental Assessment

March 23, 2010.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission (Commission) regulations, 18 CFR Part 380 (Order No. 486, 52 F.R. 47879), the Office of Energy Projects has reviewed the application for an original license for the Mahoning Creek Hydroelectric Project, to be located on Mahoning Creek in Armstrong County, Pennsylvania, and prepared an environmental assessment (EA). In the

EA, Commission staff analyze the potential environmental effects of licensing the project and conclude that issuing a license for the project, with appropriate environmental measures, would not constitute a major federal action significantly affecting the quality of the human environment.

Because the Commission's headquarters was closed from February 8 to 11, 2010, due to severe weather, staff was delayed in preparing the EA. Therefore, we are waiving § 5.22 of the Commission's regulations which updated the schedule for EA issuance to March 1, 2010, as the target date for EA issuance.

A copy of the EA is on file with the Commission and is available for public inspection. The EA 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 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. 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.

Any comments should be filed within 30 days from the issuance date of this notice, and should be addressed to the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1-A, Washington, DC 20426. Please affix "Mahoning Creek Project No. 12555-004" to all comments. Comments may be filed electronically via 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 under the "eFiling" link. For further information, contact Kristen Murphy at (202) 502-6236.

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

[FR Doc. 2010-6981 Filed 3-29-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PF10-6-000]

#### Columbia Gas Transmission LLC; Notice of Intent To Prepare an Environmental Assessment for the Planned Line 1278—Line K Expansion Project and Request for Comments on Environmental Issues

March 23, 2010.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Line 1278—Line K Project involving construction and operation of facilities by Columbia Gas Transmission LLC's (Columbia) in Pike County, Pennsylvania and Orange County, New York. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. Your input will help the Commission staff determine what issues need to be evaluated in the EA. Please note that the scoping period will close on April 23, 2010.

This notice is being sent to the Commission's current environmental mailing list for this project, which includes affected landowners; federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. State and local government representatives are asked to notify their constituents of this planned project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas

Facility On My Land? What Do I Need To Know?" is available for viewing on the FERC Web site (<http://www.ferc.gov>). This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

### Summary of the Planned Project

Columbia plans to remove and replace approximately 17 miles of existing pipeline and related facilities in Pike County, Pennsylvania and Orange County, New York. The majority of the planned facilities would be constructed within the same ditch or right-of-way of the existing pipeline. The Line 1278–Line K Project would consist of the following facilities:

#### *Pike County, Pennsylvania*

- The abandonment and removal of 11.49 miles of 14-inch-diameter Line 1278 pipeline with the installation of 11.25 miles of 20-inch-diameter pipeline and 0.24 mile of two 10-inch-diameter pipelines; and
- Upgrade of existing valves and traps.

#### *Orange County, New York*

- The abandonment and removal of 4.65 miles of 14-inch-diameter Line K pipeline with the installation of a 20-inch-diameter pipeline replacement;
- The abandonment and removal of 0.1 mile of 4-inch-diameter Line U pipeline with the installation of a 4-inch-diameter pipeline replacement within Columbia's existing Port Jervis Facility;
- The removal of three existing compressors and related facilities at Columbia's Sparrowbush Compressor Station; and
- The upgrade of existing valves and traps.

*The general location of the project facilities is shown in Appendix 1.<sup>1</sup>*

### Land Requirements for Construction

Construction of the planned facilities would disturb approximately 150 acres of land for the aboveground facilities and the pipeline. Following construction, approximately 98 acres would be maintained for permanent operation of the project's facilities; the remaining acreage would be restored and allowed to revert to former uses.

<sup>1</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of appendices were sent to all those receiving this notice in the mail and are available at <http://www.ferc.gov> using the link called "eLibrary" or from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

Approximately 98.5 percent of the planned pipeline would be replaced within the same ditch.

### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us<sup>2</sup> to discover and address concerns the public may have about proposals. This process is referred to as scoping. The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. All comments received will be considered during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the construction and operation of the planned project under these general headings:

- Geology and soils;
- Blasting
- Land use;
- Water resources, fisheries, and wetlands;
- Cultural resources;
- Vegetation and wildlife;
- Air quality and noise;
- Endangered and threatened species; and
- Public safety.

We will also evaluate reasonable alternatives to the planned project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Although no formal application has been filed, we have already initiated our NEPA review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before an application is filed with the FERC. As part of our pre-filing review, we have begun to contact some Federal and State agencies to discuss their involvement in the scoping process and the preparation of the EA.

Our independent analysis of the issues will be presented in the EA. The EA will be placed in the public record and, depending on the comments received during the scoping process, may be published and distributed to the public. A comment period will be allotted if the EA is published for

<sup>2</sup> "We", "us", and "our" refer to the environmental staff of the Commission's Office of Energy Projects.

review. We will consider all comments on the EA before we make our recommendations to the Commission. To ensure your comments are considered, please carefully follow the instructions in the Public Participation section below.

With this notice, we are asking agencies with jurisdiction and/or special expertise with respect to environmental issues to formally cooperate with us in the preparation of the EA. These agencies may choose to participate once they have evaluated the proposal relative to their responsibilities. Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice. Currently, the Army Corps of Engineers has expressed its intention to participate as a cooperating agency in the preparation of the EA to satisfy its NEPA responsibilities related to this project.

### Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for the section 106 process, we are using this notice to solicit the views of the public on the project's potential effects on historic properties.<sup>3</sup> We will document our findings on the impacts on cultural resources and summarize the status of consultations under section 106 of the National Historic Preservation Act in our EA.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send your comments so that they will be received in Washington, DC on or before April 23, 2010.

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has expert eFiling staff available to assist you at (202) 502-8258 or [efiling@ferc.gov](mailto:efiling@ferc.gov).

<sup>3</sup> The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800.2(d).

(1) You may file your comments electronically by using the Quick Comment feature, which is located at <http://www.ferc.gov> under the link called "Documents and Filings". A Quick Comment is an easy method for interested persons to submit text-only comments on a project;

(2) You may file your comments electronically by using the "eFiling" feature that is listed under the "Documents and Filings" link. eFiling involves preparing your submission in the same manner as you would if filing on paper, and then saving the file on your computer's hard drive. You will attach that file to your submission. New eFiling users must first create an account by clicking on the links called "Sign up" or "eRegister". You will be asked to select the type of filing you are making. A comment on a particular project is considered a "Comment on a Filing"; or

(3) You may file a paper copy of your comments at the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1A, Washington, DC 20426.

#### Environmental Mailing List

The environmental mailing list includes Federal, State, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the planned project.

If the EA is published for distribution, copies will be sent to the environmental mailing list for public review and comment. If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (Appendix 2).

#### Becoming an Intervenor

Once Columbia files its application with the Commission, you may want to become an "intervenor," which is an

official party to the Commission's proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are included in the User's Guide under the "e-filing" link on the Commission's Web site. Please note that you may not request intervenor status at this time. You must wait until a formal application for the project is filed with the Commission.

#### Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC Web site (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number, excluding the last three digits in the Docket Number field (*i.e.*, PF10-6). Be sure you have selected an appropriate date range. 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 eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

Finally, public meetings or site visits will be posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of FERC Staff Attendance at the Southwest Power Pool Board of Directors/Members Committee Meeting

March 23, 2010.

The Federal Energy Regulatory Commission hereby gives notice that members of its staff may attend the meeting of the Southwest Power Pool (SPP) Board of Directors/Members, as noted below. Their attendance is part of the Commission's ongoing outreach efforts.

#### SPP Board of Directors/Members Committee Meeting

March 31, 2010 (10:30 a.m.–2:30 p.m.), Hyatt Regency DFW, N. International Parkway Terminal C, DFW Airport, TX 75261. 972-453-1234.

The discussions may address matters at issue in the following proceedings:

- Docket No. EL09-40, *Southwest Power Pool, Inc.*
- Docket No. ER06-451, *Southwest Power Pool, Inc.*
- Docket No. ER08-923, *Xcel Energy Services, Inc.*
- Docket No. ER08-1307, *Southwest Power Pool, Inc.*
- Docket No. ER08-1308, *Southwest Power Pool, Inc.*
- Docket No. ER08-1357, *Southwest Power Pool, Inc.*
- Docket No. ER08-1358, *Southwest Power Pool, Inc.*
- Docket No. ER08-1359, *Southwest Power Pool, Inc.*
- Docket No. ER08-1419, *Southwest Power Pool, Inc.*
- Docket No. ER09-35, *Tallgrass Transmission LLC*
- Docket No. ER09-36, *Prairie Wind Transmission LLC*
- Docket No. ER09-659, *Southwest Power Pool, Inc.*
- Docket No. ER09-1050, *Southwest Power Pool, Inc.*
- Docket No. ER09-1254, *Southwest Power Pool, Inc.*
- Docket No. ER09-1255, *Southwest Power Pool, Inc.*
- Docket No. ER09-1397, *Southwest Power Pool, Inc.*
- Docket No. ER09-1716, *Southwest Power Pool, Inc.*
- Docket No. ER10-352, *Southwest Power Pool, Inc.*
- Docket No. OA08-5, *Southwest Power Pool, Inc.*
- Docket No. OA08-60, *Southwest Power Pool, Inc.*
- Docket No. OA08-61, *Southwest Power Pool, Inc.*