

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. Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS", "PROTESTS", AND/OR "MOTIONS TO INTERVENE", as applicable, and the Docket Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

*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.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9-13546 Filed 6-9-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12636-001]

#### **Mohawk Hydro Corp.; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications**

June 3, 2009.

On May 1, 2009, Mohawk Hydro Corporation filed an application, pursuant to section 4(f) of the Federal Power Act, for a successive preliminary permit to study the feasibility of the Middle Mohawk Hydroelectric Project, to be located on the Mohawk River, in Schenectady and Montgomery Counties, New York.

The proposed Middle Mohawk Hydroelectric Project would be located at existing facilities that are owned by the New York State Canal Corporation. The proposed run-of-river project would consist of the following eight Developments:

#### **Lock #8 Development**

(1) An existing 530-foot-long, 14-foot-high bridge type dam constructed primarily of steel, (2) an existing reservoir having a surface area of 336 acres, with a storage capacity of 3,360 acre-feet and a normal water surface elevation of 224 feet USGS, (3) a proposed intake structure, (4) two proposed powerhouses containing 18 generating units having a total installed capacity of 6 MW, (5) a proposed 1,800-foot-long, 34.5 kV transmission line, and (6) appurtenant facilities.

The development would have an annual generation of 16 gigawatt-hours which would be sold to a local utility.

#### **Lock #9 Development:**

(1) An existing 530-foot-long, 15-foot-high bridge type dam constructed primarily of steel, (2) an existing reservoir having a surface area of 428 acres, with a storage capacity of 4,280 acre-feet and a normal water surface elevation of 239 feet USGS, (3) a proposed intake structure, (4) two proposed powerhouses containing 18 generating units having a total installed capacity of 6 MW, (5) a proposed 200-foot-long, 13.2 kV transmission line, and (6) appurtenant facilities.

The development would have an annual generation of 17.6 gigawatt-hours which would be sold to a local utility.

#### **Lock #10 Development**

(1) An existing 500-foot-long, 15-foot-high bridge type dam constructed primarily of steel, (2) an existing reservoir having a surface area of 414 acres, with a storage capacity of 4,140 acre-feet and a normal water surface elevation of 254 feet USGS, (3) a proposed intake structure, (4) two proposed powerhouses containing 18 generating units having a total installed capacity of 6 MW, (5) a proposed 1,500-foot-long, 115 kV transmission line, and (6) appurtenant facilities.

The development would have an annual generation of 17.3 gigawatt-hours which would be sold to a local utility.

#### **Lock #11 Development**

(1) An existing 588-foot-long, 12-foot-high bridge type dam constructed primarily of steel, (2) an existing reservoir having a surface area of 414 acres, with a storage capacity of 4,140 acre-feet and a normal water surface elevation of 266 feet USGS, (3) a proposed intake structure, (4) two proposed powerhouses containing 18 generating units having a total installed capacity of 6 MW, (5) a proposed 700-

foot-long, 34.5 kV transmission line, and (6) appurtenant facilities.

The development would have an annual generation of 16.1 gigawatt-hours which would be sold to a local utility.

#### **Lock #12 Development**

(1) An existing 460-foot-long, 11-foot-high bridge type dam constructed primarily of steel, (2) an existing reservoir having a surface area of 737 acres, with a storage capacity of 7,370 acre-feet and a normal water surface elevation of 277 feet USGS, (3) a proposed intake structure, (4) two proposed powerhouses containing 18 generating units having a total installed capacity of 6 MW, (5) a proposed 400-foot-long, 13.2 kV transmission line, and (6) appurtenant facilities.

The development would have an annual generation of 11.7 gigawatt-hours which would be sold to a local utility.

#### **Lock #13 Development**

(1) An existing 370-foot-long, 8-foot-high bridge type dam constructed primarily of steel, (2) an existing reservoir having a surface area of 464 acres, with a storage capacity of 4,640 acre-feet and a normal water surface elevation of 285 feet USGS, (3) a proposed intake structure, (4) a proposed powerhouse containing 9 generating units having a total installed capacity of 3 MW, (5) a proposed 200-foot-long, 13.2 kV transmission line, and (6) appurtenant facilities.

The development would have an annual generation of 7.3 gigawatt-hours which would be sold to a local utility.

#### **Lock #14 Development**

(1) An existing 430-foot-long, 8-foot-high bridge type dam constructed primarily of steel, (2) an existing reservoir having a surface area of 219 acres, with a storage capacity of 2,190 acre-feet and a normal water surface elevation of 293 feet USGS, (3) a proposed intake structure, (4) a proposed powerhouse containing 9 generating units having a total installed capacity of 3 MW, (5) a proposed 200-foot-long, 13.2 kV transmission line, and (6) appurtenant facilities.

The development would have an annual generation of 5.8 gigawatt-hours which would be sold to a local utility.

#### **Lock #15 Development:**

(1) An existing 430-foot-long, 8-foot-high bridge type dam constructed primarily of steel, (2) an existing reservoir having a surface area of 578 acres, with a storage capacity of 5,780 acre-feet and a normal water surface

elevation of 293 feet USGS, (3) a proposed intake structure, (4) two proposed powerhouses containing 18 generating units having a total installed capacity of 6 MW, (5) a proposed 200-foot-long, 13.2 kV transmission line, and (6) appurtenant facilities.

The development would have an annual generation of 5.8 gigawatt-hours which would be sold to a local utility. The total installed capacity for all eight proposed developments is 41 MW and the total annual generation is 97.6 gigawatt-hours.

**Applicant Contact:** Mr. James A. Besha, P.E., President of Albany Engineering Corporation, Agent for Mohawk Hydro Corp., 5 Washington Square, Albany, NY 12205, (518) 456-7712.

**FERC Contact:** John Ramer, (202) 502-8969.

**Deadline for filing motions to intervene, competing applications (without notice of intent), or notices of intent to file competing applications:** 60 days from the issuance date of this notice. Comments, motions to intervene, notices of intent, and competing applications may be electronically filed via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be filed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project can be viewed or printed on the "e-library" link of the Commission's Web site at <http://www.ferc.gov/docs-filings/elibrary.asp>. Enter the docket number (P-12636-001) in the docket number field to access the document. For assistance, call toll free 1-866-208-3372.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-13545 Filed 6-9-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL09-56-000]

#### Notice of Complaint

June 3, 2009.

People of the State of California, ex rel., Edmund G. Brown, Jr. Attorney General of the State of California, Complainant, v. Powerex Corp. (f/k/a British Columbia Power Exchange Corp.), Sempra Energy Trading, LLC (f/k/a Sempra Energy Trading Corp.), Allegheny Energy Supply Company, LLC, TransAlta Energy Marketing (US), Inc., Public Service Company of New Mexico, MIECO, Inc., Shell Energy North America (U.S.), L.P. (successor by merger to Coral Power LLC), Merrill Lynch Capital Services, TransCanada Energy Ltd. (f/k/a TransCanada Power Corp.), Commerce Energy Corp. (f/k/a Commonwealth Energy Corp.), Nevada Power Company, Tucson Electric Power Company, American Electric Power Service Corp., Comision Federal de Electricidad, Sierra Pacific Power Company, Sierra Pacific Industries, Avista Corp. (f/k/a Washington Water Power Company), Avista Energy, Inc., Sempra Energy Solutions LLC, Respondents.

#### Notice of Complaint

Take notice that on May 22, 2009, pursuant to section 206 of the Rules and Practice and Procedure, 18 CFR 385.206 and sections 205, 206, 306, and 309 of the Federal Power Act, 16 U.S.C. 824(d), 824(e), 825(e), and 825(h), the People of the California, ex rel. Edmond G. Brown Jr., Attorney General of the State of California (Complainant) filed a formal complaint against the Respondents alleging that the named Respondents, public utility sellers of short-term bilateral energy to the California Energy Resources Scheduling Division of the California Department of Water Resources (CERS) during the period January 18, 2001 to June 20, 2001, owe refunds to California ratepayers on sales to CERS because those sales were made at unjust and unreasonable prices.

The Attorney General certifies that copies of the complaint were served upon the named Respondents or their authorized representatives via individual e-mails, by e-mails to the Docket EL00-95-000 and Docket EL02-71-000 Listserv, by e-mail to the E-mail service list in Docket EL01-10, and by express delivery service.

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, 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 e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [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 August 20, 2009.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-13537 Filed 6-9-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. OR09-8-000]

#### Chevron Products Company, Complainant, v. SFPP, L.P., Respondent; Notice of Complaint

June 3, 2009.

Take notice that on May 29, 2009, pursuant to Rule 206 of the Rules and Practice and Procedure of the Federal Energy Regulatory Commission (Commission), 18 CFR 385.206, section 343.2 of the Procedural Rules Applicable to Oil Pipeline Proceedings, 18 CFR 385.343.2, sections 1(5), 8, 9, 13, 15, and 16 of the Interstate Commerce Act, 49 U.S.C. App. 1(5), 8, 9, 13, 15, and 16 (1988), and section 1803 of the Energy Policy Act of 1992, Chevron Products Company (Complainant) filed a formal complaint challenging the justness and reasonableness of the index