

prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

p. *Proposed Scope of Studies under Permit*—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

q. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

r. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

s. *Agency Comments*—Federal, state, and local agencies are invited to file comments on the described application.

A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers,

Secretary.

[FR Doc. 01-28954 Filed 11-19-01; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

November 14, 2001.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application*: Preliminary Permit.

b. *Project No*: 12129-000.

c. *Date Filed*: October 1, 2001.

d. *Applicant*: Blackfeet Tribe of the Blackfeet Indian Reservation.

e. *Name of Project*: Sherburne Dam Hydroelectric Project.

f. *Location*: The proposed project would be located on Swiftcurrent Creek near the Town of Babb, in Glacier County, Montana. The existing Sherburne Dam was built by the federal government and is operated by the U.S. Bureau of Reclamation.

g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact*: Jeanne S. Whiteing, Attorney, Whiteing & Smith, 1136 Pearl Street, Suite 203, Boulder, CO 80302.

i. *FERC Contact*: Any questions on this notice should be addressed to Mr. Lynn R. Miles, Sr. at (202) 219-2671, or e-mail address: lynn.miles@ferc.fed.us.

j. *Deadline for filing motions to intervene, protests and comments*: 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Competing Application*: Project No. 12038-000, Date Filed: June 4, 2001, Public Notice issued: July 2, 2001, Public comment period ended: October 31, 2001.

l. *Description of Project*: The proposed project would utilize the existing Sherburne Dam and Reservoir and would consist of: (1) A penstock to be installed in the embankment or inside the existing outlet works, (2) a powerhouse containing a single 1 megawatt (MW) turbine/generator with a total installed capacity of 1 MW, (3) a 6-mile long transmission line to tie into an existing 28 mile-long 34.5 kv transmission line, and (4) appurtenant facilities.

The project would have an annual generation of 4.3 GWh.

m. *Locations of the application*: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Washington, DC 20426, or by calling (202) 208-1371. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance).

n. *Preliminary Permit*—Public notice of the filing of the initial preliminary permit application, which has already been given, established the due date for filing competing preliminary permit applications or notices of intent. Any competing preliminary permit or development application or notice of intent to file a competing preliminary permit or development application must be filed in response to and in compliance with the public notice of the initial preliminary permit application. No competing applications or notices of intent to file competing applications may be filed in response to this notice. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

o. *Proposed Scope of Studies under Permit*—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work

proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

p. *Comments, Protests, or Motions to Intervene*—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, 385.214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

q. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Project Review, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

r. *Agency Comments*—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers,
Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

[CC Docket Nos. 96-45 and 96-98; DA 01-2636]

Final Opportunity for Parties To Refresh the Record Regarding Reconsideration of Rules

AGENCY: Federal Communications Commission.

ACTION: Notice; solicitation of comments.

SUMMARY: In July 2001, the Commission published three notices asking parties to refresh the record regarding petitions for reconsideration of the *Universal Service First Report and Order*, *Local Competition First Report and Order*, and *Local Competition Second Report and Order*. In this document, the Commission provides a list of the petitioners that did not respond to the July notices. To ensure that each party that filed a petition for reconsideration to the *Universal Service First Report and Order*, *Local Competition First Report and Order*, and *Local Competition Second Report and Order* has actual notice and an opportunity to respond, the Bureau will mail a copy of the Notice released on November 14, 2001 to these parties so that these parties may file a supplemental notice of their intent to pursue their respective petitions for reconsideration. The Commission intends to dismiss those petitions for reconsideration from parties that do not indicate an intent to pursue their respective petitions.

DATES: Comments are due on or before December 20, 2001.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** section for where and how to file comments.

FOR FURTHER INFORMATION CONTACT: Sheryl Todd, Management Analyst, or Richard D. Smith, Attorney, Common Carrier Bureau, Accounting Policy Division, (202) 418-7400 TTY: (202) 418-0484.

SUPPLEMENTARY INFORMATION: In July 2001, the Common Carrier Bureau (Bureau) released three notices, the *Universal Service Notice* (66 FR 37963, July 20, 2001), the *Local Competition First Report and Order Notice* (66 FR 38611, July 25, 2001), and the *Local Competition Second Report and Order Notice* (66 FR 42499, August 13, 2001) asking parties to refresh the record regarding petitions for reconsideration of the *Universal Service First Report and Order* (62 FR 32862, June 17, 1997), *Local Competition First Report and Order* (61 FR 45476, August 29, 1996), and *Local Competition Second Report*

and Order (61 FR 47284, September 6, 1996). The Bureau noted that since the release of these orders many of the issues raised in the petitions for reconsideration may have become moot or irrelevant in light of intervening events. For these reasons, the Bureau requested that parties that had filed petitions for reconsideration of these orders file a supplemental notice in response to the notices indicating which issues, if any, they still wished to have reconsidered. The Bureau stated that to the extent parties did not indicate an intent to pursue their respective petitions for reconsideration, the Commission would deem such petitions withdrawn and would dismiss such petitions. Each of the notices were published in the **Federal Register**. Several parties filed in response to the notices indicating an intent to pursue their respective petitions for reconsideration.

In this notice, the Bureau announces the list of the petitioners that did not respond to the July notices, as set forth below. These parties may file a supplemental notice of their intent to pursue their respective petitions for reconsideration on or before December 20, 2001. The Commission intends to dismiss those petitions for reconsideration from parties that do not indicate an intent to pursue their respective petition for reconsideration. To ensure that each party that filed a petition for reconsideration to the *Universal Service First Report and Order*, *Local Competition First Report and Order*, and *Local Competition Second Report and Order* has actual notice and an opportunity to respond, in addition to publishing this notice in the **Federal Register**, the Bureau will also mail a copy of this notice to these parties. To the extent that parties have already indicated that they wish to pursue their respective petitions, they need not respond to this notice.

All filings relating to the *Universal Service First Report and Order* are to reference CC Docket No. 96-45. All filings relating to the *Local Competition First and Second Report and Order* are to reference CC Docket No. 96-98. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full