

## DEPARTMENT OF ENERGY

Federal Energy Regulatory  
Commission

[Project No. 7387-019—New York]

**Erie Boulevard Hydropower, L.P.,  
Piercefield Hydroelectric Project;  
Notice of Proposed Revised Restricted  
Service List for a Programmatic  
Agreement for Managing Properties  
Included in or Eligible for Inclusion in  
the National Register of Historic Places**

October 1, 2004.

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure 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.<sup>1</sup> The restricted service list contains 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's staff is consulting with the New York State Historic Preservation Officer (New York SHPO) and the Advisory Council on Historic Preservation (Council) pursuant to the Council's regulations, 36 CFR Part 800, implementing section 106 of the National Historic Preservation Act, as amended, (16 U.S.C. Section 470f), to prepare and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at Project No. 7387-019.

The programmatic agreement, when executed by the Commission, and the New York 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 800.13[e]). The Commission's responsibilities pursuant to section 106 for the Piercefield Hydroelectric Project would be fulfilled through the programmatic agreement, which the Commission proposes to draft in consultation with the parties identified in the restricted service list notice issued September 10, 2004 and the parties listed below. The executed programmatic agreement would be incorporated into any Order issuing a license.

For purposes of commenting on the programmatic agreement, we propose to add the following persons to the

restricted service list for the aforementioned project to represent the interests of the Department of the Interior:

Dr. James Kardatzke, U.S. Department of the Interior, Bureau of Indian Affairs, 711 Stewarts Ferry Pike, Nashville, TN 37214.

Kimberly A. Owens, U.S. Department of the Interior, Office of Solicitor, 1849 C St. NW., M.S. 6456, Washington DC 20240.

Any person on the official service list for the above-captioned proceeding 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. In a request for inclusion, please identify the reason(s) why there is an interest to be included. 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 any motion or motions filed within the 15 day period.

An original and 8 copies of any such motion must be filed with Magalie Salas, 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. The first page of the motion should clearly show the project number, P-7387-019. Your response 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 (<http://www.ferc.gov>) under the "e-Filing" link. The Commission strongly encourages electronic filings. Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support at [FEROnlineSupport@ferc.gov](mailto:FEROnlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY, 202-502-8659.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-2540 Filed 10-7-04; 8:45 am]

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## DEPARTMENT OF ENERGY

Federal Energy Regulatory  
Commission

[Docket No. CP04-421-000]

**National Fuel Gas Supply Corporation;  
Notice of Application; Notice of  
Application**

October 1, 2004.

Take notice that on September 29, 2004, National Fuel Gas Supply Corporation (National Fuel), 6363 Main Street, Williamsville, New York 14221, filed in Docket No. CP04-421-000 an application pursuant to Section 7(b) of the Natural Gas Act (NGA) and the Commission's Regulations, for authorization to abandon one (1) 225 horsepower (hp) compressor unit, with appurtenances, at the Nashville Compressor Station located in Chautauqua County, New York, all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing may be also viewed on the Web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FEROnline Support at [FEROnlineSupport@ferc.gov](mailto:FEROnlineSupport@ferc.gov) or toll free at (866) 208-3676, or TTY, contact (202) 502-8659.

National Fuel's application states that compressor Unit #2 at its Nashville Compressor Station has not been in use for several years and is no longer needed because its system has undergone changes in its operating configuration since the unit was initially installed in 1957. National Fuel asserts that the abandonment of facilities will not result in the abandonment of service to any of its existing shippers nor will the proposed abandonment adversely affect capacity, since the compression is no longer needed to meet current firm service obligations.<sup>1</sup> National Fuel also asserts minimal environmental impact.

Any questions regarding this application should be directed to David W. Reitz, Deputy General Counsel for National Fuel, 6363 Main Street, Williamsville, New York 14221 at (716) 857-7949.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party

<sup>1</sup> The remaining units at Nashville provide the necessary compression (Nashville compressors: Unit #1-660 hp, Unit #3-660 hp and Unit #4-2,000 hp, totaling 3,320 hp).

<sup>1</sup> 18 CFR 385.2010.

to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the

Commission's Web site ([www.ferc.gov](http://www.ferc.gov)) under the "e-Filing" link.

*Comment Date:* October 22, 2004.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E4-2541 Filed 10-7-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP04-616-000]

#### Northern Natural Gas Company v. ANR Pipeline Company; Notice of Complaint for Fast Track Processing

October 1, 2004.

Take notice that on September 30, 2004, Northern Natural Gas Company (Northern) filed a complaint against ANR Pipeline Company, pursuant to Rule 206 of the Commission's Rules of Practice and Procedure, 18 CFR 385.206 (2003). Northern requests that the Commission grant relief in a dispute regarding the Janesville Interconnect between Northern and ANR Pipeline Company.

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 and 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 14 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 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 p.m. Eastern Time on October 20, 2004.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E4-2539 Filed 10-7-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. AC04-92-000, et al.]

#### Sulphur Springs Valley Electric Cooperative, Inc., et al.; Electric Rate and Corporate Filings

September 30, 2004.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

##### 1. Sulphur Springs Valley Electric Cooperative, Inc.

[Docket No. AC04-92-000]

On August 20, 2004, Sulphur Springs Valley Electric Cooperative, Inc. (SSVEC), filed a request for waiver from the requirements of Order No. 646. 106 FERC ¶ 61,113 (2003). Interested parties may file a petition to intervene.

*Comment Date:* 5 p.m. Eastern Time on October 14, 2004.

##### 2. MGE Energy, Inc., MGE Power LLC, MGE Power Elm Road LLC

[Docket No. EL04-136-000]

Take notice that on September 23, 2004, MGE Power LLC and MGE Power Elm Road LLC (Petitioners) filed a Petition Declaratory Order requesting the Commission to find that Petitioners are not public utilities under section 201(e) of the Federal Power Act.

*Comment Date:* 5 p.m. Eastern Time on October 22, 2004.

##### 3. California Electricity Oversight Board, Complainant v. California Independent System Operator Corporation, Respondent

[Docket No. EL04-139-000]

Take notice that on September 29, 2004, the California Electricity Oversight Board (CEOB) filed a complaint requesting relief against California Independent System Operator Corporation (CAISO) pursuant to Rule 206 of the Commission's Rules of Practice and Procedure, 18 CFR, 385.206. CEOB requests (1) the Commission direct the CAISO to run