

Docket No.	File date	Presenter or requester
2. ER17-217-000 .....	12-12-2016	U.S. House Representative Frank Pallone, Jr.
3. CP14-96-000 .....	12-13-2016	U.S. Senator Elizabeth Warren.
4. CP16-10-000 .....	12-13-2016	U.S. Senator Bill Nelson.
5. ER17-217-000 .....	12-14-2016	U.S. House Representative Frank Pallone, Jr.
6. CP16-454-000, CP16-455-000 ...	12-19-2016	FERC Staff. <sup>2</sup>
7. CP15-138-000 .....	12-20-2016	State of Pennsylvania House Representative Bryan Cutler.
8. CP15-138-000 .....	12-20-2016	State of Pennsylvania House Representative Bryan Cutler.
9. CP15-138-000 .....	12-20-2016	State of Pennsylvania House Representative Bryan Cutler.
10. CP15-138-000 .....	12-20-2016	State of Pennsylvania House Representative Bryan Cutler.
11. CP16-10-000 .....	12-22-2016	FERC Staff. <sup>3</sup>

<sup>1</sup> Three letters have been sent to FERC Commissioners and staff under this docket number.

<sup>2</sup> Conference call notes from December 6, 2016 call with Rio Grande LNG, LLC and Rio Bravo Pipeline, LLC.

<sup>3</sup> Memo forwarding letter dated December 21, 2016 from Advisory Council on Historic Preservation.

Dated: December 28, 2016.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2016-32026 Filed 1-4-17; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL17-29-000]

#### **American Municipal Power, Inc. v. Midcontinent Independent System Operator, Inc.; Notice of Complaint**

Take notice that on December 19, 2016, pursuant to Rule 206 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.206 and sections 206 and 309 of the Federal Power Act, (FPA) <sup>1</sup> American Municipal Power, Inc. (AMP or Complainant) filed a formal complaint against Midcontinent Independent System Operator, Inc. (MISO or Respondent) alleging that MISO violated its Open Access Transmission, Energy and Operating Reserve Markets Tariff by improperly charging AMP for certain congestion and scheduling fees associated with the transmission of energy from its facility, as more fully explained in the complaint.

The Complainant certifies that a copies of the complaint were served on the contacts for MISO as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 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. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

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 5 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 electronic 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](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* 5:00 p.m. Eastern Time on January 18, 2017.

Dated: December 28, 2016.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2016-32020 Filed 1-4-17; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. PF16-10-000]

#### **WBI Energy Transmission, Inc.; Supplemental Notice of Intent To Prepare an Environmental Assessment for the Planned Valley Expansion Project and Request for Comments on Environmental Issues**

On November 23, 2016, the Commission issued a "Notice of Intent to Prepare an Environmental Assessment for the Planned Valley Expansion Project and Request for Comments on Environmental Issues" (NOI) and an Errata Notice for the NOI on November 28, 2016. It has come to our attention that the environmental mailing list was not provided copies of the NOI or the Errata Notice; therefore, we are issuing this Supplemental NOI to extend the scoping period and provide additional time for interested parties to file comments on environmental issues.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Valley Expansion Project involving construction and operation of facilities by WBI Energy Transmission, Inc. (WBI Energy) in Clay County, Minnesota and Cass, Burleigh, Stutsman, and Barnes Counties, North Dakota. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EA. The NOI identified

<sup>1</sup> 16 U.S.C. 824(e) and 825(h).

December 23, 2016 as the close of the scoping period. Please note that the scoping period is now extended and will close on January 27, 2017.

If you sent comments on this project to the Commission before the opening of this docket on October 17, 2016, you will need to file those comments in Docket No. PF16–10–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this planned project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" is available for viewing on the FERC Web site ([www.ferc.gov](http://www.ferc.gov)). This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

### Public Participation

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502–8258 or [efiling@ferc.gov](mailto:efiling@ferc.gov). Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature on the Commission's Web site ([www.ferc.gov](http://www.ferc.gov)) under the link to *Documents and Filings*. This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the *eFiling* feature on the Commission's Web site ([www.ferc.gov](http://www.ferc.gov)) under the link to *Documents and Filings*. With eFiling, you can provide comments in a variety

of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." If you are filing a comment on a particular project, please select "Comment on a Filing" as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the project docket number (PF16–10–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Room 1A, Washington, DC 20426.

### Summary of the Planned Project

WBI Energy plans to construct 38 miles of new 16-inch-diameter pipeline between Mapleton, North Dakota and Felton, Minnesota. WBI Energy also plans to construct a new 2,600-horsepower electric-driven compressor station in Cass County, North Dakota, farm taps, valve settings, and ancillary facilities. Additionally, WBI Energy plans to replace two existing town border station delivery points and construct one regulator station in Burleigh, Stutsman, and Barnes Counties, North Dakota in order to increase in the maximum allowable operating pressure of a portion of its Line Section 24. According to WBI Energy, the project would provide an additional 40 million cubic feet per day of firm transportation on its system.

The general location of the project facilities is shown in appendix 1.<sup>1</sup>

### Land Requirements for Construction

Construction of the project would affect a total of about 530 acres of land, including the pipeline construction right-of-way, additional temporary workspace, staging areas, temporary and permanent access roads, and aboveground facilities. The total acreage required for operation of the project is approximately 235 acres, including the new permanent pipeline easement, permanent access roads, and permanent aboveground facilities' footprint.

### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and

<sup>1</sup> The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this notice in the mail and are available at [www.ferc.gov](http://www.ferc.gov) using the link called "eLibrary" or from the Commission's Public Reference Room, 888 First Street NE., Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

Necessity. NEPA also requires us<sup>2</sup> to discover and address concerns the public may have about proposals. This process is referred to as scoping. The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA, we will discuss impacts that could occur as a result of the construction and operation of the planned project under these general headings:

- Geology and soils;
- water resources, fisheries, and wetlands;
- vegetation and wildlife;
- endangered and threatened species;
- cultural resources;
- socioeconomics;
- land use;
- air quality and noise;
- public safety; and
- cumulative impacts.

We will also evaluate possible alternatives to the planned project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Although no formal application has been filed, we have already initiated our NEPA review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before the FERC receives an application. As part of our pre-filing review, we have begun to contact some federal and state agencies to discuss their involvement in the scoping process and the preparation of the EA.

The EA will present our independent analysis of the issues. The EA will be available in the public record through eLibrary. Depending on the comments received during the scoping process, we may also publish and distribute the EA to the public for an allotted comment period. We will consider all comments on the EA before we make our recommendations to the Commission. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 2.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the

<sup>2</sup> "We," "us," and "our" refer to the environmental staff of the Commission's Office of Energy Projects.

environmental issues related to this project to formally cooperate with us in the preparation of the EA.<sup>3</sup> Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

### Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the applicable State Historic Preservation Offices (SHPO), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.<sup>4</sup> We will define the project-specific Area of Potential Effects (APE) in consultation with the SHPOs as the project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the planned facilities and the environmental information provided by WBI Energy. This preliminary list of issues may change based on your comments and our analysis, but currently includes:

- Drain tiles;
- deep topsoil and poor quality subsoils (salinity/sodium or lime);
- prime farm land;
- federally listed species, including the whooping crane, gray wolf, Dakota skipper, northern long-eared bat, western prairie fringed orchid, and the powershiek skipperling;
- cultural resources; and

<sup>3</sup> The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

<sup>4</sup> The Advisory Council on Historic Preservation regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

- crossing methods of the Rush River, Red River of the North, and the Buffalo River.

### Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the planned project.

If we publish and distribute the EA, copies will be sent to the environmental mailing list for public review and comment. If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 2).

### Becoming an Intervenor

Once WBI Energy files its application with the Commission, you may want to become an "intervenor" which is an official party to the Commission's proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Motions to intervene are more fully described at <http://www.ferc.gov/resources/guides/how-to/intervene.asp>. Instructions for becoming an intervenor are in the "Document-less Intervention Guide" under the "e-filing" link on the Commission's Web site. Please note that the Commission will not accept requests for intervenor status at this time. You must wait until the Commission receives a formal application for the project.

### Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC Web site ([www.ferc.gov](http://www.ferc.gov)) using the eLibrary link. Click on the eLibrary link, click on

"General Search" and enter the docket number, excluding the last three digits in the Docket Number field (*i.e.*, PF16-10). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription, which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to [www.ferc.gov/docs-filing/esubscription.asp](http://www.ferc.gov/docs-filing/esubscription.asp).

Finally, public meetings or site visits will be posted on the Commission's calendar located at [www.ferc.gov/EventCalendar/EventsList.aspx](http://www.ferc.gov/EventCalendar/EventsList.aspx) along with other related information.

Dated: December 28, 2016.

**Nathaniel J. Davis, Sr.,**  
Deputy Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL17-32-000]

### Old Dominion Electric Cooperative and Direct Energy Business, LLC on Behalf of Itself and Its Affiliate, Direct Energy Business Marketing, LLC and American Municipal Power, Inc. v. PJM Interconnection, L.L.C.; Notice of Complaint

Take notice that on December 23, 2016, pursuant to sections 206 and 306 of the Federal Power Act, 16 U.S.C. 824e, 825e, and 825h, and Rule 206 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.206, Old Dominion Electric Cooperative (ODEC) and Direct Energy Business, LLC, on behalf of itself and its affiliate, Direct Energy Business Marketing, LLC, and American Municipal Power, Inc. (collectively, Complainants) filed a formal complaint against PJM Interconnection, L.L.C. (PJM or Respondent) alleging, among other things, that certain provisions in the Respondent's Open Access