

spectrum. In the case of the 1710–1755 MHz band, this involved moving Federal systems completely out of the allocated band. It is possible, however, that technological advances or more spectrum-efficient techniques, if implemented across all Federal agencies or entire services, may permit increased consolidation or sharing among Federal agencies. This, in turn, could result in release of additional spectrum that could be auctioned for commercial services. Under this approach the Federal users might still remain in the band. Could this approach result in the potential for increased opportunities to accommodate new commercial services? Are there other approaches to accommodating new commercial services in bands used by the Federal government?

#### *e. Urban versus Rural Relocation*

Federal policies favor nationwide availability of advanced services.<sup>70</sup> Advanced wireless industry efforts to transition agencies thus far, however, appear to have concentrated on populated areas. To date, agencies in remote areas for the most part have been able to accommodate buildouts through the coordination process.<sup>71</sup> In the future, should Federal/non-Federal sharing in remote regions substitute for outright reallocation? How would continued Federal use hinder commercial deployment in remote areas?

Dated: June 30, 2009.

**Anna M. Gomez,**

*Deputy Assistant Secretary for  
Communications and Information.*

[FR Doc. E9–15870 Filed 7–6–09; 8:45 am]

**BILLING CODE 3510–60–S**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 3633–037]

#### **Alternative Energy Associates Limited Partnership; KC Brighton LLC; Notice of Application for Transfer of License, and Soliciting Comments, Motions To Intervene, and Protests**

June 26, 2009.

On June 8, 2009, Alternative Energy Associates Limited Partnership (Transferor) and KC Brighton LLC (Transferee) filed a joint application for transfer of license of the Brighton Dam Project. The Project is located on the Patuxent River in Howard and Montgomery Counties, Maryland.

Applicants seek Commission approval to transfer the license for Brighton Dam Project from Alternative Energy Associates Limited Partnership to KC Brighton LLC.

*Applicant Contact:* For Transferor, Alternative Energy Associates Limited Partnership, Barbara Exter, Alternative Energy Associates Limited Partnership, 123 Piano Drive, Newark, DE 19713–1984, telephone (302) 293–9544.

For Transferee, KC Brighton LLC, Kelly W. Sackheim, KC Brighton LLC, 5096 Cocoa Palm Way, Fair Oaks, CA 95628–519, telephone (916) 267–5937.

*FERC Contact:* Patricia W. Gillis, (202) 502–8735.

Deadline for filing comments, protests, and motions to intervene: 30 days from the issuance of this notice. Comments and motions to intervene may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P–3633–037) in the docket number field to access the document.

For assistance, call toll-free 1–866–208–3372.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9–15892 Filed 7–6–09; 8:45 am]

**BILLING CODE 6717–01–P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP09–433–000; PF09–4–000]

#### **Fayetteville Express Pipeline LLC; Notice of Application**

June 26, 2009.

Take notice that on June 15, 2009, Fayetteville Express Pipeline LLC (Fayetteville Express), 500 Dallas Street, Suite 1000, Houston, Texas 77002, filed an application in Docket No. CP09–433–000 pursuant to section 7(c) of the Natural Gas Act (NGA), and parts 157 and 284 of the Commission's regulations requesting: (1) Authorization to construct and operate a new approximately 185-mile, 42-inch natural gas pipeline located in Arkansas and Mississippi capable of transporting up to 2,000,000 Dth/day; (2) a blanket certificate authorizing Fayetteville Express to engage in certain self-implementing routine activities under part 157, subpart F, of the Commission's regulations; and (3) a blanket certificate authorizing Fayetteville Express to transport natural gas, on an open access and self-implementing basis, under part 284, subpart G of the Commission's regulations. Additionally, Fayetteville Express seeks approval of its proposed recourse rates, and *pro forma* tariff, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

Any questions regarding the applications should be directed to Ronald Brown, Vice President, Fayetteville Express Pipeline LLC, 500 Dallas Street, Suite 1000, Houston, Texas 77002; telephone: (713) 369–9290 or e-mail: [ronald\\_brown@kindermorgan.com](mailto:ronald_brown@kindermorgan.com).

The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site Web 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 at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or call toll-free, (886) 208–3676 or TTY, (202) 502–8659.

<sup>70</sup> See generally White House, Technology, "Drive Economic Growth and Solve National Problems by Deploying a 21st Century Infrastructure," available at [www.whitehouse.gov/issues/technology](http://www.whitehouse.gov/issues/technology); Press Release, NTIA, "Vilsack, Copps and Wade Kick Off American Recovery and Reinvestment Act's Broadband Initiative" (Mar. 10, 2009) available at [http://www.ntia.doc.gov/press/2009/BTOP\\_RFI\\_090310.pdf](http://www.ntia.doc.gov/press/2009/BTOP_RFI_090310.pdf).

<sup>71</sup> See generally *Second Annual Relocation Report*, supra note 5, at A–1 and n. 2 (USDA extensions of relocation time lines in remote areas did not impact commercial deployment).

On November 25, 2008, the Commission staff granted Fayetteville Express' request to utilize the Pre-Filing Process and assigned Docket No. PF09-4 to staff activities involved with the Fayetteville Express project. Now as of the filing of the June 15, 2009 application, the Pre-Filing Process for this project has ended. From this time forward, this proceeding will be conducted in Docket No. CP09-433-000, as noted in the caption of this Notice.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made in the proceeding with the Commission and must mail a copy to the applicant and to every other party. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commentors will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process.

Environmental commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the eFiling link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the eLibrary link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* July 17, 2009.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E9-15894 Filed 7-6-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

June 29, 2009.

Take notice that the Commission received the following electric rate filings:

*Docket Numbers:* ER97-3923-003.

*Applicants:* Infinite Energy, Inc.

*Description:* Order No 697

Compliance filing and request for Category I, Status of Infinite Energy, Inc.  
*Filed Date:* 06/26/2009.

*Accession Number:* 20090629-0108.

*Comment Date:* 5 p.m. Eastern Time on Friday, July 17, 2009.

*Docket Numbers:* ER00-586-008.

*Applicants:* Madison Gas and Electric Company.

*Description:* Madison Gas and Electric Company submits for filing its triennial market power update in support of its continued authority to sell electric

capacity, energy and ancillary services etc.

*Filed Date:* 06/25/2009.

*Accession Number:* 20090626-0093.

*Comment Date:* 5 p.m. Eastern Time on Monday, August 24, 2009.

*Docket Numbers:* ER00-3251-020; ER99-754-019.

*Applicants:* Exelon Generation Company, LLC, AmerGen Energy Company, LLC.

*Description:* Exelon Generation Co, LLC et al. submits an updated market power analysis.

*Filed Date:* 06/26/2009.

*Accession Number:* 20090629-0048.

*Comment Date:* 5 p.m. Eastern Time on Friday, July 17, 2009.

*Docket Numbers:* ER03-720-013; ER94-389-033.

*Applicants:* New Covert Generating Company, LLC, Tenaska Power Services Co.

*Description:* Updated Market Power Analysis of Tenaska Power Services Co., et al.

*Filed Date:* 06/26/2009.

*Accession Number:* 20090626-5136.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, August 25, 2009.

*Docket Numbers:* ER03-762-013; ER09-533-002.

*Applicants:* Alliant Energy Corporate Services, Inc.; Alliant Energy Neenah, LLC.

*Description:* Notice of change in status regarding market-based rates authority of Alliant Energy Corporate Services, Inc.

*Filed Date:* 06/29/2009.

*Accession Number:* 20090629-5077.

*Comment Date:* 5 p.m. Eastern Time on Monday, July 20, 2009.

*Docket Numbers:* ER04-944-007; ER00-2129-003; ER99-1801-012.

*Applicants:* Orion Power Midwest, L.P., RRI Energy Wholesale Generation, LLC, RRI Energy Solutions East, LLC.

*Description:* Triennial Report of RRI Central MBR Entities.

*Filed Date:* 06/26/2009.

*Accession Number:* 20090626-5193.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, August 25, 2009.

*Docket Numbers:* ER06-882-002.

*Applicants:* Bayside Power L.P.

*Description:* Bayside Power, LP submits its Order 697 Compliance Filing and Application for Category 1 status.

*Filed Date:* 06/24/2009.

*Accession Number:* 20090625-0104.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, July 15, 2009.

*Docket Numbers:* ER08-1252-003.

*Applicants:* Midwest Independent Transmission System Operator, Inc.

*Description:* Midwest Independent Transmission System Operator, Inc