

reliability of the U.S. electric power supply system.

Copies of these applications will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program Web site at <http://oe.energy.gov/permits.htm>, or by e-mailing Odessa Hopkins at [odessa.hopkins@hq.doe.gov](mailto:odessa.hopkins@hq.doe.gov).

Issued in Washington, DC, on May 6, 2008.

**Anthony J. Como,**

*Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.*

[FR Doc. E8-10368 Filed 5-8-08; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Bonneville Power Administration

#### Columbia Basin Fish Accords

**AGENCY:** Bonneville Power Administration (BPA), Department of Energy (DOE).

**ACTION:** Notice of availability of Record of Decision (ROD).

**SUMMARY:** This notice announces the availability of the ROD for the 2008 Columbia Basin Fish Accords (Accords) consistent with and tiered to the Fish and Wildlife Implementation Plan Environmental Impact Statement (DOE/EIS-0312, April 2003) and ROD (October 31, 2003). BPA has decided to enter into these agreements to help mitigate the impacts of the Federal Columbia River Power System on fish species, particularly salmon and steelhead listed under the Endangered Species Act with projects that are expected to produce significant and measurable biological effects. Projects will be implemented throughout the states of Idaho, Montana, Oregon, and Washington. The Accords are 10-year agreements with four tribes, two states, and two other federal agencies. The Accords will provide greater certainty and stability to BPA's mitigation funding commitments and help BPA manage its financial risks. The Accords will also resolve some of the outstanding issues regarding BPA's compliance with its fish and wildlife mitigation and recovery responsibilities. The Accords will also help BPA meet its treaty and trust responsibilities to the tribes.

**ADDRESSES:** Copies of the ROD may be obtained by calling BPA's toll-free document request line, 1-800-622-4520. The ROD is also available on the BPA Web site, [http://www.bpa.gov/corporate/pubs/rods/2008/MOA\\_ROD.pdf](http://www.bpa.gov/corporate/pubs/rods/2008/MOA_ROD.pdf).

#### FOR FURTHER INFORMATION CONTACT:

Sandra Ackley, Bonneville Power Administration—KEC-4, P.O. Box 3621, Portland, Oregon 97208-3621; toll-free telephone number 1-800-282-3713; fax number 503-230-5699; or e-mail [sjackley@bpa.gov](mailto:sjackley@bpa.gov).

Issued in Portland, Oregon, on May 2, 2008.

**Stephen J. Wright,**

*Administrator, and Chief Executive Officer.*

[FR Doc. E8-10435 Filed 5-8-08; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13014-000]

#### Agency Valley Hydro, LLC ; Notice of Application Accepted for Filing and Soliciting Motions To Intervene, Protests, and Comments

May 2, 2008.

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.:* 13014-000.
- c. *Date filed:* August 31, 2007.
- d. *Applicant:* Agency Valley Hydro, LLC.
- e. *Name of Project:* Agency Valley Dam Hydroelectric Project.
- f. *Location:* Malheur River in Malheur County, Oregon. It would use the U.S. Bureau of Reclamation's Agency Valley Dam.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).
- h. *Applicant Contact:* Mr. Brent L. Smith, COO, Symbiotics, LLC, P.O. Box 535, Rigby, ID 83442, (208) 745-0834.
- i. *FERC Contact:* Robert Bell, (202) 502-4126.
- j. *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: 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. Please include the project number (P-13014-000) 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.

k. *Description of Project:* The proposed project using the U.S. Bureau of Reclamation's Agency Valley Dam and operated in a run-of-river mode would consist of: (1) One 223-foot-long, 72-inch-diameter steel penstock; (2) a new powerhouse and switchyard; (3) one turbine/generator unit with an installed capacity of 2 megawatts; (4) a new 0.04-mile-long above ground 12.5-kilovolt transmission line extending from the switchyard to an interconnection point with the utility distribution system owned by Harney Electric Coop; and (5) appurtenant facilities. The proposed Agency Valley Dam Project would have an average annual generation of 4 gigawatt-hours.

l. This filing 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 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 h above.

m. *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 and 4.36.

n. *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 and 4.36.

*o. 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.

*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, .211, .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", and "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.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E8-10301 Filed 5-8-08; 8:45 am]  
BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13022-000]

#### Barren River Lake Hydro, LLC; Notice of Application Accepted for Filing and Soliciting Motions To Intervene, Protests, and Comments

May 2, 2008.

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.*: 13022-000.
- c. *Date filed*: September 14, 2007.
- d. *Applicant*: Barren River Lake Hydro, LLC.
- e. *Name of Project*: Barren River Lake Dam Hydroelectric Project.
- f. *Location*: Barren River in Barren County, Kentucky. It would use the U.S. Army Corps of Engineers' Barren River Lake Dam.
- g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791(a)-825(r).
- h. *Applicant Contact*: Mr. Brent L. Smith, COO, Symbiotics, LLC, P.O. Box 535, Rigby, ID 83442, (208) 745-0834.
- i. *FERC Contact*: Robert Bell, (202) 502-4126.
- j. *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-13022-000) 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.

*k. Description of Project*: The proposed project using the U.S. Army Corps of Engineers' Barren River Lake Dam and operated in a run-of-river mode would consist of: (1) One 168-foot-long, 144-inch-diameter steel penstock; (2) a new powerhouse and switchyard; (3) two turbine/generator units with a combined installed capacity of 13 megawatts; (4) a new 1-mile-long above ground 25-kilovolt transmission line extending from the switchyard to an interconnection point with the local utility's distribution system; and (5) appurtenant facilities. The proposed Barren River Lake Dam Project would have an average annual generation of 31 gigawatt-hours.

1. This filing 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 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 h above.

*m. 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