

Jessamine County, Kentucky, utilizing federal lands administered by the U.S. Army Corps of Engineers.

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

h. *Applicant Contact:* Mr. Gregory S. Feltenberger, Universal Electric Power Corp., 1145 Highbrook Street, Akron, OH 44301, (330) 535-7115.

i. *FERC Contact:* Chalres T. Raabe, E-mail address, Charles.Raabe@ferc.fed.us, or telephone (202) 219-2811.

j. *Deadline Date:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears 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. The proposed project would utilize the existing U.S. Army Corps of Engineers' Kentucky River L&D #8 and would consist of: (1) 5 new 50-foot-long, 96-inch-diameter steel penstocks; (2) a new 100-foot-long, 30-foot-wide, 30-foot-high powerhouse containing 5 generating units having a total installed capacity of 7,000-kW; (3) a new exhaust apron; (4) a new 400-foot-long, 14.7-kV transmission line; and (5) appurtenant facilities.

Applicant estimates that the average annual generation would be 42 GWh and that the cost of the studies to be performed under the terms of the permit would be \$1,500,000. Project energy would be sold to utility companies, corporations, municipalities, aggregators, or similar entities.

l. A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Washington, D.C. 20426, or by calling (202) 208-1371. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

Preliminary Permit—Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to

file such an application, to the Commission on or before the specified comment date for the particular application see 18 CFR 4.36).

Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

Preliminary Permit—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing developing application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

Notice of intent—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

Comments, Protests, or Motions to Intervene—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.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. An additional copy must be sent to Director, Division of Project Review, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any notice of intent, competing application or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-20973 Filed 8-12-99; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Temporary Variance Request and Soliciting Comments, Motions to Intervene and Protests

August 9, 1999.

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

a. *Type of Application:* Request for Temporary Variance of Minimum Flow Requirement.

b. *Project No:* 405-048

c. *Date Filed:* August 6, 1999.

d. *Applicant:* Susquehanna Power Company and Philadelphia Electric Power Company.

e. *Name of Project:* Conowingo Project.

f. *Location:* On the Susquehanna River, in Harford and Cecil Counties, Maryland and York and Lancaster Counties, Pennsylvania. The project does not utilize federal or tribal lands.

g. *Filed Pursuant to:* 18 CFR 4.200.

h. *Applicant Contact:* William Jefferson, Jr., Susquehanna Electric Company, 2569 Shures Landing Road, Darlington, MD 21034, (410) 457-2401.

i. *FERC Contact:* John Mudre, john.mudre@ferc.fed.us, (202) 219-1208.

j. *Deadline for filing comments, motions to intervene and protest:* 10 days from the issuance date of this notice. Please include the project number (405-048) on many comments or motions filed. All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

k. *Description of Application:* On August 6, 1999, the Conowingo licensees requested Commission approval of a variance of the minimum flow requirements of the project license. According to the license, for the period June 1 to September 14, annually, the licensees must provide a minimum flow release (not including leakage) below the dam of 5,000 cubic feet per second (cfs), or inflow (as measured at the USGS gaging station in Marietta, PA), whichever is less. As of August 5, 1999, the river flow at Marietta was 2,960 cfs.

Because of the continuing drought, the City of Baltimore is preparing to withdraw water from the Conowingo Reservoir for consumptive purposes. The licensees and the Susquehanna River Basin Commission are concerned that the combination of continued drought, the minimum flow requirement, and the City's withdrawals will negatively impact the water levels in the Conowingo reservoir. Depending on its extent, a drawdown could impact generating capacity for system emergencies and recreation on the reservoir, as well as energy production of the Muddy Run Pumped Storage Project and the Peach Bottom Atomic Power Station.

To ensure their ability to maintain the elevation of the Conowingo reservoir, the licensees are requesting a variance of their minimum flow requirement to: (1) count leakage at the dam (about 800 cfs) towards the required minimum flow; and (2) subtract up to 240 cfs from their minimum flow requirement to compensate for consumptive losses from the reservoir to the City of Baltimore (up to 225 cfs) and the City of Chester (up

to 15 cfs). As of August 5, 1999, a 240 cfs variance equals about 8% of the required flow release.

The licensees are requesting the minimum flow variance for the duration of the consumptive water withdrawal period, which is uncertain at this time. The noticing of the request for this longer-term period does not preclude the Commission from approving a variance for an interim period.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 208-1371. This filing may be viewed on <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance) A copy is also available for inspection and reproduction at the address in item h above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

*Protests or Motions to Intervene—* Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests 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 protests or motions to intervene must be received on or before the specified deadline date for the particular application.

*Filing and Service of Responsive Documents—* Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

*Agency Comments—* Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for

filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 99-20984 Filed 8-12-99; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Request for Motions To Intervene and Protests

August 9, 1999.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection. This is a reissuance of the notice issued on January 28, 1999.

a. *Type of Application:* Preliminary Permit.

b. *Project No.:* P-11652-000.

c. *Date filed:* December 28, 1998, and revised on March 26, 1999.

d. *Applicant:* Universal Electric Power Corp.

e. *Name of Project:* Muskingum L&D #7 Hydroelectric Project.

f. *Location:* At the existing Muskingum Lock and Dam #7, which is owned by the Ohio Department of Natural Resources, Division of Parks and Recreation, on the Muskingum River, near the Town of McConnelsville, Morgan County, Ohio.

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

h. *Applicant Contact:* Mr. Ronald S. Feltenberger, Universal Electric Power Corp., 1145 Highbrook Street, Akron, Ohio 44301, (330) 535-7115.

i. *FERC Contact:* Susan Tseng (202) 219-2798 or e-mail address at [susan.tseng@FERC.fed.us](mailto:susan.tseng@FERC.fed.us).

j. *Comment Date:* 30 days from the issuance date of this notice.

k. *Description of Project:* The proposed project would consist of the following facilities: (1) the existing Muskingum Lock and Dam #7 with a storage of 2,999 acre-feet and a surface area of 442 acres at an upstream pool elevation of 650.15 feet m.s.l.; (2) a powerhouse downstream of the dam having an installed capacity of 3,140 kilowatts; (3) a new transmission line; and (4) appurtenant facilities. The proposed average annual generation is estimated to be 20 gigawatt hours. The cost of the studies under the permit will not exceed \$1,500,000.

m. *Available Locations of Application:* A copy of the application