

for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the date of filing of the application, and serve a copy of the request on the applicant.

l. Deadline for filing additional study requests and requests for cooperating agency status: March 16, 2009.

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.

Additional study requests and requests for cooperating agency status may be filed electronically via the internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at (<http://www.ferc.gov>) under the "eFiling" link.

m. This application is not ready for environmental analysis at this time.

n. *Description of Project:* The Slatersville Project would consist of: (1) The existing upper 13-foot-high RI Dam No. 43 consisting of: (a) An existing 175-foot-long spillway; and (b) a westerly abutment equipped with two 3.5-foot-wide, 5.7-foot-high sluice gates impounding; (2) an 172-reservoir with a normal water surface elevation of 250.7 feet National Geodetic Vertical Datum 1988 (NGVD) leading to; (3) two new 150-foot-long, 4.5-foot-diameter penstocks connecting; (4) a new powerhouse containing two generating units with a total installed capacity of 360 kilowatts; (5) a new 25-foot-long tailrace discharging water back into the Branch River; and (6) appurtenant facilities. The project would have an average annual generation of about 1,250 megawatt-hours.

In addition to a new powerhouse, penstocks, and tailrace, project facilities would consist of: (1) New 1.5-foot-high flashboards on top of RI Dam No. 43; and (2) a new 0.5-mile-long, 13.8 kilovolt transmission line.

Project facilities may also include: (1) The existing lower 6-foot-high RI Dam No. 45 with a 105-foot-long spillway impounding; (2) the existing 0.3-acre reservoir with a normal water surface elevation of 231.9 feet NGVD located in the bypassed reach between RI Dam No. 43 and the new tailrace.

o. 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 three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

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

p. With this notice, we are initiating consultation with the Rhode Island State Historic Preservation Officer (SHPO), as required by section 106, National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

q. *Procedural schedule and final amendments:* The application will be processed according to the following Hydro Licensing Schedule. Revisions to the schedule will be made as appropriate. The Commission staff proposes to issue one environmental assessment rather than issue a draft and final EA. Comments, terms and conditions, recommendations, prescriptions, and reply comments, if any, will be addressed in an EA. Staff intends to give at least 30 days for entities to comment on the EA, and will take into consideration all comments received on the EA before final action is taken on the license application.

Issue Acceptance Letter or Deficiency Letter—April 2009.

Issue Scoping Document—May 2009.

Notice of application is ready for environmental analysis—June 2009.

Notice of the availability of the EA—November 2009.

Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-2217 Filed 2-2-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 460-033]

### City of Tacoma, WA; Notice of Settlement Agreement and Soliciting Comments

January 27, 2009.

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

a. *Type of Application:* Settlement Agreement.

b. *Project No.:* 460-033.

c. *Date Filed:* January 21, 2009.

d. *Applicant:* City of Tacoma, Washington (Tacoma).

e. *Name of Project:* Cushman Hydroelectric Project.

f. *Location:* Located on the North Fork of the Skokomish River, in Mason County, Washington, in part on federal lands in the Olympic National Forest and the Skokomish Indian Tribe Reservation.

g. *Filed Pursuant to:* Rule 602 of the Commission's Rules of Practice and Procedure, 18 CFR 385.602.

h. *Applicant Contact:* Mr. Michael A. Swiger, Counsel to the City of Tacoma, Washington, Van Ness Feldman, 1050 Thomas Jefferson Street, NW., Washington, DC 20007-3877; Telephone (202) 298-1800; e-mail—[mas@vnf.com](mailto:mas@vnf.com).

i. *FERC Contact:* Allan Creamer at (202) 502-8365, or by e-mail at [allan.creamer@ferc.gov](mailto:allan.creamer@ferc.gov).

j. *Deadline for Filing Comments:* The deadline for filing comments on the Settlement Agreement is 30 days from the date of this notice (February 26, 2009). The deadline for filing reply comments is 45 days from the date of this notice (March 13, 2009). 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 participants 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 a participant 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.

Comments may be filed electronically via the Internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the

instructions of the Commission's Web site (<http://www.ferc.gov>) under the "e-filing" link.

k. On behalf of itself, the Skokomish Indian Tribe, and six state and federal agencies, Tacoma filed a comprehensive settlement agreement (Agreement), along with a Joint Explanatory Statement (JES) for the Cushman Project. The purpose of the Agreement is to resolve, among the signatories, outstanding issues associated with the project, including, but not limited to, those associated with the DC Circuit Court of Appeals' remand of the Commission's July 30, 1998 Order Issuing Subsequent Major License. As detailed in the JES, the Agreement and proposed license articles provide specific measures for each of the license obligations set forth in the 1998 Order. The major issues addressed in the Agreement relate to: (1) Project operations (e.g., flows in the North Fork, channel maintenance flows, lake levels, ramping rates, etc.); (2) salmon and steelhead restoration activities (e.g., fish passage, hatchery and stocking program, habitat enhancements, etc.); (3) estuarine habitat enhancement; (4) wildlife habitat enhancement (e.g., land acquisition); (5) flooding on the North Fork and mainstem Skokomish River; (6) shoreline management and recreation access; and (7) adaptive management.

The filing includes a draft of Tacoma's license amendment to construct a new powerhouse at the base of Dam No. 2. Tacoma states that the full amendment will be filed separately, and requests that the Commission process the amendment contemporaneously with the Agreement. Tacoma also requests that the Commission schedule a technical conference to discuss any questions concerning the Agreement. The Commission will address the request for a technical conference after reviewing the comments received on the Agreement, and will institute a proceeding on the amendment application after it is filed.

Tacoma requests that the Commission: (1) Act expeditiously to approve the Agreement without modification; (2) extend the license term to June 30, 2048 (or 50 years from license issuance); and (3) approve the license amendment for the new North Fork powerhouse.

l. A copy of the Settlement Agreement 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 "e-Library" 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. A copy is also available for inspection and reproduction at the address in item h above.

Register online at <http://www.ferc.gov/esubscribenow.htm> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-2218 Filed 2-2-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. RP08-591-000]

#### Equitrans, L.P.; Notice Deferring Technical Conference Date

January 27, 2009.

Take notice that the technical conference scheduled in the above-captioned proceeding for January 28, 2009 is cancelled and will be rescheduled at a later date. For further information please contact Anna Fernandez at (202) 502-6682 or e-mail [Anna.Fernandez@ferc.gov](mailto:Anna.Fernandez@ferc.gov).

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-2213 Filed 2-2-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. EL03-141-006; EL03-168-006; EL03-171-005; EL03-177-006; EL03-178-005; EL03-139-008; EL03-140-005; EL03-162-004; EL03-165-010; EL03-169-007; EL03-172-005; EL03-175-005; EL03-200-009]

**Bonneville Power Administration; Public Service Company of New Mexico; Salt River Project Agricultural Improvement and Power District; Tucson Electric Power Company; Western Area Power Administration; Arizona Public Service Company; Automated Power Exchange, Inc.; Pacific Gas and Electric Company; Portland General Electric Company; Puget Sound Energy, Inc.; San Diego Gas & Electric Company; Southern California Edison Company; Public Service Company of New Mexico; Notice of Filing**

January 27, 2009.

Take notice that on January 23, 2009, Bonneville Power Administration, Public Service Company of New Mexico, Salt River Project Agricultural Improvement and Power District, Tucson Electric Power Company, Western Area Power Administration, Arizona Public Service Company, Automated Power Exchange, Inc., Pacific Gas and Electric Company, Portland General Electric Company, Puget Sound Energy, Inc., San Diego Gas & Electric Company, Southern California Edison Company, and Public Service Company of New Mexico, submitted a compliance filing in response to the Commission's December 22, 2008 Order, 125 FERC ¶ 61,345.

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. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all the parties in this proceeding.

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