

Dated: December 20, 2012.

Kimberly D. Bose,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC13-9-000]

Commission Information Collection Activities (FERC-730); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission, Energy.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC-730, Report of Transmission Investment Activity.

DATES: Comments on the collection of information are due March 1, 2013.

ADDRESSES: You may submit comments (identified by Docket No. IC13-9-000) by either of the following methods:

- *eFiling at Commission's Web Site:* <http://www.ferc.gov/docs-filing/efiling.asp>.

- *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov/docs-filing/efiling.asp>.

www.ferc.gov/help/submission-guide.asp. For user assistance contact FERC Online Support by email at ferconlinesupport@ferc.gov, or by phone at: (866) 208-3676 (toll-free), or (202) 502-8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <http://www.ferc.gov/docs-filing/docs-filing.asp>.

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at DataClearance@FERC.gov, telephone at (202) 502-8663, and fax at (202) 273-0873.

SUPPLEMENTARY INFORMATION:

Title: Report of Transmission Investment Activity.

OMB Control No.: 1902-0239.

Type of Request: Three-year extension of the FERC-730 information collection requirements with no changes to the current reporting requirements.

Abstract: Pursuant to Section 219¹ of the Federal Power Act, the Commission issued FERC Order No. 679,² Promoting Transmission Investment Through Pricing Reform. Order No. 679 FERC amended its regulations in 18 CFR 35.35 to establish incentive-based (including performance-based) rate treatments for the transmission of electric energy in interstate commerce by public utilities. The Commission intended the order to benefit consumers by ensuring reliability and to reduce the cost of delivered power by reducing transmission congestion. Order No. 679 also adopted an annual reporting requirement (FERC-730) for utilities that receive incentive rate treatment for specific transmission projects. The FERC-730 provides annual data on transmission capital expenditures as

well as project status detail. The Commission requires that filers specify which projects are currently receiving incentives in the project detail table and that they group together those facilities receiving the same incentive. Specifically, in accordance with the statute, public utilities with incentive rates must file:

- Actual transmission investment for the most recent calendar year, and projected, incremental investments for the next five calendar years (in dollar terms); and
- A project by project listing that specifies for each project the most up to date, expected completion date, percentage completion as of the date of filing, and reasons for delays for all current and projected investments over the next five calendar years. Projects with projected costs less than \$20 million are excluded from this listing.

To ensure that Commission rules are successfully meeting the objectives of Section 219, the Commission collects industry data, projections and related information that detail the level of investment. FERC-730 information regarding projected investments as well as information about completed projects allows the Commission to monitor the success of the transmission pricing reforms and to determine the status of critical projects and reasons for delay.

Type of Respondents: Public utilities that have been granted incentive based rate treatment for specific transmission projects under the provisions of 18 CFR 35.35(h) must file the FERC-730.

*Estimate of Annual Burden*³: The Commission estimates the total Public Reporting Burden for this information collection as:

FERC-730: REPORT OF TRANSMISSION INVESTMENT ACTIVITY

| | No. of respondents | No. of responses per respondent | Total No. of responses | Average burden hours per response | Estimated total annual burden |
|--|--------------------|---------------------------------|------------------------|-----------------------------------|-------------------------------|
| | (A) | (B) | (A)×(B)=(C) | (D) | (C)×(D) |
| Public utilities granted incentive based rate treatment for specific transmission projects under the provisions of 18 CFR 35.35 (h). | 63 | 1 | 63 | 30 | 1,890 |

The total estimated annual cost burden to respondents is \$130,428.17 [1,890 hours ÷ 2080⁴ hours per year * \$143,540/year⁵ = \$130,428.17].

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the

Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection

¹ Energy Policy Act of 2005, Public Law 109-58, 119 Stat. 594, 315 and 1283 (2005).

² RM06-4-000 (issued 7/20/2006), published: 71 FR 43294.

³ The Commission defines burden as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the

information collection burden, reference 5 Code of Federal Regulations 1320.3.

⁴ 2080 hours/year = 40 hours/week * 52 weeks/year

⁵ Average annual salary per employee in 2012

of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: December 20, 2012.

Kimberly D. Bose,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2727-086]

Black Bear Hydro Partners, LLC;

Notice of Intent To File License Application, Filing of Pre-Application Document (PAD), Commencement of Pre-Filing Process and Scoping; Request For Comments on the Pad and Scoping Document, and Identification of Issues and Associated Study Requests

a. *Type of Filing:* Notice of Intent to File License Application for a New License and Commencing Pre-filing Process.

b. *Project No.:* 2727-086.

c. *Dated Filed:* October 24, 2012.

d. *Submitted By:* Black Bear Hydro Partners, LLC (Black Bear Hydro).

e. *Name of Project:* Ellsworth Hydroelectric Project.

f. *Location:* On the Union River in the City of Ellsworth and the towns of Waltham and Mariaville in Hancock County, Maine. The project would not occupy federal lands.

g. *Filed Pursuant to:* 18 CFR part 5 of the Commission's Regulations.

h. *Applicant Contact:* Scott Hall, Davenport Street, P.O. Box 276, Milford, ME 04461. 207-827-5364.

i. *FERC Contact:* Nicholas Palso, Ph.D. at (202) 502-8854 or email at nicholas.palso@ferc.gov.

j. *Cooperating agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item o. below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. See 94 FERC ¶ 61,076 (2001).

k. *With this notice, we are initiating informal consultation with:* (a) The U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR, Part 402 and (b) the State Historic Preservation Officer, as required by section 106, National Historical Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Black Bear Hydro as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act, section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act, and section 106 of the National Historic Preservation Act.

m. Black Bear Hydro filed with the Commission a Pre-Application Document (PAD; including a proposed process plan and schedule), pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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 at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in paragraph h.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. With this notice, we are soliciting comments on the PAD and Commission staff's Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application must be filed with the Commission. 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/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the

eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

All filings with the Commission must include on the first page, the project name (Ellsworth Hydroelectric Project) and number (P-2727-086), and bear the appropriate heading: "Comments on Pre-Application Document," "Study Requests," "Comments on Scoping Document 1," "Request for Cooperating Agency Status," or "Communications to and from Commission Staff." Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by February 21, 2013.

p. We intend to prepare an environmental assessment (EA) for this project. The scoping meetings identified below satisfy the NEPA scoping requirements.

Scoping Meetings

Commission staff will hold two scoping meetings in the vicinity of the project at the time and place noted below. The daytime meeting will focus on resource agency, Indian tribes, and non-governmental organization concerns, while the evening meeting is primarily for receiving input from the public. We invite all interested individuals, organizations, and agencies to attend one or both of the meetings, and to assist staff in identifying particular study needs, as well as the scope of environmental issues to be addressed in the environmental document. The times and locations of these meetings are as follows:

Daytime Scoping Meeting

Date: Wednesday, January 16, 2013.

Time: 9:00 a.m.

Location: Black Bear Hydro Partners, LLC, Davenport Street, Milford, ME 04461.

Phone: (207) 827-5364.

Evening Scoping Meeting

Date: Tuesday, January 15, 2013.

Time: 7:00 p.m.

Location: Ellsworth City Hall, One City Hall Plaza, Ellsworth, Maine 04605.

Phone: (207) 667-2563.

Scoping Document 1 (SD1), which outlines the subject areas to be