

1028-002; ER09-560-001; ER09-826-001.

*Applicants:* Covanta Hempstead Company Covanta Union, Inc.; Covanta Niagara, L.P.; Covanta Essex Company; Covanta Delaware Valley, L.P.; Covanta Delano, Inc.; Covanta Maine, LLC; Michigan Waste Energy, Inc.

*Description:* Covanta MBR Entities submits notice of non material change is status.

*Filed Date:* 09/18/2009.

*Accession Number:* 20090921-0121.

*Comment Date:* 5 p.m. Eastern Time on Friday, October 09, 2009.

*Docket Numbers:* ER08-394-024.

*Applicants:* Midwest Independent Transmission System Operator, Inc.

*Description:* Midwest Independent Transmission System Operator, Inc submits a compliance filing addressing congestion that may limit aggregate deliverability of Planning Resources *etc.*

*Filed Date:* 08/18/2009.

*Accession Number:* 20090819-0624.

*Comment Date:* 5 p.m. Eastern Time on Friday, October 02, 2009.

*Docket Numbers:* ER08-1317-005; ER09-1722-000.

*Applicants:* California Independent System Operator Corporation.

*Description:* California Independent System Operator Corporation submits amendment to the ISO tariff provisions on generator interconnection process reform.

*Filed Date:* 09/18/2009.

*Accession Number:* 20090921-0123.

*Comment Date:* 5 p.m. Eastern Time on Friday, October 09, 2009.

*Docket Numbers:* ER09-1312-001; ER09-1313-001.

*Applicants:* Riverside Energy Center, LLC; RockGen Energy, LLC.

*Description:* Riverside Energy Center, LLC *et al* submits settlement materials.

*Filed Date:* 09/18/2009.

*Accession Number:* 20090921-0120.

*Comment Date:* 5 p.m. Eastern Time on Friday, October 09, 2009.

*Docket Numbers:* ER09-1645-001.

*Applicants:* Devonshire Energy LLC.

*Description:* Devonshire Energy LLC submits amended and restated application for authorization to make wholesale sales of energy and capacity at negotiated, market based rates.

*Filed Date:* 09/21/2009.

*Accession Number:* 20090921-0133.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, October 13, 2009.

Take notice that the Commission received the following open access transmission tariff filings:

*Docket Numbers:* OA08-81-001.

*Applicants:* NorthWestern Corporation.

*Description:* NorthWestern Corporations submits Substitute First Revised Sheet 15 *et al* to its FERC Electric Tariff, Second Revised Volume 2.

*Filed Date:* 09/18/2009.

*Accession Number:* 20090921-0122.

*Comment Date:* 5 p.m. Eastern Time on Friday, October 09, 2009.

Any person desiring to intervene or to protest in any of the above proceedings 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) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. 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. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also 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 dockets(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.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. E9-23347 Filed 9-25-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL09-73-000]

#### Californians for Renewable Energy, Inc. (CARE), Complainant v. Pacific Gas and Electric Company (PG&E) and California Energy Commission (CEC), Respondents; Notice of Complaint

September 18, 2009.

Take notice that on September 8, 2009, pursuant to sections 206 and 212 of the Rules and Practice and Procedure, 18 CFR 385.206 and 385.212 and sections 205 and 306 of the Federal Power Act, 16 U.S.C. 824(e) and 825(e), Californians for Renewable Energy, Inc. (CARE) (Complainant) filed a formal complaint against Pacific Gas and Electric Company (Respondents) for operating its Gateway Generating Station without permits that limit emissions regulated by the Clean Air Act and the California Energy Commission (CEC).

The Complainant states that a copy of the complaint has been served upon Respondents and CEC and other interested parties.

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 September 28, 2009.

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

[FR Doc. E9-23287 Filed 9-25-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. EL09-47-000; Docket No. EL09-48-000]

#### Notice of Designation of Commission Staff as Non-Decisional

September 18, 2009.

*Richard Blumenthal, Attorney General for the State of Connecticut v. ISO New England Inc., et al.;*

*The Connecticut Department of Public Utility Control and the Connecticut Office of Consumer Counsel, v. ISO New England Inc., et al.*  
(Consolidated).

With respect to the August 24, 2009 order issued by the Commission in the above-captioned dockets establishing hearing procedures and directing the participation of the litigation staff of the Office of Enforcement,<sup>1</sup> the staff of the Office of Enforcement is designated as non-decisional in deliberations by the Commission in the above-referenced docket nos. for purposes of 18 CFR 385.2202 (2009).

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

[FR Doc. E9-23286 Filed 9-25-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP09-17-000]

#### Florida Gas Transmission Company, LLC; Notice of Availability of the Environmental Impact Statement for the Proposed Phase VIII Expansion Project

September 18, 2009.

The staff of the Federal Energy Regulatory Commission (Commission or FERC) has prepared a final environmental impact statement (EIS) for the construction and operation of natural gas pipeline facilities proposed by Florida Gas Transmission Company, LLC (FGT) in the above referenced docket. FGT's Phase VIII Expansion Project (Project) would be located in various counties in southern Alabama and throughout Florida.

The final EIS was prepared to satisfy the requirements of the National Environmental Policy Act of 1969 (NEPA). The FERC staff concludes that approval of the proposed project, with the appropriate mitigation measures as recommended, would have some adverse environmental impact. However, most of these impacts would be reduced to less-than significant levels with the implementation of the applicant's proposed mitigation measures and the additional measures we recommend in the EIS.

The U.S. Army Corps of Engineers (COE) and U.S. Department of Agriculture Forest Service (USFS) participated as cooperating agencies in the preparation of the EIS. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and participate in the NEPA analysis. The Project would require permits from the COE pursuant to Section 404 of the Clean Water Act (33 United States Code [U.S.C.] 1344) and Section 10 of the Rivers and Harbors Act (33 USC 403). The COE would adopt the EIS per Title 40 of the Code of Federal Regulations, Part 1501.3 if, after an independent review of the document, it concludes that its comments and suggestions have been satisfied. The USFS manages all federal lands (the Apalachicola National Forest) that would be crossed by this Project. A special-use permit would be issued by the USFS for the existing right-of-way for two existing pipelines (a 30-inch and a 36-inch-diameter) and the proposed additional 36-inch-diameter pipeline. This additional pipeline would require an additional 40 feet of right-of-way

adjacent to the existing right-of-way. By participating as a cooperating agency, the USFS has obtained the views of the public prior to reaching an easement decision.

The final EIS addresses the potential environmental effects of the construction and operation of the following facilities:

- Construction and operation of about 357.3 miles of looping<sup>1</sup> various diameters of pipeline in Mobile, Baldwin, and Escambia Counties, Alabama and Escambia, Santa Rosa, Okaloosa, Walton, Washington, Jackson, Bay, Calhoun, Gadsden, Leon, Jefferson, Taylor, Lafayette, Suwannee, Gilchrist, Levy, Citrus, Hernando, Pasco, Hillsborough, and Miami-Dade Counties, Florida;

- Construction and operation of about 125.9 miles of 20, 24, and 30-inch-diameter pipelines in Lafayette, Madison, Manatee, DeSoto, Highlands, Okeechobee, Martin, and Suwannee Counties, Florida;

- Acquisition from Florida Power & Light Company of a 22.7-mile-long, 20-inch-diameter pipeline located in Martin County, Florida;

- Installation of a total of about 198,000 horsepower (hp) of compression at 8 existing compressor stations;

- Installation of one new 15,600 hp compressor station in Highlands County, Florida; and

- Construction and operation of three new meter and regulator (M&R) Stations in Suwannee, Manatee, and Martin Counties, Florida; upgrade two existing M&R Stations in Mobile County, Alabama and Martin County, Florida; and construct one new regulator station in Lafayette County, Florida.

The final EIS has been placed in the public files of the FERC and the COE and is available for public inspection at:

Federal Energy Regulatory Commission, Public Reference Room, 888 First Street, NE., Room 2A, Washington, DC 20426. (202) 502-8371.

U.S. Army Corps of Engineers, Jacksonville District, 701 San Marco Boulevard, Jacksonville, Florida 32207. 904-232-1472.

U.S. Forest Service, Apalachicola National Forest, 57 Taft Drive, Crawfordville, Florida 32327. 850-926-3561.

Copies of the final EIS have been mailed to Federal, State, and local government agencies; elected officials; Native American Tribes; local libraries

<sup>1</sup> A loop is a segment of pipeline that is usually installed adjacent to an existing pipeline and connected to it at both ends. The loop allows more gas to be moved through the system.

<sup>1</sup> 128 FERC ¶ 61,182.