

Executive Order 10485, as amended, and are appropriate for open access transmission by third parties.

**Procedural Matters:** Any person desiring to become a party to these proceedings or to be heard by filing comments or protests to this application should file a petition to intervene, comment, or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with DOE on or before the date listed above.

Comments on the CLT application to export electric energy to Canada should be clearly marked with Docket No. EA-365. Additional copies are to be filed directly with Jason Brandt, Centre Lane Trading Ltd., 113 Wineva Avenue, Toronto, ON, Canada M4E 2T1. A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program Web site at [http://www.oe.energy.gov/permits\\_pending.htm](http://www.oe.energy.gov/permits_pending.htm), or by e-mailing Odessa Hopkins at [Odessa.hopkins@hq.doe.gov](mailto:Odessa.hopkins@hq.doe.gov).

Issued in Washington, DC on April 26, 2010.

**Anthony J. Como,**

*Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.*

[FR Doc. 2010-9966 Filed 4-28-10; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

[OE Docket No. EA-185-C]

### Application To Export Electric Energy; Morgan Stanley Capital Group Inc.

**AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.

**ACTION:** Notice of application.

**SUMMARY:** Morgan Stanley Capital Group Inc. (MSCG) has applied to renew its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES:** Comments, protests, or requests to intervene must be submitted on or before June 1, 2010.

**ADDRESSES:** Comments, protests or requests to intervene should be addressed as follows: Office of Electricity Delivery and Energy Reliability, Mail Code: OE-20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350 (FAX 202-586-8008).

**FOR FURTHER INFORMATION CONTACT:** Anthony Como (Program Office) 202-586-5935 or Michael Skinker (Program Attorney) 202-586-2793.

**SUPPLEMENTARY INFORMATION:** Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the FPA (16 U.S.C. 824a(e)).

On August 21, 1998, DOE issued Order No. EA-185 authorizing MSGC to transmit electric energy from the United States to Canada as a power marketer using existing international electric transmission facilities for two years. On August 14, 2000, DOE issued Order No. EA-185-A, which renewed MSGC's authority for a five-year period. On August 19, 2005, DOE issued Order No. EA-185-B, authorizing MSGC's authority for an additional five-year period, which expires on August 21, 2010. On February 17, 2010, MSCG filed an application with DOE to renew the export authority contained in Order No. EA-185-B for an additional five-year period.

The electric energy that MSCG proposes to export to Canada would be surplus energy purchased from electric utilities, Federal power marketing agencies and other entities within the United States. The existing international transmission facilities to be utilized by MSCG have previously been authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties.

**Procedural Matters:** Any person desiring to become a party to these proceedings or to be heard by filing comments or protests to this application should file a petition to intervene, comment, or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with DOE on or before the date listed above.

Comments on the MSCG application to export electric energy to Canada should be clearly marked with Docket

No. EA-185-C. Additional copies are to be filed directly with Edward J. Zabrocki, Morgan Stanley & Co. Incorporated, 2000 Westchester Ave., Purchase, NY 10577 and Daniel E. Frank, Sutherland Asbill & Brennan LLP, 1275 Pennsylvania Ave., NW., Washington, DC 20004. A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program Web site at [http://www.oe.energy.gov/permits\\_pending.htm](http://www.oe.energy.gov/permits_pending.htm), or by e-mailing Odessa Hopkins at [Odessa.Hopkins@hq.doe.gov](mailto:Odessa.Hopkins@hq.doe.gov).

Issued in Washington, DC, on April 20, 2010.

**Anthony J. Como,**

*Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.*

[FR Doc. 2010-9967 Filed 4-28-10; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13317-000]

### Bishop Paiute Tribe; Notice of Competing Preliminary Permit Application Accepted for Filing and Soliting Comments and Motions To Intervene

April 21, 2010.

On November 3, 2008, the Bishop Paiute Tribe filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Bishop Paiute Hydroelectric Project to be located on a new penstock between the base of a mine and Morgan Creek in Inyo County, California. The proposed project would be located within the Inyo National Forest on lands of the U.S. Forest Service. 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) The existing Pine Creek Mine site and access tunnel; (2) an existing 12-foot by 12-foot by 30-foot reinforced concrete plug in the Pine Creek Mine; (3) a proposed 18-inch or smaller steel penstock; (4) a proposed 250-kilowatt generating unit; (5) a proposed 2.4-kilovolt, 60-foot-long transmission line; and (6) appurtenant facilities. The project would have an annual generating capacity of 2.3 gigawatt-hours that would be sold to a local utility.

*Applicant Contact:* Mr. Monty Bengochia, Chairman, Bishop Paiute Tribe, 50 Tu Su Lane, Bishop, CA 93514; (760) 873-3584.

*FERC Contact:* Emily Carter; (202) 502-6512.

*Competing Application:* This application competes with Project No. 12532-002 filed March 3, 2008. Competing applications were due by close of business on November 18, 2008.

*Deadline for Filing Comments or Motions to Intervene:* 60 days from the issuance of this notice. Comments and motions to intervene 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/filings-comments.asp>. More information about this project, including a copy of the application, can be viewed or printed on the "eLibrary" link of the Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13317) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2010-9934 Filed 4-28-10; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2685-023]

#### New York Power Authority (NYPA); Notice of Application for Amendment of License and Soliciting Comments, Motions To Intervene, and Protests

April 21, 2010.

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

a. *Type of Application:* Amendment of license to delete certain non-jurisdictional transmission facilities from license.

b. *Project No.:* 2685-023.

c. *Date Filed:* April 9, 2010.

d. *Applicant:* New York Power Authority (NYPA).

e. *Name of Project:* Blenheim Gilboa.

f. *Location:* The project is located on Schoharie Creek, Schoharie County, New York.

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

h. *Applicant Contact:* Mark Slade, Licensing Manager, New York Power Authority, 123 Main Street, White Plains, NY 10601. Tel: (914) 681-6659 or e-mail address:

[Mark.Slade@nypa.gov](mailto:Mark.Slade@nypa.gov).

i. *FERC Contact:* Any questions on this notice should be addressed to Mr. Vedula Sarma at (202) 502-6190, or e-mail address:

[vedula.sarma@ferc.gov](mailto:vedula.sarma@ferc.gov).

j. *Deadline for filing comments and or motions:* May 21, 2010.

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 (<http://www.ferc.gov>) under the "e-filing" link. The Commission strongly encourages electronic filings.

All documents (original and eight copies) filed by paper should be sent to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P-2685-023) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must

also serve a copy of the document on that resource agency. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Request:* NYPA requests authorization to remove three transmission lines: Fraser-Gilboa line, Gilboa-New Scotland line, and Gilboa-Leeds line from the project's license. According to the licensee the lines are no longer primary lines for the project, but they are integral part of the licensee's interconnected transmission system.

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 to access the document. 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, call 1-866-208-3676 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. Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers.

p. *Agency Comments:* Federal, State, and local agencies are invited to file comments on the described application.