

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. CP09-468-000]

**Dominion Transmission, Inc.; Notice of Application**

September 30, 2009.

Take notice that on September 23, 2009, Dominion Transmission, Inc., (Dominion), 120 Tredegar Street, Richmond, Virginia 23219, filed with the Commission an application in Docket No. CP09-468-000, pursuant to section 7(b) of the Natural Gas Act (NGA), for authorization to reclassify from jurisdictional transmission to gathering, exempt from the Commission's jurisdiction under Section 1(b) of the NGA, approximately 1.5 miles of 4-inch diameter pipeline (Line No. TL-447) and the O'Dell Compressor Station, which consists of one 115 H.P. compressor unit, in Upshur County, West Virginia, as more fully set forth in the application which is 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.

Any questions regarding this application should be directed to Brad A. Knisley, Regulatory and Certificates Analyst II, Dominion Transmission, Inc., 701 East Cary Street, Richmond, Virginia 23219, or via telephone at (804) 771-4412, facsimile number (804) 771-4804, and e-mail: [Brad.A.Knisley@dom.com](mailto:Brad.A.Knisley@dom.com).

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 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 commentors 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 commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors 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 (<http://www.ferc.gov>) under the "e-Filing" link.

*Comment Date:* October 21, 2009.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. E9-24125 Filed 10-6-09; 8:45 am]

BILLING CODE 6717-01-P

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Project No. 739-022]

**Appalachian Power Company; Notice of Application Accepted for Filing, Soliciting Motions To Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions**

September 30, 2009.

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

a. *Type of Application:* New Major License.

b. *Project No.:* 739-022.

c. *Date filed:* June 29, 2009.

d. *Applicant:* Appalachian Power Company.

e. *Name of Project:* Claytor Project.

f. *Location:* The existing project is located on the New River in Pulaski County, Virginia. The project does not affect Federal lands.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Ms. Teresa Rogers, Reservoir Superintendent, Appalachian Power Company, 40 Franklin Road, Roanoke, VA 24011, (540) 985-2441, [tprogers@aep.com](mailto:tprogers@aep.com).

i. *FERC Contact:* John Smith, (202) 502-8972 or [john.smith@ferc.gov](mailto:john.smith@ferc.gov).

j. *Deadline for filing motions to intervene and protests, comments, recommendations, preliminary terms and conditions, and preliminary fishway prescriptions is 60 days from the issuance of this notice; reply comments are due 105 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.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person 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.

Motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary fishway prescriptions may

be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "Quick Comment." For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov); call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

k. This application has been accepted for filing and is now ready for environmental analysis.

l. *The Project Description*: The Claytor Project consists of: (1) A 1,142-foot-long, 137-foot-high concrete gravity dam; (2) a 4,472-acre reservoir with a storage capacity of 225,000 acre-feet at normal pool elevation 1,846.0 feet National Geodetic Vertical Datum (NGVD); (3) four 16-foot-diameter penstocks; (4) a powerhouse integral with the dam containing four generating units with a combined capacity of 75 megawatts; (5) a 1,000-foot-long transmission line; and (6) switching and appurtenant equipment.

The applicant proposes to expand its current levelized flow mode whereby releases from the project approximate inflows to the project over a 24-hour period from April 15 through October 15 to April 1 through November 30. Reservoir levels would continue to be maintained between 1,845 feet NGVD and 1,846 feet NGVD and a minimum average hourly flow of 750 cubic feet per second (cfs), or inflow, whichever is less, would be provided downstream of the project. The applicant would also modify the current period for peaking operations from October 16 through April 14 to December 1 through March 31 and increase its minimum average hourly downstream flow from 750 cfs to 1,000 cfs, or inflow, whichever is less. During this period, the applicant would extend the time to ramp down during peaking operations from 15 minutes to 30 minutes but continue to bring units on line in 15 minute intervals to meet system demands. Reservoir levels would be maintained between 1,844 feet NGVD and 1,846 feet NGVD. In addition, the applicant would eliminate the current winter drawdown to protect aquatic resources including State-listed mussel populations. For recreation purposes, the applicant is proposing to provide weekend releases of 1,000 cfs when

inflow falls below 1,000 cfs but is above 800 cfs and would provide recreation releases for the annual squirt boat competition each May.

m. A copy of the application 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, contact FERC Online Support. A copy is also available for inspection and reproduction at the address in item h above.

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.

n. 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.

All filings must (1) Bear in all capital letters the title "PROTEST," "MOTION TO INTERVENE," "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "PRELIMINARY TERMS AND CONDITIONS," or "PRELIMINARY FISHWAY PRESCRIPTIONS"; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this

proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

*o. Procedural Schedule:*

The application will be processed according to the following revised Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Commission issues Draft EA.	May 28, 2010.
Comments on Draft EA.	June 27, 2010.
Modified Terms and Conditions.	August 26, 2010.
Commission Issues Final EA.	November 24, 2010.

p. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of this notice.

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

[FR Doc. E9-24122 Filed 10-6-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

September 29, 2009.

Take notice that the Commission received the following electric corporate filings:

*Docket Numbers:* EC09-110-000

*Applicants:* Monmouth Energy, Inc., Montauk Energy Capital, LLC, Johnnic Holdings USA LLC, Johnnic Holdings Limited, Tsogo Investment Holding Company, Hosken Consolidated Investments Limited

*Description:* Application for authorization under Section 203 of the federal power act request for expedited consideration and confidential treatment re Monmouth Energy, Inc. *et al.*

*Filed Date:* 09/28/2009.

*Accession Number:* 20090929-0123.

*Comment Date:* 5 p.m. Eastern Time on Monday, October 19, 2009.

Take notice that the Commission received the following exempt wholesale generator filings:

*Docket Numbers:* EG09-95-000.

*Applicants:* Raleigh Wind Power Partnership.

*Description:* Notice of Self-Certification of Exempt Wholesale Status of Raleigh Wind Power Partnership.

*Filed Date:* 09/29/2009.

*Accession Number:* 20090929-5049.