

## 963RD—MEETING; REGULAR MEETING—Continued

[October 21, 2010, 10 a.m.]

Item No.	Docket No.	Company
A-3 .....	AD06-3-000 .....	Energy Market Assessment—2010–2011 Winter/Summer Assessment. RTO Performance Metrics.
A-4 .....	AD10-5-000 .....	
<b>Electric</b>		
E-1 .....	ER10-1562-000, ER10-2254-000 .....	Duke Energy Ohio, Inc. and Duke Energy Kentucky, Inc. California Public Utilities Commission.
E-2 .....	EL10-64-001 .....	
	EL10-66-001 .....	Southern California Edison Company, Pacific Gas and Electric Company and San Diego Gas & Electric Company.
E-3 .....	RM10-13-000 .....	Credit Reforms in Organized Wholesale Electric Markets.
E-4 .....	RR10-11-000 .....	North American Electric Reliability Corporation.
E-5 .....	RR10-13-000 .....	North American Electric Reliability Corporation.
E-6 .....	RM09-15-000 .....	Version One Regional Reliability Standard for Resource and Demand Balancing.
E-7 .....	OMITTED .....	
E-8 .....	RM10-10-000 .....	Planning Resource Adequacy Assessment Reliability Standard.
E-9 .....	RM09-19-000 .....	Western Electric Coordinating Council, Qualified Transfer Path Unscheduled Flow Relief Regional Reliability Standard.
E-10 .....	ER09-1048-000 .....	California Independent System Operator Corporation.
E-11 .....	ER09-1049-000 .....	Midwest Independent Transmission System Operator, Inc.
E-12 .....	ER09-1050-000 .....	Southwest Power Pool, Inc.
E-13 .....	ER09-1051-000 .....	ISO New England Inc. and New England Power Pool.
E-14 .....	ER09-1063-000, ER09-1063-001 .....	PJM Interconnection, L.L.C.
E-15 .....	ER09-1142-000, ER09-1142-001 .....	New York Independent System Operator, Inc.
E-16 .....	ER10-166-000 .....	Dynergy South Bay, LLC.
E-17 .....	OMITTED .....	
E-18 .....	ER10-192-000, ER10-192-001, ER10-192-002, ER10-192-003, ER10-192-004, ER10-192-005.	Public Service Company of Colorado.
<b>Gas</b>		
G-1 .....	RM11-1-000 .....	Capacity Transfers on Intrastate Natural Gas Pipelines.
G-2 .....	PR10-45-001 .....	Arizona Public Service Company and Sequent Energy Management, L.P.
G-3 .....	RP10-758-000 .....	Portland Natural Gas Transmission System.
<b>Hydro</b>		
H-1 .....	P-12107-005 .....	Granite County, Montana.
H-2 .....	P-2496-222 .....	Eugene Water and Electric Board.
H-3 .....	P-13794-001 .....	Thermalito Afterbay Hydro, LLC.
<b>Certificates</b>		
C-1 .....	OMITTED .....	
C-2 .....	CP04-36-006 .....	Weaver's Cove Energy, LLC.
C-3 .....	CP10-490-000 .....	Texas Eastern Transmission, LP and Texas Gas Transmission, LLC.
C-4 .....	CP10-498-000 .....	Ryckman Creek Resources, LLC.
C-5 .....	CP10-23-000 .....	UGI Storage Company.
	CP10-24-000 .....	UGI Central Penn Gas, Inc.
C-6 .....	OMITTED .....	
C-7 .....	CP10-2-001 .....	Southern Star Central Gas Pipeline, Inc.

**Kimberly D. Bose,**  
Secretary.

A free webcast of this event is available through <http://www.ferc.gov>. Anyone with Internet access who desires to view this event can do so by navigating to <http://www.ferc.gov>'s Calendar of Events and locating this event in the Calendar. The event will contain a link to its webcast. The Capitol Connection provides technical support for the free webcasts. It also offers access to this event via television in the DC area and via phone bridge for a fee. If you have any questions, visit <http://www.CapitolConnection.org> or

contact Danelle Springer or David Reininger at 703-993-3100.

Immediately following the conclusion of the Commission Meeting, a press briefing will be held in the Commission Meeting Room. Members of the public may view this briefing in the designated overflow room. This statement is intended to notify the public that the press briefings that follow Commission meetings may now be viewed remotely at Commission headquarters, but will not be telecast through the Capitol Connection service.

[FR Doc. 2010-26356 Filed 10-15-10; 11:15 am]

**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory  
Commission**

[Docket No. PR10-11-002]

**ECOP Gas Company, LLC; Notice of  
Revised Statement of Operating  
Conditions**

October 8, 2010.

Take notice that on September 1, 2010, ECOP Gas Company, LLC (ECOP) filed their revised Statement of Operating Conditions for services provided under section 311 of the Natural Gas Policy Act of 1978 (NGPA)

in compliance to a provision in their Stipulation and Agreement accepted on August 12, 2010.

Any person desiring to participate in this rate filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 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 date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

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 Thursday, October 14, 2010.

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

[FR Doc. 2010-26243 Filed 10-18-10; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9214-6]

### Notice of a Regional Project Waiver of Section 1605 (Buy American) of the American Recovery and Reinvestment Act of 2009 (ARRA) to the City of Lowell, MA

**AGENCY:** Environmental Protection Agency (EPA)

**ACTION:** Notice.

**SUMMARY:** The EPA is hereby granting a waiver of the Buy American requirements of ARRA Section 1605 under the authority of Section 1605(b)(2) [manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality] to the City of Lowell, Massachusetts ("City") for the purchase of a foreign manufactured heat recovery ventilator for the Lowell Wastewater Treatment Facility and Warren Street Combined Sewer Overflow (CSO) Diversion Station Improvements Project. This is a project specific waiver and only applies to the use of the specified product for the ARRA project being proposed. Any other ARRA recipient that wishes to use the same product must apply for a separate waiver based on project specific circumstances. Based upon information submitted by the City and its consulting engineer, it has been determined that there are currently no domestically manufactured heat recovery ventilators available to meet its proposed project and performance specifications. The Regional Administrator is making this determination based on the review and recommendations of the Municipal Assistance Unit. The Assistant Administrator of the Office of Administration and Resources Management has concurred on this decision to make an exception to Section 1605 of ARRA. This action permits the purchase of a foreign manufactured heat recovery ventilator by the City, as specified in its July 14, 2010 request.

**DATES:** *Effective Date:* October 8, 2010.

**FOR FURTHER INFORMATION CONTACT:** Katie Connors, Environmental Engineer, (617) 918-1658, or David Chin, Environmental Engineer, (617) 918-1764, Municipal Assistance Unit (CMU), Office of Ecosystem Protection (OEP), U.S. EPA, 5 Post Office Square, Suite 100, Boston, MA 02109-3912.

**SUPPLEMENTARY INFORMATION:** In accordance with ARRA Section 1605(c), the EPA hereby provides notice that it

is granting a project waiver of the requirements of Section 1605(b)(2) of Public Law 111-5, Buy American requirements, to the City for the purchase of a non-domestically manufactured fixed plate heat recovery ventilator to meet the City's design and performance specifications as part of its proposed Lowell Wastewater Treatment Facility and Warren Street Combined Sewer Overflow (CSO) Diversion Station Improvements Project.

Section 1605 of the ARRA requires that none of the appropriated funds may be used for the construction, alteration, maintenance, or repair of a public building or a public works project unless all of the iron, steel, and manufactured goods used in the project is produced in the United States, or unless a waiver is provided to the recipient by the head of the appropriate agency, here the EPA. A waiver may be provided if EPA determines that (1) Applying these requirements would be inconsistent with the public interest; (2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or (3) inclusion of iron, steel, and the relevant manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

EPA has determined that the City's waiver request may be treated as timely even though the request was made after the construction contract was signed. Consistent with the direction of the OMB Guidance at 2 CFR 176.120, EPA has evaluated the City's request to determine if the request constitutes a late request. EPA will generally regard waiver requests with respect to components that were specified in the bid solicitation or in a general/primary construction contract as "late" if submitted after the contract date. However, in this case EPA has determined that the City's request, though made after the date that the contract was signed, can be evaluated as timely because the need for a waiver was not reasonably foreseeable. After the contract date, during the shop drawing review, a domestic specified fixed plate heat recovery ventilator was found to be unavailable by the contractor. The need for a waiver was not determined until after the contractor had completed a search for a domestic manufacturer and had confirmed that there were no domestically made fixed plate heat recovery ventilators available to meet project specifications. Accordingly, EPA will evaluate the request as a timely request.