

motions to intervene or protests sent by e-mail; these documents must be filed as described below.

j. *Deadline for filing comments, motions to intervene, and protests:* 14 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments, protests and interventions may be filed electronically via the internet in lieu of paper. 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.

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. *Description of Filing:* Grant proposes to continue testing the use of a temporary overflow spill gate for passing juvenile salmon and steelhead downstream of Wanapum dam. The overflow spill gate is a bulkhead-type steel structure measuring 57 feet wide and 79 feet high. Flow through the overflow spill gate would be controlled by the forebay elevation and a weir structure and test flows would range up to 11,000 cubic feet per second (cfs). In an environmental assessment issued in March 1996, the Commission evaluated the environmental effects of the temporary overflow spill gate for providing fish passage at Wanapum dam. In orders dated March 29, 1996, and June 20, 1997, the Commission approved the testing of this device. Both orders required Grant to file any plans for additional testing with the Commission for approval. The immediate amendment application requests approval for continued testing of the temporary overflow spill gate with minor modifications, including removal of three vertical partitions, increasing the test flows from approximately 5,000 cubic feet per second (cfs) to 11,000 cfs, and controlling flow with a weir rather than the tainter gate. Comments on the Amendment of License are due on the date listed in item j above.

l. A copy of the application is available for inspection and reproduction at the Commission's

Public Reference Room at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 208-1371. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance).

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

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, 385.211, 385.214. 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.

Any filings must bear in all capital letters the title "COMMENTS," "PROTEST," or "MOTION TO INTERVENE," as applicable, and the Project Number of the particular application to which the filing refers. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

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.

**Magalie R. Salas,**  
Secretary.

[FR Doc. 02-4603 Filed 2-26-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

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

February 21, 2002.

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

a. *Application Type:* Request for Continued Temporary Variance.

b. *Project No:* 2727-070.

c. *Date Filed:* January 30, 2002.

d. *Applicant:* PPL Maine, LLC.

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

f. *Location:* The project is located on the Union River in Hancock County, Maine.

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

h. *Applicant Contact:* Scott D. Hall, PPL Maine, LLC, Davenport Street, Milford, ME 04461-0276, (207) 827-2247.

i. *FERC Contact:* Any questions on this notice should be addressed to Mr. Erich Gaedeke at (202) 208-0777, or e-mail address: [erich.gaedeke@ferc.fed.us](mailto:erich.gaedeke@ferc.fed.us).

j. *Deadline for filing comments and or motions:* March 9, 2002.

All documents (original and seven copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington DC 20426. Please include the project number (P-2727-070) on any comments or motions filed.

k. *Description of Request:* The licensee is requesting to extend the temporary variance to the minimum flow requirements of article 401 of its license for the Ellsworth Hydroelectric Project until May 1, 2002. The licensee is concerned that as a result of the continuation of extraordinary low inflows to Graham Lake storage reservoir, releasing the current required minimum flows will jeopardize maintenance of the lake level above the lowest elevation of the Project's operating rule curve, as well as having enough water to satisfy additional flows in May and June. As a result, the licensee plans to continue minimum flow releases of 50 cubic feet per second (cfs) instead of the required minimum flow release of 105 cfs under article 401. The licensee has consulted with the various resource agencies regarding the temporary minimum flow modification.

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 also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (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.

n. 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, 385.211, 385.214. 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.

o. 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. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. 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.

q. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. 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.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. 02-4604 Filed 2-26-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted for Filing and Soliciting Motions to Intervene, Protests, and Comments

February 21, 2002.

Take notice that the following hydroelectric application has been filed

with the Commission and is available for public inspection:

a. *Type of Application:* Preliminary Permit.

b. *Project No.:* 12141-000.

c. *Date filed:* January 2, 2002.

d. *Applicant:* Energy Recycling Company.

e. *Name of Project:* Klamath County Water Power Project.

f. *Location:* In Klamath County, Oregon, partially in Bureau of Land Management lands. T39S, R11E (sections 35 and 36), T39S, R12E (sections 19, 20, 30, and 31), T40S, R12E (sections 1, 2, 11, 12, 13, 14, 24, 25, and 26), T40S, R13E (section 6).

g. *Filed Pursuant to:* Federal Power Act, 16 USC 791(a)—825(r).

h. *Applicant Contact:* Mr. Douglas Spaulding, Energy Recycling Company, 1433 Utica Ave. South, Suite 162, Minneapolis, MN 55416, phone (952) 544-8133.

i. *FERC Contact:* Robert Bell, (202) 219-2806.

j. *Deadline for filing motions to intervene, protests and comments:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site under the "e-Filing" link. Please include the project number (P-12141-000) on any comments or motions filed.

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervener 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. *Description of Project:* The proposed pumped storage project would consist of the following new facilities: (1) An upper reservoir with a maximum storage capacity of 14,300 acre-feet and an area of 199 acres at maximum normal water surface elevation of 5,523 feet above mean sea level (msl), impounded by two earth and rock fill embankments, 178 and 50-foot-high, respectively, with a crest elevation of 5,533 feet msl; (2) a 24-foot-diameter, 1,326-foot-long vertical shaft; (3) a 24-foot-diameter, 3,200-foot-long concrete-lined tunnel;

(4) four 12-foot-diameter, 355-foot-long, steel-lined penstocks; (5) a powerhouse with four 250-megawatt pump/turbines; (6) a 1,500-foot-long by 38-foot-wide D-shaped tailrace tunnel; (7) a lower reservoir with a maximum storage capacity of 16,900 acre-feet and an area of 405 acres at maximum water surface elevation of 4,191 feet msl, impounded by a 49-foot-high earth and rockfill embankment, with a crest elevation of 4,200 feet msl; (8) a 4-mile-long, 500-kilovolt transmission line connecting the project to Captain Jack substation; and (9) other appurtenances. The project would operate as a closed system using water obtained from groundwater sources.

The project would have an annual generation of 1,576.8 GWh that would be sold to a local utility.

l. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket#" and follow the instructions (call 202-208-2222 for assistance).

m. 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.

n. 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 development 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.

o. 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