

were filed by Lock+ Hydro Friends Fund XLVIII, for Project No. 13809-000, and FFP Missouri 15, LLC, for Project No. 13814-000.

Where all permit applicants are municipalities or all permit applicants are non-municipalities, and no applicant's plans are better adapted than the others' to develop, conserve, and utilize in the public interest the water resources of a region, the Commission issues a permit to the applicant who filed first in time.<sup>2</sup> In this case, because two applications from entities not claiming municipal preference are deemed filed at the same time, the Commission will conduct a random tie breaker to determine priority. In the event that the Commission concludes that neither applicant's plans are better adapted than the other, priority will be determined accordingly.

On December 29, 2010, at 11 a.m. (Eastern Standard Time), the Secretary of the Commission, or her designee, will, by random drawing, determine the filing priority for the two applicants identified in this notice. The drawing is open to the public and will be held in room 2C, the Commission Meeting Room, located at 888 First St. NE., Washington, DC 20426. The results of the drawing will be recorded by the Secretary or her designee. A subsequent notice will be issued by the Secretary announcing the results of the drawing.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP11-1435-000]

#### Columbia Gulf Transmission Company; Notice of Technical Conference

December 15, 2010.

On October 28, 2010, Columbia Gulf Transmission Company (Columbia Gulf) filed a request under section 4 of the Natural Gas Act (NGA) to implement a general rate increase. Columbia Gulf submitted two sets of proposed tariff

holidays. 18 CFR 375.101(c) (2010). The applications were filed between 5:00 p.m. on Friday July 9, 2010, and 8:30 a.m. on Monday July 12, 2010. Under the Commission's Rules of Practice and Procedure, any document received after regular business hours is considered filed at 8:30 a.m. on the next regular business day. 18 CFR 385.2001(a)(2) (2010).

<sup>2</sup> 18 CFR 4.37 (2010). See, e.g., *BPUS Generation Development, LLC*, 126 FERC ¶ 61,132 (2009).

records with alternative rate structures for consideration by the Commission: actual tariff rates as its Primary Case and *pro forma* tariff rates as its Preferred Case. On November 30, 2010, the Commission issued an order that, among other things, directed the Staff to convene a technical conference to explore the non-rate issues raised by the filing.

Take notice that a technical conference to discuss non-rate issues raised by Columbia Gulf's filing will be held on Tuesday, January 18, 2011 at 10 a.m. (EST) and Wednesday, January 19, 2011 at 10 a.m. (EST), in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

Federal Energy Regulatory Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an e-mail to [accessibility@ferc.gov](mailto:accessibility@ferc.gov) or call toll free 1-866-208-3372 (voice) or 202-208-1659 (TTY), or send a FAX to 202-208-2106 with the required accommodations.

All parties and staff are permitted to attend. For further information please contact Sebrina M. Greene at (202) 502-6309 or [sebrina.greene@ferc.gov](mailto:sebrina.greene@ferc.gov).

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Notice of Cancellation of Environmental Impact Statement for the Proposed NextGen Project Near Selby, Walworth County, SD (DOE/EIS-0401)

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Cancellation of Environmental Impact Statement.

**SUMMARY:** The U.S. Department of Energy (DOE), Western Area Power Administration (Western) is issuing this notice to advise the public that it is cancelling the preparation of an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA) on an interconnection request by the Basin Electric Power Cooperative (BEPC). BEPC proposed to design, construct, operate, and maintain a 500- to 700-megawatt base load, coal-fired generation facility near Selby, Walworth County, South Dakota, and interconnect

it with Western's transmission system, thus triggering a NEPA review of Western's action to allow the interconnection. BEPC has notified Western it is suspending further action on its proposed project.

**FOR FURTHER INFORMATION CONTACT:** For further information on the cancellation of this EIS process, contact Matt Marsh, Upper Great Plains Regional Office, Western Area Power Administration, P.O. Box 35800, Billings, MT 59107-5800, e-mail [MMarsh@wapa.gov](mailto:MMarsh@wapa.gov), telephone (800) 358-3415. For general information on the DOE's NEPA review process, contact Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance, GC-54, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0119, telephone (202) 586-4600 or (800) 472-2756, facsimile (202) 586-7031.

**SUPPLEMENTARY INFORMATION:** The U.S. Department of Energy (DOE), Western Area Power Administration (Western) is cancelling the preparation of an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA) on an interconnection request by the Basin Electric Power Cooperative (BEPC). BEPC proposed to design, construct, operate, and maintain a 500- to 700-megawatt base load, coal-fired generation facility near Selby, Walworth County, South Dakota. BEPC's proposed NextGen Project would have been entirely owned and operated by BEPC, and would have been constructed on private land. Western received a request for interconnection from BEPC, which triggered a NEPA process on Western's proposed action to approve or deny BEPC's request to interconnect their proposed project with Western's transmission system. If the interconnection were to be approved, Western would have needed to construct and operate an interconnection facility at the point of interconnection.

A Notice of Intent to Prepare an Environmental Impact Statement was published in the **Federal Register** on July 27, 2007 (72 FR 41307). Public scoping meetings were held subsequent to the Notice of intent, but a Draft EIS was not produced. BEPC has notified Western that it is suspending further action on its proposed project; accordingly Western is terminating the NEPA review process on its interconnection decision.

Dated: December 10, 2010.

**Timothy J. Meeks,**  
Administrator.

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