

that allows a solar installation to comply if either the cells or the modules are manufactured in the United States.

Of the options considered, only option (3) recognizes EERE's determination that the manufacturing process for cells and the final PV module production represent distinct instances of "substantial transformation" in the solar PV manufacturing chain. Conducting either of these discrete activities in the United States creates roughly equal numbers of American jobs. Furthermore, the design and manufacture of the cells captures the largest portion of the intellectual property present in a solar installation.

For all the reasons outlined above, EERE believes the public interest is best served by supporting the domestic cell manufacturing industry. It is therefore in the public interest to issue a waiver of the Recovery Act Buy American provisions that allows grantees to purchase foreign modules made with domestically-manufactured cells, in addition to domestic modules with foreign-produced cells. This reflects EERE's commitment to strengthen the entire domestic PV manufacturing supply chain in the United States.

This public interest waiver determination also resolves questions regarding the applicability of the Buy American provisions to numerous individual manufactured goods that are incidental in cost and technological significance but are ultimately incorporated into the final solar installation. These items, including, but not limited to, charge controllers, combiners and disconnect boxes, breakers and fuses, racks, trackers, lugs, wires, and cables—but excluding inverters and batteries—are generally low-cost incidental items that are incorporated into the installation of PV modules and arrays on public buildings and public works. This public interest waiver for all incidental and ancillary items eliminates potential questions and ambiguities concerning whether the incidental items are final manufactured goods or merely components of a larger solar module, installation or array.

Issuance of this nationwide public interest waiver recognizes EERE's commitment to expeditious costing of Recovery Act dollars by enabling recipients to easily ascertain whether a given solar installation complies with the Buy American provision. Simultaneously, this waiver advances the purpose and the principles of the Buy American provision by focusing on the highest-value and most labor-intensive pieces of solar PV equipment.

In light of the foregoing, and under the authority of section 1605(b)(1) of

Public Law 111–5 and the Redesignated Order of April 25, 2011, with respect to Recovery Act projects funded by EERE, the Assistant Secretary has issued an extension of the amended "determination of inapplicability" (a waiver under the Recovery Act Buy American provisions) for the following items: (1) Domestically-manufactured modules containing foreign-manufactured cells, (2) Foreign-manufactured modules, when completely comprised of domestically-manufactured cells, and (3) Any ancillary items and equipment (including, but not limited to, charge controllers, combiners and disconnect boxes, breakers and fuses, racks, trackers, lugs, wires, cables and all otherwise incidental equipment with the exception of inverters and batteries when utilized in a solar installation involving a U.S. manufactured PV module, or a module manufactured abroad but comprised exclusively of domestic manufactured cells on August 1, 2011.

The Assistant Secretary reserves the right to revisit and amend this determination based on new information or new developments.

**Authority:** Pub. L. 111–5, section 1605.

Issued in Washington, DC.

**Henry Kelly,**

*Acting Assistant Secretary, Energy Efficiency and Renewable Energy, U.S. Department of Energy.*

[FR Doc. 2011–23079 Filed 9–8–11; 8:45 am]

**BILLING CODE 6450–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13583–001]

#### **Crane & Company; Notice of Application Accepted for Filing With the Commission, Intent To Waive Scoping, Soliciting Motions To Intervene and Protests, Ready for Environmental Analysis, Soliciting Comments, Terms and Conditions, Recommendations, and Prescriptions, and Establishing an Expedited Schedule for Processing**

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

- a. *Type of Application:* Exemption from Licensing.
- b. *Project No.:* 13583–001.
- c. *Date filed:* March 9, 2011.
- d. *Applicant:* Crane & Company.

e. *Name of Project:* Byron Weston Hydroelectric Project.

f. *Location:* On the East Branch of the Housatonic River, in the Town of Dalton, Berkshire County, Massachusetts. The project would not occupy lands of the United States.

g. *Filed Pursuant to:* Public Utility Regulatory Policies Act of 1978, 16 U.S.C. 2705, 2708.

h. *Applicant Contact:* Chad Cox, GZA GeoEnvironmental, Inc., One Edgewater Drive, Norwood, MA 02062, (781) 278–5787.

i. *FERC Contact:* Brandon Cherry, (202) 502–8328.

j. *Deadline for filing motions to intervene and protests, comments, terms and conditions, recommendations, and prescriptions:* Due to the small size and particular location of this project and the close coordination with state and federal agencies during the preparation of the application, the 60-day timeframe in 18 CFR 4.34(b) for filing motions to intervene and protests, comments, terms and conditions, recommendations, and prescriptions is shortened. Instead, motions to intervene and protests, comments, terms and conditions, recommendations, and prescriptions will be due 30 days from the issuance date of this notice. All reply comments must be filed with the Commission within 45 days from the date of this notice.

All documents 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/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please 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. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: 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.

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

l. *Project Description:* The Byron Weston Hydroelectric Project would consist of: (1) The existing 90-foot-long, 30-foot-high Byron Weston Dam No. 2; (2) an existing 0.94-acre impoundment with a normal water surface elevation of 1,116.7 feet NAVD (1988); (3) an existing intake structure, trashrack, and headgate; (4) an existing 6.5-foot-long, 6-foot-diameter penstock that conveys flow to an existing 50-foot-long, 9.5-foot-wide headrace canal connected to a new 15-foot-long, 4.4-foot-diameter penstock; (5) an existing powerhouse containing one new 250-kilowatt turbine generating unit; (6) a new steel draft tube placed within the existing tailrace; and (7) a new 100-foot-long, 600-volt transmission line connected to the Crane & Company mill complex. The proposed project is estimated to generate an average of 938,000 kilowatt-hours annually.

m. Due to the project works already existing and the limited scope of proposed rehabilitation of the project site described above, the applicant's close coordination with federal and state agencies during the preparation of the application, completed studies during pre-filing consultation, and agency-recommended preliminary terms and conditions, we intend to waive scoping, shorten the notice filing period, and expedite the exemption process. Based on a review of the application, resource agency consultation letters including the preliminary 30(c) terms and conditions, and comments filed to date, Commission staff intends to prepare a single environmental assessment (EA). Commission staff determined that the issues that need to be addressed in its EA have been adequately identified during the pre-filing period, which included a public meeting and site visit, and no new issues are likely to be identified through additional scoping. The EA will consider assessing the potential effects of project construction and operation on geology and soils, aquatic, threatened and endangered species, land use, aesthetic, and cultural and historic resources.

n. 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.

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.

o. 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, and .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," "Terms and Conditions," or "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.

p. *Procedural schedule:* The application will be processed according to the following procedural schedule. Revisions to the schedule may be made as appropriate.

Milestone	Target Date
Notice of the availability of the EA.	February 2012.

Dated: September 1, 2011.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2011-23017 Filed 9-8-11; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

#### Filings Instituting Proceedings

*Docket Numbers:* RP11-2541-000.

*Applicants:* Trailblazer Pipeline Company LLC.

*Description:* Trailblazer Pipeline Company LLC submits tariff filing per 154.204: Tenaska Negotiated Rate and Non-Conforming Agreement to be effective 9/1/2011.

*Filed Date:* 09/01/2011.

*Accession Number:* 20110901-5104.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, September 13, 2011.

*Docket Numbers:* RP11-2542-000.

*Applicants:* Central New York Oil And Gas, LLC.

*Description:* Central New York Oil And Gas, LLC submits tariff filing per 154.402: 2011 ACA Filing of CNYOG to be effective 10/1/2011.

*Filed Date:* 09/01/2011.

*Accession Number:* 20110901-5130.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, September 13, 2011.

*Docket Numbers:* RP11-2543-000.

*Applicants:* Texas Eastern Transmission, LP.

*Description:* Texas Eastern Transmission, LP submits tariff filing per 154.203: 2011 Operational Entitlements Filing to be effective N/A.

*Filed Date:* 09/01/2011.

*Accession Number:* 20110901-5137.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, September 13, 2011.

*Docket Numbers:* RP11-2544-000.

*Applicants:* Granite State Gas Transmission, Inc.

*Description:* Granite State Gas Transmission, Inc. submits tariff filing per 154.203: Settlement Agreement Compliance Filing to be effective 8/1/2011.

*Filed Date:* 09/01/2011.

*Accession Number:* 20110901-5147.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, September 13, 2011.

*Docket Numbers:* RP11-2545-000.

*Applicants:* Nautilus Pipeline Company, LLC.

*Description:* Nautilus Pipeline Company, LLC submits tariff filing per