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Dated: November 15, 2011.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2011-30024 Filed 11-21-11; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2246-058]

#### Yuba County Water Agency; Notice of Panel Meeting and Technical Conference Details

On October 20, 2011, the National Oceanic and Atmospheric Administration's, National Marine Fisheries Service (NMFS), filed a Notice to initiate a formal study dispute resolution process, pursuant to 18 CFR 5.14, in the relicensing proceeding for the Yuba County Water Agency's (YCWA) Yuba River Hydroelectric Project No. 2246. NMFS disputed the treatment of several of its study requests, filed on March 7, 2011, in the Commission's study plan determination, issued on September 30, 2011. NMFS specifically identified study requests one through six and study request eight as the disputed components of its, March 7, 2011 filing. In its study requests one through six NMFS requested studies of the effects of project and related activities on: (1) Fish passage for anadromous fish; (2) hydrology for anadromous fish; (3) water temperatures for anadromous fish migration, holding, spawning, and rearing needs; (4) coarse substrate for anadromous fish: Sediment supply, transport, and storage; (5) large wood and riparian habitat for anadromous fish; and (6) loss of marine-derived nutrients in the Yuba River, respectively. In study request eight, NMFS requested a study of,

“anadromous fish ecosystem effects analysis: Synthesis of direct, indirect, and cumulative effects of the project and related facilities on anadromous fish. On November 7, 2011, the dispute resolution panel convened. On November 9, 2011, the Commission issued a Notice of Dispute Resolution Process Schedule, Panel Meeting, and Technical Conference. The technical conference date is repeated below with additional logistical details.

The purpose of the technical conference is for the disputing agency, the applicant, and the Commission to provide the panel with additional information necessary to evaluate the disputed studies. All local, state, and federal agencies, Indian tribes, and other interested parties are invited to attend the meeting as observers. The panel may also request information or clarification on written submissions as necessary to understand the matters in dispute. The panel will limit all input that it receives to the specific studies or information in dispute and will focus on the applicability of such studies or information to the study criteria stipulated in 18 CFR 5.9(b). If the number of participants wishing to speak creates time constraints, the panel may, at its discretion, limit the speaking time for each participant.

#### Technical Conference

*Date:* Wednesday, November 30, 2011.

*Time:* 9 a.m.–5 p.m.

*Place:* Holiday Inn, Sacramento—Capitol Plaza, 300 J Street, Sacramento, CA 95814, (916) 446-0100.

For more information, please contact Stephen Bowler, the dispute panel chair, at [stephen.bowler@ferc.gov](mailto:stephen.bowler@ferc.gov) or (202) 502-6861.

Dated: November 16, 2011.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[137 FERC ¶61,131; Docket No. RD11-3-000]

**Before Commissioners: Jon Wellinghoff, Chairman; Philip D. Moeller, John R. Norris, and Cheryl A. LaFleur; North American Electric Reliability Corporation; Order Approving Reliability Standard**

1. On January 28, 2011, the North American Electric Reliability

Corporation (NERC) submitted a petition seeking approval of a revised Facilities Design, Connections, and Maintenance (FAC) Reliability Standard FAC-013-2—Assessment of Transfer Capability for the Near-Term Transmission Planning Horizon, pursuant to section 215(d)(1) of the Federal Power Act (FPA)<sup>1</sup> and section 39.5 of the Commission's regulations.<sup>2</sup> The revised Reliability Standard requires planning coordinators to have a transparent methodology for, and to annually perform, an assessment of transmission transfer capability for the Near-Term Transmission Planning Horizon, as a basis for identifying system weaknesses or limiting facilities that could limit energy transfers in the future. NERC also requests approval of two new terms utilized in the proposed Reliability Standard, to be included in NERC's Glossary of Terms Used in NERC Reliability Standards (NERC Glossary or Glossary). Finally, NERC requests approval of its implementation plan for Reliability Standard FAC-013-2, setting an effective date that will allow planning coordinators a reasonable time, after certain related Modeling, Data, and Analysis (MOD) Reliability Standards have gone into effect, to meet the requirements of the revised Reliability Standard.

2. As explained below, we find that revised Reliability Standard FAC-013-2 (including the associated new Glossary terms and implementation plan) is just, reasonable, not unduly discriminatory or preferential and in the public interest. We accept the violation risk factors and violation severity levels associated with the standard as proposed by NERC, with three exceptions described below. We also deny a request by the Electric Reliability Council of Texas (ERCOT) for an exemption from Reliability Standard FAC-013-2.

#### I. Background

3. The Commission certified NERC as the Electric Reliability Organization (ERO), as defined in section 215 of the FPA, in July 2006.<sup>3</sup> In Order No. 693, the Commission reviewed an initial set of Reliability Standards as developed and submitted for review by NERC, accepting 83 standards as mandatory

<sup>1</sup> 16 U.S.C. 824o(d)(1) (2006).

<sup>2</sup> 18 CFR 39.5 (2011).

<sup>3</sup> *North American Electric Reliability Corp.*, 116 FERC ¶ 61,062, *order on reh'g and compliance*, 117 FERC ¶ 61,126 (2006), *order on compliance*, 118 FERC ¶ 61,190, *order on reh'g* 119 FERC ¶ 61,046 (2007), *aff'd sub nom. Alcoa Inc. v. FERC*, 564 F.3d 1342 (DC Cir. 2009).