

of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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

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

[FR Doc. 2010-14948 Filed 6-18-10; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2850-014-NY]

#### Hampshire Paper Company; Notice Rejecting Application, Waiving Regulations, and Soliciting Applications

June 15, 2010.

On June 2, 2010, Hampshire Paper Company (Hampshire Paper), licensee for the Emeryville Hydroelectric Project No. 2850, filed an application for a new license for the project pursuant to Section 15(b)(1) of the Federal Power Act (Act). The license application was untimely filed and is hereby rejected.<sup>1</sup>

The project is located on the mainstem of the Oswegatchie River at approximate river mile 70 in the hamlet of Emeryville, town of Fowler, St. Lawrence County New York. The project consists of: (1) A 22-foot-high concrete gravity dam with a 185-foot-long overflow spillway equipped with 2.4-foot-high flashboards and a 4-foot-wide minimum flow rectangular weir with a minimum elevation of 584.2 feet mean sea level (msl); (2) a 35-acre

<sup>1</sup> Hampshire Paper was issued a major license for the project on June 17, 1982, for a term of 30 years, effective the first day of the month in which the order was issued. 19 FERC ¶ 62,491 (1982). The license therefore expired on May 31, 2012, and the statutory deadline for filing a new license application was May 31, 2010. See § 15(c)(1), 16 U.S.C. 808(c)(1). Since May 31 was a legal holiday, the deadline for filing a new license application was the first business day following that day, June 1, 2010. See 18 CFR 385.2007 (2009).

reservoir with a normal water surface elevation of 586.6 feet msl; (3) a 37-foot-long by 33-foot-wide reinforced concrete intake structure equipped with four headgates connected to; (4) a 123-foot-long by 21-foot-wide steel reinforced wooden power flume equipped with a trashrack with 2-inch clear spacing connected to; (5) a 60-foot-long by 14-foot-diameter steel penstock leading to; (6) a powerhouse containing a single generating unit with a rated capacity of 3,481 kilowatts for an estimated average annual generation of 18,400 megawatt-hours; (7) an 80-foot-long, 23-kilovolt transmission line; and (8) appurtenant facilities.

As a result of the rejection of Hampshire Paper's application and pursuant to Section 16.25 of the Commission's regulations, the Commission is soliciting license applications from potential applicants. This is necessary because the deadline for filing an application for new license and any competing license applications, pursuant to Section 16.9 of the Commission's regulations was June 1, 2010, and no other applications for license for this project were filed. With this notice, we are waiving those parts of Section 16.24(a) and 16.25(a) which bar an existing licensee that missed the two-year application filing deadline from filing another application. Further, since Hampshire Paper completed the consultation requirements pursuant to Part 5 of the Integrated Licensing Process, we are waiving the consultation requirements in Section 16.8 for the existing licensee. Consequently, Hampshire Paper will be allowed to refile a license application and compete for the license and the incumbent preference established by the FPA Section 15(a)(2) will apply.<sup>2</sup>

The licensee is required to make available certain information described in Section 16.7 of the regulations. For more information from the licensee, please contact Mr. Michael McDonald, Facility Manager, Hampshire Paper Company, Inc., P.O. Box 339, Gouverneur, New York 13642, (315) 287-1990, or Mr. Dana Dougherty, Stantec Consulting Michigan, Inc., 3959 Research Park Drive, Ann Arbor, Michigan 48108, (734) 761-1010.

Pursuant to Section 16.25(b), a potential applicant that files a notice of intent within 90 days from the date of this notice: (1) May apply for a license under Part I of the Act and Part 4 (except Section 4.38) of the

<sup>2</sup> See *Pacific Gas and Electric Co.*, 98 FERC ¶ 61,032 (2002), *reh'g denied*, 99 FERC ¶ 61,045 (2002), *aff'd*, *City of Fremont v. FERC*, 336 F.3d 910 (9th Cir. 2003).

Commission's Regulations within 18 months of the date on which it files its notice; and (2) must comply with Sections 16.8 and 16.10 of the Commission's Regulations.

Questions concerning this notice should be directed to John Baummer, (202) 502-6837 or [john.baummer@ferc.gov](mailto:john.baummer@ferc.gov).

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

[FR Doc. 2010-14957 Filed 6-18-10; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP10-450-000]

#### Kinder Morgan Interstate Gas Transmission LLC; Notice of Request Under Blanket Authorization

June 11, 2010.

Take notice that on June 3, 2009, Kinder Morgan Interstate Gas Transmission LLC (KMIGT), filed in Docket No. CP10-450-000, a prior notice request pursuant to sections 157.205 and 157.216 of the Commission's regulations under the Natural Gas Act (NGA). KMIGT seeks authorization to abandon three 8-inch loop pipeline segments, a total of approximately 9,100 feet, along its Scott City to Phillipsburg Pipeline in Rooks County, Kansas. KMIGT proposes to perform these activities under its blanket certificate issued March 16, 1983, in Docket No. CP83-140-000, *et al.* [22 FERC ¶ 62,330 (1983)].

Specifically, KMIGT proposes to abandon by removal those three segments which loop the 12-inch Scott City to Phillipsburg Pipeline where it crosses the South Fork Solomon River. KMIGT states that these segments are operationally and functionally obsolete and that the existing 12-inch pipeline can accommodate KMIGT's shippers' existing and projected future requirements, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

KMIGT states that the total cost of all facilities to be abandoned is \$48,561. The current cost to replace the three segments is estimated to be \$1,800,000. Therefore, KMIGT proposes to abandon by removal and sell for salvage those segments of pipe.

The filing may be viewed on the Web 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 at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (866) 208-3676 or TTY, (202) 502-8659.

Any questions regarding this application may be directed to Skip George, Manager of Regulatory, Kinder Morgan Interstate Gas Transmission LLC, P.O. Box 281304, Lakewood, Colorado 80228-8304, or call (303) 914-4969.

Any person or the Commission's Staff may, within 60 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and, pursuant to section 157.205 of the Commission's Regulations under the NGA (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

The Commission strongly encourages electronic filings of comments, protests, and interventions 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. 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:* 5 p.m. Eastern Standard Time August 10, 2010.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2010-14941 Filed 6-18-10; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12642-003]

#### Wilkesboro Hydroelectric Company, LLC; Notice Soliciting Scoping Comments

June 15, 2010

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

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

b. *Project No.:* P-12642-003.

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

d. *Applicant:* Wilkesboro Hydroelectric Company, LLC.

e. *Name of Project:* W. Kerr Scott Hydropower Project.

f. *Location:* The proposed project would be located at the existing U.S. Army Corps of Engineers' (Corps) W. Kerr Scott (Kerr Scott) dam on the Yadkin River, near Wilkesboro in Wilkes County, North Carolina. A total of 3.5 acres of federal lands would be occupied by the proposed project.

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

h. *Applicant Contacts:* Mr. Dean Edwards, P.O. Box 1565, Dover, FL 33527, (813) 659-3014; and Mr. Kevin Edwards, P.O. Box 143, Mayodan, NC 27027, (336) 589-6138

i. *FERC Contact:* Jennifer Adams at (202) 502-8087, or [jennifer.adams@ferc.gov](mailto:jennifer.adams@ferc.gov).

j. *Deadline for filing scoping comments:* 30 days from the issuance date of this notice, or July 15, 2010.

All documents 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.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor 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.

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

l. The proposed project would use the existing Kerr Scott dam, which is federally owned and administered by the U.S. Army Corps of Engineers (Corps). The proposed project would use releases from the reservoir, as

directed by the Corps, that would normally be released directly to the Yadkin River downstream of the dam. All existing facilities would remain, but some features would be modified and new facilities would be constructed.

The proposed project would consist of: (1) Modifying the existing low-level intake tower to be a multilevel intake structure with trashracks; (2) placing a 580-foot-long, 11-foot-diameter steel liner in the downstream portion of the existing 749-foot-long reinforced concrete water conduit to enable pressurization of the conduit; (3) a penstock bifurcation and two 8-foot-diameter steel penstocks; (4) a gate at the end of the water conduit, with a Howell-Bunger-ring-jet-type fixed cone valve installed in the gate; (5) an 80-foot-long by 30-foot-wide powerhouse containing one 2 MW Kaplan unit and one 2 MW propeller-type unit; (6) an 80-foot-wide by 30-foot-long discharge channel that joins the Yadkin River at the downstream end of the existing stilling basin; (7) a substation; (8) a new underground 12.47-kilovolt (kV) transmission line that extends 150 feet from the proposed powerhouse to an existing utility pole to the south of the powerhouse, and an upgraded 3,600-foot-long, 12.47-kV three-phase line that connects the utility pole to a Duke Energy substation; and (9) appurtenant facilities. The Kerr Scott project would generate approximately 22,400 megawatt-hours annually.

m. 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 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. A copy is available for inspection and reproduction at the address in item h above.

n. You may 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.

o. *Scoping Process.*

The Commission staff intends to prepare a single Environmental Assessment (EA) for the Kerr Scott Hydropower Project, in accordance with the National Environmental Policy Act. The EA will consider both site-specific and cumulative environmental impacts and reasonable alternatives to the proposed action.

Commission staff does not propose to conduct any on-site scoping meetings at