

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. ER10-507-000]

**ERA MA, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization**

January 7, 2010.

This is a supplemental notice in the above-referenced proceeding of ERA MA, 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 January 27, 2010.

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 14 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 e-mail notification when a document is added to a subscribed

docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. 2010-533 Filed 1-13-10; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY****Western Area Power Administration****Interconnection of the Proposed Hermosa West Wind Farm Project, Wyoming (DOE/EIS-0438)**

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

**ACTION:** Notice of Intent To Prepare an Environmental Impact Statement and to Conduct Scoping Meetings; Notice of Floodplain and Wetlands Involvement.

**SUMMARY:** Shell WindEnergy Inc. (SWE) applied to interconnect their proposed 300-megawatt (MW) Hermosa West Wind Farm Project (Project) with the Western Area Power Administration's (Western) existing Craig—Ault 345-kilovolt (kV) transmission line in Albany County, Wyoming. Western will prepare an environmental impact statement (EIS) on the proposal to interconnect the Project in accordance with the National Environmental Policy Act of 1969 (NEPA), U.S. Department of Energy (DOE) NEPA Implementing Procedures, and the Council on Environmental Quality (CEQ) regulations for implementing NEPA.

Western's need for agency action is precipitated by SWE's application to interconnect with Western's power transmission system. Western needs to consider SWE's interconnection request under its Open Access Transmission Service Tariff (Tariff). This EIS will address Western's Federal action of interconnecting the proposed Project to Western's transmission system, constructing an interconnection facility on Western's existing Craig—Ault transmission line, and making necessary system modifications to accommodate the interconnection. By taking this action, power generated by the proposed Project would use Western's transmission system to reach the market.

Portions of the proposed Project may affect floodplains and wetlands, so this Notice of Intent (NOI) also serves as a notice of proposed floodplain or wetland action in accordance with DOE floodplain and wetland environmental review requirements.

**DATES:** Public scoping meetings are:

- (1) January 26, 2010, from 3 p.m. to 8 p.m. in Cheyenne, Wyoming.
- (2) January 27, 2010, from 3 p.m. to 8 p.m. in Laramie, Wyoming.

The public scoping period starts with the publication of this notice and ends on March 1, 2010. Western will consider all comments on the scope of the EIS received or postmarked by that date. The public is invited to submit comments on the proposed Project at any time during the EIS process.

**ADDRESSES:** Western will host public scoping meetings at Little America Hotel, 2800 West Lincolnway, Cheyenne, Wyoming; and at Hilton Garden Inn and UW Conference Center, 2229 East Grand Avenue, Laramie, Wyoming, to provide information on the Project and gather comments on the proposal. Oral or written comments may be provided at the public scoping meetings or mailed or e-mailed to Mark Wieringa, NEPA Document Manager, Corporate Services Office, Western Area Power Administration, P.O. Box 281213, Lakewood, CO 80228-8213, e-mail [wieringa@wapa.gov](mailto:wieringa@wapa.gov), telephone (800) 336-7288.

**FOR FURTHER INFORMATION CONTACT:** For additional information on the proposed Project, the EIS process, or to receive a copy of the Draft EIS when it is published, contact Mark Wieringa at the addresses above. 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:** Western is a Federal power marketing agency within the DOE that markets and delivers Federal wholesale electric power (principally hydroelectric power) to municipalities, rural electric cooperatives, public utilities, irrigation districts, Federal and State agencies, and Native American tribes in 15 western and central States. The proposed Project would be located within Western's Rocky Mountain Region, which operates in Colorado, most of Wyoming, and portions of Nebraska, Kansas, Utah, and New Mexico. SWE applied to interconnect their proposed 300-MW Project with Western's existing Craig—Ault 345-kV transmission line in Albany County, Wyoming. The proposed Project would be located on private and State lands; no federally-managed land would be affected. There are no designated cooperating agencies at this time, but

cooperating agencies could be identified at a later date.

Western will prepare an EIS on the interconnection of the proposed Project in accordance with NEPA (42 U.S.C. 4321 *et seq.*); DOE NEPA Implementing Procedures (10 CFR part 1021), and the CEQ regulations for implementing NEPA (40 CFR parts 1500–1508).<sup>1</sup>

#### **Purpose and Need for Agency Action**

Western's need for agency action is precipitated by SWE's application to interconnect with Western's power transmission system. Western needs to consider SWE's interconnection request under Western's Tariff, which provides for open access to its transmission system through an interconnection if there is available capacity in the transmission system. This EIS will address Western's Federal action of constructing an interconnection facility on the existing Craig—Ault transmission line, and making necessary system modifications to accommodate the interconnection of SWE's proposed Project. Preliminary studies indicate that the power system can accommodate the proposed interconnection without negatively affecting system reliability or power deliveries to existing customers. The transmission system may require network and/or transmission system upgrades as determined in the final studies.

#### **Proposed Action**

Subject to compliance with the provisions of the Tariff, Western proposes to approve SWE's interconnection request and construct an interconnection facility on the Craig—Ault transmission line. By taking this action, power generated by the proposed Project would use Western's transmission system to reach the market.

#### **Alternatives**

Western will evaluate location options for the interconnection facility in the vicinity of the proposed Project along the existing Craig—Ault transmission line. Under the no action alternative, Western would not approve the interconnection request, nor construct the interconnection facility.

#### **Applicant's Proposed Project**

SWE's proposed Project would consist of up to 200 wind turbine generators with a combined total generating capacity of up to 300 MW, located

within an 11,125-acre site in southeast Albany County, near the towns of Hermosa and Tie Siding. The turbines would be located in 11 north-south oriented strings of varying lengths, with the strings being approximately one-half mile apart. In addition to the turbines, other proposed Project facilities would include all-weather access roads to each turbine location; underground power collection lines linking turbines to the Project Substation; the Project Substation; a short high-voltage transmission line linking the Project Substation to Western's transmission system; operation and maintenance facilities and yard; Supervisory Control and Data Acquisition equipment and metering equipment; and a permanent meteorological tower. The proposed Project Substation would likely be co-located with Western's interconnection facility.

While Western's Federal action is to consider the interconnection request and the physical interconnection to Western's existing transmission system, the EIS will also identify and review the environmental impacts of SWE's proposed Project. SWE will complete necessary coordination with State and local agencies to permit their proposed Project.

#### **Floodplain or Wetland Involvement**

Since the proposed Project may involve action in floodplains or wetlands, this NOI also serves as a notice of proposed floodplain or wetland action. The EIS will include a floodplain/wetland assessment and floodplain/wetland statement of findings following DOE regulations for compliance with floodplain and wetlands environmental review (10 CFR part 1022).

#### **Environmental Issues**

The location of the proposed Project is in a sparsely populated portion of southeastern Wyoming. Available overview information indicates this area has a relatively low probability of substantial natural resources conflicts. SWE's siting process for the wind turbine strings and associated facilities considered sensitive resources, and the proposed Project was designed to avoid these areas. The EIS will evaluate the level of impact Western's proposed action and SWE's proposed Project would have on environmental resources within the 11,125-acre site, which may lead to minor modifications in the proposed Project to further avoid or minimize resource impacts. While no substantive resource conflicts have been identified thus far, the EIS will analyze the potential impacts on potentially

affected environmental resources. Wind farm projects are generally known to have visual and noise effects, and may affect birds and bats.

#### **Public Participation**

Interested parties are invited to participate in the scoping process to help define the important resources and issues to be analyzed in depth, and to eliminate from detailed study issues that are not pertinent. The scoping process will involve all interested agencies (Federal, State, county, and local), Native American tribes, public interest groups, businesses, affected landowners, and individual members of the public.

Western will consult with affected tribes to jointly evaluate and address the potential effects on cultural resources, traditional cultural properties, or other resources important to the tribes. These consultations will be conducted in accordance with Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249), the President's memorandum of April 29, 1994, *Government-to-Government Relations with Native American Tribal Governments* (59 FR 22951), DOE-specific guidance on tribal interactions, and applicable natural and cultural resources laws and regulations.

Public scoping meetings will be held as described under **DATES** and **ADDRESSES** above. The meetings will be informal, and attendees will be able to speak directly with Western and SWE representatives about the proposed Project. The public is encouraged to provide information and comments on issues it believes Western should address in the EIS. Comments may be broad in nature or restricted to specific areas of concern. After gathering comments on the scope of the EIS, Western will address issues raised in the EIS. Comments on Western's proposed action and SWE's proposed Project will be accepted at any time during the EIS process, and may be directed to Western as described under **ADDRESSES** above.

Western's EIS process will include the public scoping meetings; consultation and coordination with appropriate Federal, State, county, and local agencies and tribal governments; involvement with affected landowners; distribution of and public review and comment on the Draft EIS; a formal public hearing or hearings on the Draft EIS; distribution of a published Final EIS; and publication of Western's Record of Decision in the **Federal Register**.

<sup>1</sup> On October 4, 1999, DOE's Assistant Secretary for Environmental, Safety and Health delegated to Western's Administrator the authority to approve EISs for integrating transmission facilities with Western's transmission grid.

Dated: January 6, 2010.

**Timothy J. Meeks,**

*Administrator.*

[FR Doc. 2010-569 Filed 1-13-10; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP10-12-000]

#### Florida Gas Transmission Company, LLC; Notice of Staff Protest to Proposed Blanket Certificate Activity

January 7, 2010.

Commission staff (Protestor) hereby protests the prior notice request filed under the provisions of Part 157, subpart F, of the Commission's regulations, by Florida Gas Transmission Company, LLC (FGT) on October 29, 2009 in the above referenced docket. Pursuant to its Part 157, subpart F, blanket certificate authority, FGT proposes to replace, upgrade, and relocate portions of the existing St. Petersburg and Clearwater South Laterals and Block Valve 24-10 in the City of Clearwater, Pinellas County, Florida. Protestor seeks to have this prior notice request processed as a case-specific application filed under section 7(c) of the Natural Gas Act (NGA) and Part 157, subpart A, of the Commission's regulations.<sup>1</sup>

Protestor notes that FGT did not provide documentation from the U.S. Fish and Wildlife Service (USFWS) to demonstrate the Project's compliance with the Endangered Species Act, as required under section 157.208(c)(9) of the Commission's regulations. Without the clearance from USFWS, environmental concerns cannot be adequately addressed before the protest period expires on January 8, 2010.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2010-536 Filed 1-13-10; 8:45 am]

**BILLING CODE 6717-01-P**

<sup>1</sup> Section 157.205(f) provides that a protested prior notice filing shall be treated as though it had filed a case-specific application under NGA section 7, unless, pursuant to section 157.205(g) the protestor withdraws its protest within 30 days after protests were due.

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. RP10-134-000; RP09-423-000; RP09-423-002]

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

January 6, 2010.

Take notice that Commission Staff will convene a technical conference in the above-referenced proceedings on Tuesday, January 19, 2010 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.

The purpose of the technical conference is to consider the issues raised by Columbia Gulf Transmission Company's (Columbia Gulf) Incentive Fixed Fuel filing in Docket No. RP10-134-000 and what changes, if any, might be necessary or appropriate. Because Columbia Gulf's Incentive Fixed Fuel filing presents interrelated issues with the Transportation Retainage Adjustment filing in Docket Nos. RP09-423-000 and RP09-423-002, the technical conference will also consider the issues raised in those dockets that relate to the Incentive Fixed Fuel proposal.

Commission Staff and interested persons will have the opportunity to discuss all of the issues raised by Columbia Gulf's filings. Specifically, Columbia Gulf should be prepared to address all the concerns raised in the protests, and if necessary, to provide additional technical, engineering and operational support for its proposals. Any party proposing alternatives to Columbia Gulf's proposals should also be prepared to similarly support its position.

FERC 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 (866) 208-3372 (voice) or (202) 502-8659 (TTY), or send a fax to (202) 208-2106 with the required accommodations.

All interested persons are permitted to attend. For further information please contact Anna Fernandez at (202) 502-6682 or e-mail [Anna.Fernandez@ferc.gov](mailto:Anna.Fernandez@ferc.gov).

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. 2010-516 Filed 1-13-10; 8:45 am]

**BILLING CODE 6717-01-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9102-9]

#### Clean Air Act Operating Permit Program; Petition for Objection to Federal Operating Permit for American Electric Power Service Corporation, Southwest Electric Power Company

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of final action.

**SUMMARY:** This document announces that the EPA Administrator has responded to a citizen petition asking EPA to object to the American Electric Power Service Corporation, Southwest Electric Power Company (AEP) operating permit issued by the Arkansas Department of Environmental Quality. Specifically, the Administrator has partially granted and partially denied the petition submitted by Environmental Integrity Project, Sierra Club and Audubon (Petitioners), to object to the title V operating permit for AEP to operate the John W. Turk, Jr. power plant in Fulton, Hempstead County, Arkansas (Turk plant).

Pursuant to section 505(b)(2) of the Clean Air Act (Act), the petitioner may seek judicial review of those portions of the petition which EPA denied in the United States Court of Appeals for the appropriate circuit. Any petition for review shall be filed within 60 days from the date this notice appears in the **Federal Register**, pursuant to section 307 of the Act.

**ADDRESSES:** You may review copies of the final order, the petition, and other supporting information at EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. EPA requests that if at all possible, you contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section to view copies of the final order, petition, and other supporting information. If you wish to examine these documents, you should make an appointment at least 24 hours before visiting day. The final order is also available electronically at: [http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/aep\\_turk\\_response2008.pdf](http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitions/aep_turk_response2008.pdf).

**FOR FURTHER INFORMATION CONTACT:** Richard Barrett, Air Permits Section, Multimedia Planning and Permitting Division, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-7227, or e-mail at [barrett.richard@epa.gov](mailto:barrett.richard@epa.gov).

**SUPPLEMENTARY INFORMATION:** The Act affords EPA a 45-day period to review, and, as appropriate, object to operating