

pending projects. For assistance, contact FERC Online Support.

o. Scoping Process: Scoping is intended to advise all parties regarding the proposed scope of the EA and to seek additional information pertinent to this analysis. The Commission intends to prepare one Environmental Assessment (EA) on the project in accordance with the National Environmental Policy Act (NEPA). The EA will consider both site-specific and cumulative environmental effects and reasonable alternatives to the proposed action. Should substantive comments requiring re-analysis be received on the NEPA document, we would consider preparing a final NEPA document.

At this time, the Commission staff does not anticipate holding formal public or agency scoping meetings near the project site. Instead, staff will conduct paper scoping.

As part of scoping the staff will: (1) Summarize the environmental issues tentatively identified for analysis in the EA; (2) solicit from participants all available information, especially quantifiable data, on the resources at issue; (3) encourage comments from experts and the public on issues that should be analyzed in the EA, including viewpoints in opposition to, or in support of, the staff's preliminary views; (4) determine the resource issues to be addressed in the EA; and (5) identify those issues that require a detailed analysis, as well as those issues that do not require a detailed analysis.

Consequently, interested entities are requested to file with the Commission any data and information concerning environmental resources and land uses in the project area and the project's impacts to the aforementioned.

p. Procedural Schedule: The schedule for processing the Application has been revised as follows. Revisions to the schedule will be made if the Commission determines it necessary to do so:

Action	Tentative date
Issue Scoping Document 1.	April 2004.
Request Additional Information (if needed).	July 2004.
Issue Notice of Ready for Environmental Analysis.	July/August 2004.
Issue Notice of availability of EA.	December 2004.
Public Comments on EA Due.	January 2005.
Ready for Commission decision on the application.	April 2005.

Unless substantial comments are received in response to the EA, staff

intends to prepare a single EA in this case. If substantial comments are received in response to the EA, a final EA will be prepared with the following modifications to the schedule.

Action	Tentative date
Notice of the availability of the final EA.	April 2005.
Ready for Commission's decision on the application.	June 2005.

Magalie R. Salas,

Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. JR02-1-000]

Puget Sound Hydro LLC; Notice Denying Late Intervention

April 20, 2004.

1. On June 12, 2003, the Commission issued a Notice of Jurisdictional Review in Docket No. JR02-1-000 and Project No. 11857, soliciting comments, protests, and motions to intervene with respect to the unlicensed, non-operational Nooksack Falls Hydroelectric Project, located on the North Fork of the Nooksack River in Whatcom County, Washington. The notice established July 14, 2003, as the deadline for filing comments, protests, and motions to intervene.

2. On March 15, 2004, American Rivers filed a motion for late intervention in Project No. 11857. On March 31, 2004, Puget Sound Hydro LLC filed an answer in opposition to the motion, which we reject as late.¹ On January 4, 2001, the Commission issued a preliminary permit to Welcome Springs for the purpose of studying the feasibility of filing a license application for the mothballed Nooksack Falls Project. The Commission denied Welcome Springs' request for a stay of the permit,² which therefore expired on January 3, 2004, before American Rivers' motion for late intervention. However, since the Docket No. JR02-1-000 proceeding is still pending,

¹ 18 CFR 385.213(d) (2004) requires an answer to a motion to be filed within 15 days; Puget Sound Hydro's answer was filed 16 days after the motion was filed.

² 106 FERC ¶ 61,014 (2004). No rehearing requests were filed.

American Rivers' motion will be considered in that docket.

3. American Rivers states that it missed the intervention deadline of July 14, 2003, because it only became aware of the project after that date. It states that it was not on the service list for the project, and that it learned of the project through a newspaper article in the Bellingham Herald on February 16, 2004.

4. A service list names only parties to a proceeding. 18 CFR 385.2010. Thus, to be placed on the service list one must file a motion to intervene. 18 CFR 385.2010(e). A Commission notice issued on March 20, 2003, established a proceeding in Docket No. JR02-1-000 only regarding the navigability of the North Fork Nooksack River at the project site. While that notice did not invite motions to intervene, Welcome Springs and American Whitewater filed such motions, which were granted. Prior to issuance of the June 12, 2003 Notice of Jurisdictional Review,³ there was no open proceeding in the permit docket, Project No. 11857, and therefore no service list. Nor does American Rivers' explanation that it did not learn of the project until February 16, 2004, constitute good cause. See *California Independent System Operator Corp.*, 91 FERC ¶ 61,243 at 61,876 (2000) (that movants did not learn of the intervention deadline in time to submit a timely motion to intervene does not amount to good cause under 18 CFR 385.214(d)).

5. American Rivers asserts that its interests are not adequately represented by the current parties to the proceeding. First, its statement of interests for the most part has to do with any future licensing proceeding for the project, rather than to the sole subject of the instant proceeding: Whether the project is required to be licensed under Part I of the Federal Power Act. If the Commission ultimately rules that the Nooksack Project is required to be licensed, and if a license application is subsequently filed, American Rivers will have the opportunity at that time to intervene in the licensing proceeding. Second, American Rivers' broadly stated interests in obtaining "a balance between responsible hydropower projects and healthy rivers" can, even though not relevant to a jurisdiction case, be expected to be well represented by the existing intervenors, which are Welcome Springs, American Whitewater, Washington State

³ The June 12, 2004 notice stated (at para. j) that anyone wishing to be included on the Commission's mailing list for the proceeding should so indicate by writing to the Secretary of the Commission.

Department of Ecology, the U.S. Department of Agriculture (Forest Service), and the Nooksack Indian Tribe.

American Rivers' late motion to intervene in this proceeding is denied.

Magalie R. Salas,

Secretary.

[FR Doc. E4-923 Filed 4-26-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6514-009]

City of Marshall, Michigan; Notice Soliciting Scoping Comments

April 14, 2004.

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

a. *Type of Application:* Subsequent Minor License.

b. *Project No.:* 6514-009.

c. *Date filed:* May 2, 2003.

d. *Applicant:* City of Marshall, Michigan.

e. *Name of Project:* City of Marshall Hydroelectric Project.

f. *Location:* On the Kalamazoo River near the City of Marshall, in Calhoun County, Michigan. The project does not affect federal lands.

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

h. *Applicant Contact:* Keith Zienert, Power Plant Superintendent, City of Marshall, 906 S. Marshall, Marshall, MI 49068, (269) 781-8631; or John Fisher, Chairman, Lawson-Fisher Associates P.C., 525 West Washington Avenue, South Bend, IN 46601, (574) 234-3167.

i. *FERC Contact:* Peter Leitzke, (202) 502-6059 or peter.leitzke@ferc.gov.

j. *Deadline for filing scoping comments:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P-6514-009) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor 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.

Scoping comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-Filing" link.

k. This application has been accepted for filing, but is not ready for environmental analysis at this time.

l. The existing City of Marshall Hydroelectric Project (Project) consists of: (1) The 12-foot-high, 215-foot-long Perrin No. 1 Dam; (2) the 12-foot-high, 90-foot-long Perrin No. 2 Dam; (3) a 130-acre reservoir with a normal pool elevation of 899 feet msl; (4) a 140-foot-long canal-type forebay; (5) a powerhouse containing three generating units with a total installed capacity of 463 kW; and (6) other appurtenances.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits (P-6514) 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 item h above.

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

n. *Scoping Process*

The Commission staff intends to prepare an Environmental Assessment (EA) for the City of Marshall Hydroelectric Project (FERC No. 6514-009) in accordance with the National Environmental Policy Act. The EA will consider both site-specific and cumulative environmental impacts and reasonable alternatives to the proposed action.

Commission staff does not propose to conduct any on-site scoping meetings at this time. Instead, we will solicit comments, recommendations, information, and alternatives by issuing a Scoping Document (SD).

Copies of the SD outlining the subject areas to be addressed in the EA were distributed to the parties on the Commission's mailing list. Copies of the

SD may be viewed on the Web site at <http://www.ferc.gov> using the "eLibrary" link (see item m above).

Magalie R. Salas,

Secretary.

[FR Doc. E4-936 Filed 4-26-04; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM01-10-001]

Standards of Conduct for Transmission Providers; Notice of Technical Conference

April 19, 2004.

The Federal Energy Regulatory Commission (FERC) will hold a conference/workshop on Standards of Conduct for Transmission Providers on May 10, 2004, at the Doubletree Hotel—Allen Center, 400 Dallas Street, Houston, Texas.

The purpose of the conference is to discuss compliance, training and best practices for implementing the Standards of Conduct for Transmission Providers. The conference will be organized in two sessions. The morning session will include several panels to discuss (1) the duties and responsibilities of a Chief Compliance Officer and best practices from current Chief Compliance Officers; (2) training requirements; and (3) best practices. The afternoon session will give individuals the opportunity to break out into smaller groups to discuss subjects to be decided based on feedback from registrants. The meeting will begin at 10 a.m. and conclude at 3 p.m. All interested persons are invited to attend.

The Commission is hosting this conference to help provide guidance on implementing the Standards of Conduct. It would be helpful for interested persons to e-mail: (1) Specific questions that should be addressed at the conference; (2) ideas on subjects to cover at the conference; or (3) other suggestions to Demetra.Anas@ferc.gov.

Hotel rooms have been blocked at the Doubletree Hotel—Allen Center under the code "FED" for attending guests to reserve a one- or two-night stay. The block will be released on April 28, 2004. You can reserve a room after that date, but on a room- and rate-availability basis. Reservations for hotel rooms can be made by calling 713-759-0202.

There is no registration fee to attend this conference. However, we request that those planning to attend to register online on the Commission Web site at