

*Administrative Charge* using FY 2005 direct labor proportions. In FY 2005, Commission staff spent 25% of the total hours charged to licensing of hydropower projects on municipal projects. Conversely, 75% of the total hours charged to project licensing were attributable to work on non-municipal projects.

#### **Impact of FY 2005 Direct Labor Allocation**

5. The significant increase in municipal project costs for the FY 2006 *Administrative Charge* and the FY 2005 *Adjustment to FERC Administrative Charge* was the result of more direct time charged to hydropower municipal time and labor codes in FY 2005 than in FY 2004. Since the Commission used the FY 2005 municipal allocation of 25% to allocate its FY 2006 Administrative Annual Charges, licensees will likely notice an increase to their current year *Administrative Charge* when compared to previous years. Additionally, since the Commission used the FY 2004 municipal allocation of 11% to allocate its FY 2005 *Administrative Charge*, the FY 2005 *Adjustment to FERC Administrative Charge* reflects both a significant adjustment resulting from a 14% increase in the proportion of direct labor allocated and a minor upward adjustment related to the difference in actual and estimated costs previously assessed in FY 2005.

#### **Review of Hydropower Program Costs**

6. After calculating the annual charges, the Commission reviewed the total FY 2005 and FY 2006 hydropower costs and the applicable time and labor categories for the hydropower program which clearly differentiates between municipal and non-municipal activities. Overall, total costs for the hydropower program were found to have only small increases between the fiscal years. There were no new programs added in the hydropower area in FY 2005 or FY 2006 that would have contributed to this increase, thus the small increase in total hydropower program costs. However, since there was more direct time charged to municipal time and labor codes in FY 2005 than in FY 2004, municipal licensees received a larger proportion of the total hydropower program costs.

7. The Commission's hydropower program workload depends on how many hydropower applications or inspections are pending before the Commission in any given year. The Commission can not predict with exact certainty which licensees will file each year. In addition, the complexity of the

projects under review and the length of time it takes to process a hydropower application could impact the workload proportions. Hydropower program workload is cyclical, so in some years there may be more municipal projects pending versus non-municipal projects. While this increase does represent a large swing between municipal and non-municipal direct-labor hours, our review did show a history of cyclical fluctuations in this split.

8. For questions concerning this notice or any other annual charges issues, please direct inquiries via e-mail to [annualcharges@ferc.gov](mailto:annualcharges@ferc.gov) or call Troy Cole at (202) 502-6161.

**Magalie R. Salas,**

*Secretary.*

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## **DEPARTMENT OF ENERGY**

### **Federal Energy Regulatory Commission**

[Docket No. CP06-442-000]

#### **UGI LNG, Inc.; Notice of Intent To Prepare an Environmental Assessment for the Proposed Temple LNG Plant and Request for Comments on Environmental Issues**

October 4, 2006.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the operation of facilities for the Temple LNG Plant involving operation of facilities by UGI LNG, Inc (UGI LNG) in Berks County, Pennsylvania.<sup>1</sup> This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice UGI LNG provided to landowners. This fact sheet addresses a number of typically asked questions, including how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet Web site (<http://www.ferc.gov>).

#### **Summary of the Proposed Project**

UGI LNG seeks authorization to acquire and operate in interstate commerce an existing liquefied natural

gas (LNG) peak-shaving facility in Berks County, Pennsylvania, and certain appurtenant pipeline facilities interconnecting with the interstate facilities of Texas Eastern Transmission L.P. The Temple LNG Plant is presently owned by UGI Energy Services, Inc. (UGIES). The existing Temple LNG Plant consists of:

- 250,000 Mcf (73,000 Bbl) storage tank,
- A vaporization system designed to deliver up to 50,000 Dth/d and a liquefier designed to deliver 4,000 Dth/d, and
- Approximately 5,000 feet of 8-inch-diameter pipeline.

No additional land is required since UGI LNG does not propose any new facilities or any modifications to existing facilities. The general location of the project facilities is shown in Appendix 1.<sup>2</sup>

#### **Land Requirements for Construction**

The existing Temple LNG Plant consists of about 71.59 acres of land. No new facilities would be constructed as part of UGI LNG's application.

#### **The EA Process**

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. This process is referred to as "scoping". The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission staff requests public comments on the scope of the issues to address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

Because the Temple LNG Plant is an existing facility and no new additions or modifications are proposed, the EA will focus on the operation of the proposed project, the cryogenic design aspects of the plant, and public safety.

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of all appendices, other than Appendix 1 (maps), are available on the Commission's Web site at the "eLibrary" link or from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>1</sup> UGI LNG's application was filed with the Commission under section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

In the EA we<sup>3</sup> will discuss impacts that could occur as a result of the operation of the project under these general headings:

- Geology and soils.
- Land use.
- Air quality and noise.
- Public safety.

We will not discuss impacts to the following resource areas since they are not present in the project area, or would not be affected by the operation of the facilities.

- Water resources.
- Fisheries.
- Wetlands.
- Wildlife.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, State, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

#### Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by UGI LNG.

- Air and Noise.
- Safety.
- Geology.

#### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal, and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send an original and two copies of your letter to: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First St., NE., Room 1A, Washington, DC 20426.
- Label one copy of the comments for the attention of Gas Branch 3.
- Reference Docket No. CP06-442-000
- Mail your comments so that they will be received in Washington, DC on or before November 6, 2006.

Please note that we are continuing to experience delays in mail deliveries from the U.S. Postal Service. As a result, we will include all comments that we receive within a reasonable time frame in our environmental analysis of this project. However, the Commission strongly encourages electronic filing of any comments or interventions or protests to this proceeding. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site at <http://www.ferc.gov> under the "e-Filing" link and the link to the User's Guide. Before you can file comments you will need to create a free account which can be created online.

If you do not want to send comments at this time but still want to remain on our mailing list, please return the Information Request (Appendix 3). If you do not return the Information Request, you will be taken off the mailing list.

#### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding, or "intervenor". To become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214). Intervenor has the right to seek rehearing of the Commission's decision. Motions to Intervene should be electronically submitted using the Commission's eFiling system at <http://www.ferc.gov>. Persons without Internet access should send an original and 14 copies of their motion to the Secretary of the Commission at the address indicated previously. Persons filing Motions to Intervene on or before the comment deadline indicated above must send a copy of the motion to the Applicant. All filings, including late interventions, submitted after the comment deadline must be served on the Applicant and all other intervenors identified on the Commission's service list for this proceeding. Persons on the service list with e-mail addresses may be served electronically; others must be served a hard copy of the filing.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

#### Environmental Mailing List

An effort is being made to send this notice to all individuals, organizations, and government entities interested in and/or potentially affected by the project. This includes all landowners who are right-of-way grantors or who own homes within distances defined in the Commission's regulations of certain aboveground facilities.

#### Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. 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, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

Finally, public meetings or site visits will be posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.

**Magalie R. Salas,**

Secretary.

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<sup>3</sup> "We", "us", and "our" refer to the environmental staff of the Office of Energy Projects (OEP).