

Counties, Idaho, and Wallowa and Baker Counties, Oregon, and has prepared a Final Environmental Impact Statement (final EIS) for the project. About 5,270 acres of federal lands administered by the Forest Service and the Bureau of Land Management (Payette and Wallowa-Whitman National Forests and Hells Canyon National Recreational Area) are included within the project boundary.

The final EIS contains staff evaluations of the applicant's proposal and the alternatives for relicensing the Hells Canyon Project. The final EIS documents the views of governmental agencies, non-governmental organizations, affected Indian tribes, the public, the license applicant, and Commission staff.

A copy of the final EIS is available for review in the Commission's Public Reference Branch, Room 2A, located at 888 First Street, NE., Washington, DC 20426, 1-866-208-3676, [public.referenceroom@ferc.gov](mailto:public.referenceroom@ferc.gov). The final EIS also may be viewed on the Commission's Web site at <http://www.ferc.gov> under the eLibrary link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659.

CD versions of the final EIS have been mailed to everyone on the mailing list for the project. Copies of the CD, as well as a limited number of paper copies, are available from the Public Reference Room identified above.

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

For further information, contact Alan Mitchnick at (202) 502-6074, [alan.mitchnick@ferc.gov](mailto:alan.mitchnick@ferc.gov); or Emily Carter at (202) 502-6512, [emily.carter@ferc.gov](mailto:emily.carter@ferc.gov).

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[P-432-113]

#### Progress Energy Carolinas, Inc.; Notice of Application for Temporary Amendment of License and Soliciting Comments, Motions to Intervene, and Protests

August 31, 2007.

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

- a. *Type of Application:* Request for temporary variance of reservoir elevation, dissolved oxygen and minimum flow release requirements.
- b. *Project No.:* 432-113.
- c. *Date Filed:* August 27, 2007.
- d. *Applicant:* Progress Energy Carolinas, Inc.
- e. *Name of Project:* Walters Hydroelectric Project.
- f. *Location:* On the Pigeon River, in Haywood County, North Carolina, just upstream of the State of Tennessee.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicant Contact:* Larry Mann, Progress Energy Carolinas Inc., 179 Tillery Dam Road, Mount Gilead, NC 27306, (910) 439-5211 extension 1202.
- i. *FERC Contact:* Andrea Claros, (202) 502-8171; e-mail: [andrea.claros@ferc.gov](mailto:andrea.claros@ferc.gov).
- j. *Deadline for filing comments, motions to intervene and protests:* October 1, 2007.

Please include the project number (P-432) on any comments or motions filed. All documents (original and eight copies) should be filed with: Kimberly D. Bose, 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 strongly encourages electronic filings.

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 whose name appears 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. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

k. *Description of Request:* Progress Energy Carolinas is requesting a temporary variance of the requirements for lake level, dissolved oxygen and minimum flow. Due to persistent drought conditions in the project area and the need to maintain a minimum reservoir elevation to prevent erosion of dioxin laden lake sediments, Progress Energy requests that it be allowed to reduce flow releases below the minimum flow requirement of 100 cubic feet per second if the Walters Lake reaches an elevation of 2234 feet, and to stop all releases from the powerhouse if Walters Lake reaches elevation 2232 feet. Only flows from Big Creek, the 12 mile bypassed reach of the Pigeon River, and other small tributaries will provide flow. Progress Energy proposes to resume minimum flow releases when Walters Lake is at and above an elevation of 2236 feet. The licensee proposes to limit complete shutdown of flow releases to periods not to exceed 7 days at elevation above 2232 feet. Progress Energy has consulted with Tennessee Wildlife Resources Agency and the North Carolina Department of Environment and Natural Resources. These agencies concur with the request. On August 31, 2007, the Commission granted the licensee's requests, but reserved authority to require changes in project operation based upon comments received from this notice.

l. *Location of the Application:* The filing is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426 or by calling (202) 502-8371, or by calling (202) 502-8371. This filing may also 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 in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docsfiling/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or email [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *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, and 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.

o. Any filing must bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers.

p. *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.

q. 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 at <http://www.ferc.gov> under the "e-Filing" link.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12818-000; Project No. 12845-000]

#### Free Flow Power Corporation; FFP Project 14 LLC; Notice of Competing Applications Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

September 5, 2007.

Take notice that the following hydroelectric applications have been filed with the Commission and are available for public inspection:

a. *Type of Applications:* Preliminary Permit (Competing).

b. *Applicants, Project Numbers, and Dates Filed:* Free Flow Power

Corporation, filed the application for Project No. 12818-000 on July 23, 2007.

FFP Project 14, LLC filed the application for Project No. 12845-000 on July 25, 2007.

c. Name of the project is Thirty-five Mile Point Project. The project would be located on the Mississippi River in St Charles Parish, Louisiana. The project uses no dam or impoundment.

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

e. *Applicants Contacts:* For the Free Flow Power Corporation: Mr. Dan Irvin, Free Flow Power Corporation, 69 Bridge Street, Manchester, MA 01944, phone (978) 232-3536. FFP Project 7, LLC: Mr. Dan Irvin, FFP Project 7, LLC, 69 Bridge Street, Manchester, MA 01944, phone (978) 232-3536

f. *FERC Contact:* Robert Bell, (202) 502-6062.

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

All documents (original and eight copies) should be filed with: 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 strongly encourages electronic filings. Please include the project number (P-12818-000 or P-12845-000) 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 in 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.

h. *Description of Projects:* The project proposed by Free Flow Power Corporation would consist of: (1) 1,200 proposed 20 kilowatt Free Flow generating units having a total installed capacity of 24 megawatts, (2) a proposed transmission line, and (3) appurtenant facilities. The Free Flow Power Corporation, project would have an average annual generation of 105.12 gigawatt-hours and be sold to a local utility.

The project proposed by FFP Project 20, LLC would consist of: (1) 1,200 proposed 20 kilowatt Free Flow generating units having a total installed

capacity of 24 megawatts, (2) a proposed transmission line, and (3) appurtenant facilities. The FFP Project 14, LLC, project would have an average annual generation of 201.48 gigawatt-hours and be sold to a local utility.

i. The filings are 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 in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail [FERCONLINESUPPORT@FERC.GOV](mailto:FERCONLINESUPPORT@FERC.GOV). For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item e above.

j. *Competing Preliminary Permit:* Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

k. *Competing Development Application:* Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

l. *Notice of Intent:* A notice of intent must specify the exact name, business address, and telephone number of the 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.