

assumptions of liability, is September 3, 2013.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: August 13, 2013.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2013-20093 Filed 8-16-13; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER13-2143-000]

Black Bear Development Holdings, LLC; Supplemental Notice that Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of Black Bear Development Holdings, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal

Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR Part 34, of future issuances of securities and assumptions of liability, is September 3, 2013.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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 email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Dated: August 13, 2013.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2013-20094 Filed 8-16-13; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 13102-003—Alabama; Demopolis Lock and Dam Hydroelectric Project]

Birch Power Company; Notice of Proposed Restricted Service List for a Programmatic Agreement

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR section 385.2010, provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding. The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

The Commission staff is consulting with the Alabama Historical Commission (Alabama SHPO) and the Advisory Council on Historic Preservation (Advisory Council) pursuant to the Advisory Council's regulations, 36 CFR part 800, implementing section 106 of the National Historic Preservation Act, *as amended*, (16 U.S.C. 470f), to prepare a Programmatic Agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places that could be affected by issuance of a license for the Demopolis Lock and Dam Hydroelectric Project.

The Programmatic Agreement, when executed by the Commission and the Alabama SHPO, would satisfy the Commission's section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR section 800.13[e]). The Commission's responsibilities pursuant to section 106 for the project would be fulfilled through the Programmatic Agreement, which the Commission staff proposes to draft in consultation with certain parties listed below.

Birch Power Company, as applicant for the proposed Demopolis Hydroelectric Project, the U.S. Army Corps of Engineers, the Poarch Band of Creek Indians, Alabama-Coushatta Tribe of Texas, Alabama-Quassarte Tribal Town, United Keetoowah Band of Cherokee Indians, Choctaw Nation of Oklahoma, Jena Band of Choctaw Indians, Muscogee (Creek) Nation, and

Kialegee Tribal Town of the Muscogee (Creek) Nation have expressed an interest in this proceeding and are invited to participate in consultations to develop the Programmatic Agreement and to sign as a concurring party to the Programmatic Agreement. For purposes of commenting on the Programmatic Agreement, we propose to restrict the service list for Project No. 13102-003 as follows:

John Eddins, Advisory Council on Historic Preservation, The Old Post Office Building, 1100 Pennsylvania Avenue, NW., Suite 803, Washington, DC 20004

Greg Rhinehart, Alabama Historical Commission, 468 South Perry Street, Montgomery, AL 36130-0900

Joseph Giliberti, U.S. Army Corps of Engineers, Mobile District, 109 Saint Joseph Street, MS-PDEI, Mobile, AL 36628-0001

Nicholas E. Josten, Agent, Birch Power Company, 2742 Saint Charles Avenue, Idaho Falls, ID 83404

Robert Thrower, THPO, Poarch Band of Creek Indians, 5811 Jack Springs Road, Atmore, AL 36502

Bryant Celestine, THPO, Alabama-Coushatta Tribe of Texas, 571 State Park Road 56, Livingston, TX 77351

Augustine Asbury, Alabama-Quassarte Tribal Town, P.O. Box 187, Wetumka, OK 74883

Lisa Baker, THPO, United Keetoowah Band of Cherokee Indians, 20525 S. Jules Valdez Road, Tahlequah, OK 74464

Dr. Ian Thompson, THPO, Choctaw Nation of Oklahoma, P.O. Box 1210, Durant, OK 74701

Johnnie Jacobs, Choctaw Nation of Oklahoma, P.O. Box 1210, Durant, OK 74701

Dana Masters, THPO, Jena Band of Choctaw Indians, P.O. Box 14, Jena, LA 71342

Emman Spain, THPO, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447

Chief George Tiger or Representative, Kialegee Tribal Town of the Muscogee (Creek) Nation, P.O. Box 146, Wetumpka, OK 74883

Any person on the official service list for the above-captioned proceedings may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. An original plus five copies of any such motion must be filed with the Secretary of the Commission (888 First Street NE., Washington, DC 20426) and must be served on each person whose name appears on the official service list. If no

such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on the motion.

Dated: August 12, 2013.

Kimberly D. Bose,

Secretary.

[FR Doc. 2013-20033 Filed 8-16-13; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6618-007]

Christopher M. Anthony; Notice of Termination of Exemption by Implied Surrender and Soliciting Comments and Protests

Take notice that the following hydroelectric proceeding has been initiated by the Commission:

a. *Type of Proceeding:* Termination of exemption by implied surrender.

b. *Project No.:* 6618-007.

c. *Date Initiated:* August 13, 2013.

d. *Exemptee:* Christopher M. Anthony.

e. *Name and Location of Project:* The Frankfort Project is located at the head of tide on Marsh Stream, near the Town of Frankfort, in Waldo County, Maine.

f. *Filed Pursuant to:* 18 CFR 4.106.

g. *Exemptee Contact Information:* Christopher Anthony, Express Hydro Services, 312 Somerset Avenue, Pittsfield, Maine 04967.

h. *FERC Contact:* B. Peter Yarrington, (202) 502-6129 or peter.yarrington@ferc.gov.

i. Deadline for filing comments and protests is 30 days from the issuance of this notice by the Commission. Please file your submittal electronically via the Internet (eFiling) in lieu of paper. Please refer to the instructions on the Commission's Web site under <http://www.ferc.gov/docs-filing/efiling.asp> and filing instructions in the Commission's Regulations at 18 CFR

385.2001(a)(1)(iii). To assist you with eFilings you should refer to the submission guidelines document at <http://www.ferc.gov/help/submission-guide/user-guide.pdf>. In addition, certain filing requirements have statutory or regulatory formatting and other instructions. You should refer to a list of these "qualified documents" at <http://www.ferc.gov/docs-filing/efiling/filing.pdf>. You must include your name and contact information at the end of your comments. Please include the project number (P-6618-007) on any

documents or motions filed. The Commission strongly encourages electronic filings; otherwise, you should submit an original and seven copies of any submittal to the following address: The Secretary, Federal Energy Regulatory Commission, Mail Code: DHAC, PJ-12, 888 First Street NE., Washington, DC 20426.

j. *Description of Project Facilities:* The project consists of a powerhouse containing one generator unit rated at 400 kilowatts with a hydraulic capacity of 440 cubic feet per second, a Denil-style fishway, and appurtenant facilities. The dam used by the project, which is immediately adjacent to the powerhouse, is a 14-foot-high, 250-foot-long stone masonry structure owned by the Town of Frankfort.

k. *Description of Proceeding:* The project's exemption from licensing was granted September 20, 1982 (20 FERC ¶ 62,498). Article 2 of the exemption requires the exemptee to comply with any terms and conditions set by federal and state resource agencies for the protection of fish and wildlife resources. The exemptee has failed to comply with terms and conditions set by the U.S. Fish and Wildlife Service (FWS) and the state of Maine for designing, constructing, and operating fish passage facilities at the project.

The exemptee completed installation of facilities for upstream and downstream passage of fish, including Atlantic salmon, pursuant to Article 2 in 1986; however, deficiencies in the design and construction of the facilities, and ongoing lack of maintenance, have prevented the successful operation of the facilities pursuant to Article 2. In 2009, Atlantic salmon using project waters were federally listed as endangered under the Endangered Species Act and in May 2012, Commission staff and staff from the FWS and National Marine Fisheries Service began to work intensively with the exemptee to correct ongoing problems with the fish passage facilities. To date, the exemptee has failed to make any significant progress in correcting the problems, despite notice from Commission staff that such failure constitutes violation of Article 2 and threatens endangered Atlantic salmon.

l. This notice is available for review and reproduction at the Commission in the Public Reference Room, Room 2A, 888 First Street NE., Washington, DC 20426. The filing may also be viewed on the Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the Docket number (P-6618-007) excluding the last three digits in the docket number field to access the notice. You may also register online at