

26. Minnesota Power & Light Company

[Docket No. ER97-2380-000]

Take notice that on April 1, 1997, Minnesota Power & Light Company (Minnesota Power), tendered for filing a Service Agreement for Non-Firm Point-to-Point Transmission Service (the Service Agreement) between Minnesota Power, as the transmission provider, and Minnesota Power, as the transmission customer, for service to the City of Virginia. Minnesota Power requests that the Service Agreement be made effective as of April 1, 1997.

Comment date: May 1, 1997, in accordance with Standard Paragraph E at the end of this notice.

27. Minnesota Power & Light Company

[Docket No. ER97-2381-000]

Take notice that on April 1, 1997, Minnesota Power & Light Company (Minnesota Power), tendered for filing a Service Agreement for Non-Firm Point-to-Point Transmission Service (the Service Agreement) between Minnesota Power, as the transmission provider, and Minnesota Power, as the transmission customer, for service to the City of Hibbing. Minnesota Power requests that the Service Agreement be made effective as of April 1, 1997.

Comment date: May 1, 1997, in accordance with Standard Paragraph E at the end of this notice.

28. Wisconsin Power and Light Company

[Docket No. ER97-2382-000]

Take notice that on April 2, 1997, Wisconsin Power and Light Company (WP&L), tendered for filing Form of Service Agreements for Customers who have signed WP&L's Final Order pro forma transmission tariff submitted in Docket No. OA96-20-000. The customers are Madison Gas and Electric Company, Wisconsin Public Service Corporation, and Electric Clearinghouse, Inc. The customers previously signed earlier versions of WP&L's transmission tariffs.

WP&L requests an effective date of July 9, 1996, and accordingly seeks waiver of the Commission's notice requirements. A copy of this filing has been served upon the Public Service Commission of Wisconsin.

Comment date: May 1, 1997, in accordance with Standard Paragraph E at the end of this notice.

29. New York State Electric & Gas Corporation

[Docket No. OA97-571-000]

Take notice that New York State Electric & Gas Corporation (NYSEG) on March 27, 1997, tendered for filing

pursuant to Section 206 of the Federal Power Act (FPA), Part 35 of the Federal Energy Regulatory Commission's (Commission) Regulations, 18 CFR Part 35, and in compliance with the Commission's Order 888-A, Order on Rehearing Docket Nos. RM95-8-001 and RM94-7-002, Promoting Wholesale Competition Through Open Access Non-discriminatory Transmission Services by Public Utilities; Recovery of Stranded Costs by Public Utilities and Transmitting Utilities, III FERC Stats. & Regs. ¶61,220 (Order No. 888-A), an Open Access Transmission Tariff (Tariff).

NYSEG served copies of the filing upon the persons listed on a service list submitted with its filing, including each of its existing wholesale transmission tariff customers and the New York State Public Service Commission.

Comment date: May 12, 1997, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,*Secretary.*

[FR Doc. 97-10715 Filed 4-24-97; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Project No. 135-008]****Portland General Electric Company; Notice of Availability of Environmental Assessment**

April 21, 1997.

An environmental assessment (EA) is available for public review. The EA is for an application to amend the license. The proposed amendment involves the reconfiguration of Dam B at Frog Lake.

The EA finds that approval of the application would not constitute a major federal action significantly affecting the quality of the human environment. Frog Lake is a forebay for the Oak Grove Project and is located in Clackamas County, Oregon.

The EA was written by staff in the Office of Hydropower Licensing, Federal Energy Regulatory Commission. Copies of the EA can be viewed at the Commission's Reference and Information Center, Room 1C-1, 888 First Street, NE., Washington, DC 20426. Copies can also be obtained by calling the project manager, Patti Pakkala at (202) 219-0025.

Lois D. Cashell,*Secretary.*

[FR Doc. 97-10745 Filed 4-24-97; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****[Project Nos. DI97-4-000, et al.]****Hydroelectric Applications [Paul R. Cheek, et al.]; Notice of Applications**

Take notice that the following hydroelectric applications have been filed with the Commission and are available for public inspection:

1 a. Type of Application: Declaration of Intention.

b. Docket No.: DI97-4-000.

c. Date Filed : February 28, 1997.

d. Applicant: Paul R. Cheek.

e. Name of Project: Cougar Creek Project.

f. Location: Cougar Creek, Clark County, Washington, SW¼ of Section 23 and NW½ of Section 26, T. 2 N., R. 4 E.

g. Filed Pursuant to: Section 23(b) of the Federal Power Act, 16 U.S.C. § 817(b).

h. Applicant Contact: Paul R. Cheek, POB 12133, Portland, OR 97212, (503) 335-6738.

i. FERC Contact: Hank Ecton, (202) 219-2678.

j. Comment Date: May 23, 1997

k. Description of Project: The proposed project will consist of: (1) A small screened catch-basin in Cougar Creek with a 4-inch diversion pipe directed to a submersible generator; (2) a 500-foot-long transmission line, leading to a series of batteries; (3) a 4-inch-diameter tailrace pipe to direct the flow back into Cougar Creek; and (4) appurtenant facilities.

When a Declaration of Intention is filed with the Federal Energy Regulatory Commission, the Federal Power Act

requires the Commission to investigate and determine if the interests of interstate or foreign commerce would be affected by the project. The Commission also determines whether the project: (1) Would be located on a navigable waterway; (2) would occupy or affect public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) if applicable, has involved or would involve any construction subsequent to 1935 that may have increased or would increase the project's head or generating capacity, or have otherwise significantly modified the project's pre-1935 design or operation.

l. Purpose of Project: All power produced will be stored in a series of batteries, with power to be consumed by local residence.

m. This notice also consists of the following standard paragraphs: B, C1, and D2.

2 a. Type of Application: Preliminary Permit.

b. Project No.: 11601-000.

c. Date filed: March 3, 1997.

d. Applicant: County of Arapahoe and Town of Parker, Colorado.

e. Name of Project: Upper Gunnison River Basin.

f. Location: On Lottis Creek, Willow Creek, Spring Creek, East River, Antero Reservoir, Dead Man Gulch, Brush Creek, Cement Creek, Texas Creek, Taylor River, Taylor Park Reservoir, and the proposed Union Park Reservoir, in Gunnison, Chaffee, and Park Counties, Colorado.

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

h. Applicant Contact: Karl F. Kumli, III, Krassa, Kumli & Madsen, LLC, 4888 Pearl East Circle, Suite 202W, Boulder, CO 80301.

i. FERC Contact: Mr. Héctor M. Pérez, (202) 219-2843.

j. Comment Date: June 10, 1997.

k. Description of Project: The pumped storage project would utilize the existing U.S. Bureau of Reclamation's Taylor Park Dam and Reservoir as lower reservoir and consist of:

(1) A new 450-foot-high dam at the upstream end of Union Canyon with a crest elevation of 10,072 feet mean sea level (msl) to create the Union Park Reservoir with a storage capacity of 900,000 acre-feet and a surface area of 4,340 acres at maximum normal water surface elevation of 10,052 feet msl to serve as upper reservoir for the project; (2) an 11-foot-diameter and 8,000-foot-long pressure concrete-lined and steel-lined penstock from the Union Park Reservoir to the Taylor Park Reservoir;

(3) a powerhouse with installed capacity of 60 megawatts located at or near the south shore of Taylor Park Reservoir; (4) an 11-foot-diameter and 2,000-foot-long concrete-lined tailrace; (5) a transmission line of approximately 38 miles long; and (6) other appurtenances.

l. This notice also consists of the following standard paragraphs: A5, A7, A9, A10, B, C, and D2.

3 a. Type of Application: Major New License.

b. Project Nos.: 2375 and 8277.

c. Applicants: International Paper Company and Otis Hydroelectric Company.

d. Name of Projects: Riley-Jay-Livemore Project and Otis Project.

e. Location: Androscoggin River, in the western portion of Central Maine, at the junction of Franklin, Androscoggin, and Oxford Counties.

f. Applicants Contact: Steve Groves, B-1, International Paper Company, Jay, ME 04239, 207-897-1389.

g. FERC Contact: Monte J. TerHaar, 202-219-2768.

h. International Paper Company mailed a copy of the PDEA and Draft License Application on all parties on March 28, 1997. The Commission received a copy of the PDEA and Draft License Application on April 1, 1997. Copies of these documents are available for review in International Paper's Public Reference Room at the Jordan Office, 99 Main Street, Jay, Maine.

i. As discussed in the Commission's April 27, 1995 letter to all parties, with this notice we are soliciting preliminary terms, conditions, and recommendations on the PDEA and comments on the Draft License Application.

j. All comments on the PDEA and Draft License Application should be sent to the address noted above in item (f) with one copy filed with the Commission at the following address: Federal Energy Regulatory Commission, 888 First Street, NE, Attn: Monte J. TerHaar, Mailstop HL-11.3, Washington, DC 20426.

All comments must include the project name and number and bear the heading "Preliminary Comments", "Preliminary Recommendations", "Preliminary Terms and Conditions", or "Preliminary Prescriptions". Any party interested in commenting must do so before Monday June 30, 1997.

4 a. Type of Application: Amendment of License.

b. Project No.: 503-019.

c. Dated filed: December 8, 1994.

d. Applicant: Idaho Power Company.

e. Name of Project: Swan Falls.

f. Location: The project is located on the Snake River, in Ada and Owyhee Counties, Idaho.

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

h. Applicant Contact: Laurel Heacock, Idaho Power Company, P.O. Box 70, Boise, ID 83707, (208) 388-2918.

i. FERC Contact: Jake H. Tung, (202) 219-2663.

j. Comment Date: May 28, 1997.

k. Description of Amendment: The licensee, Idaho Power Company, applied for an amendment of license to include a transmission line which was built in 1994. The as-built transmission line is approximately 5,160 feet long. The transmission line initiated from the switchyard and substation on the roof of new powerhouse travels northeasterly for approximately 700 feet and then shifts southwesterly for about 1,930 feet and continues easterly for 2,560 feet and finally ties to an existing transmission line.

l. This notice also consists of the following standard paragraphs: B, C1, and D2.

5 a. Type of Filing: Request to Amend to the 1993 Settlement Agreement Concerning the Development of Fish Passage Facilities at Safe Harbor, Holtwood, and York Haven Projects on the Susquehanna River, Pennsylvania.

b. Project Nos: 1888-015.

c. Date Filed: March 10, 1997.

d. Licensee: York Haven Power Company.

e. Name of Project: York Haven.

f. Location: The lower Susquehanna River in southeastern Pennsylvania: Lancaster, York, and Dauphin Counties.

g. Filed Pursuant to: The 1993 Settlement Agreement for the Development of Fish Passage Facilities at the Holtwood, Safe Harbor, and York Haven Projects on the Susquehanna River, approved by the Commission on June 30, 1994 (67 FERC ¶ 62,291).

h. Licensee Contact: Mr. William J. Madden, Jr., Winston and Strawn, 1400 L Street, N.W., Washington, DC 20005-3502, (202) 371-5700.

i. FERC Contact: Dr. John M. Mudre, (202) 219-1208.

j. Comment Date: May 27, 1997.

k. Description of Filing: The licensee for the York Haven Project requests Commission approval of its settlement agreement with the Pennsylvania Department of Environmental Protection, the Pennsylvania Fish and Boat Commission, the Maryland Department of Natural Resources, the U.S. Fish and Wildlife Service, and the Susquehanna River Basin Commission. The settlement agreement would amend the 1993 settlement agreement

concerning fish passage facilities at the project. Under the proposed agreement, the licensee would not construct a fish lift at the project's powerhouse, but would instead build a fish ladder at the west end of the East Channel Dam. The agreement contains provisions for studying the effectiveness of the facility. The agreement does not change the in-service date of the facility.

l. This notice also consists of the following standard paragraphs: B, C1, and D2.

6 a. Type of Application: Major Relicense (Tendered Notice).

b. Project No.: 2666-007.

c. Date filed: March 28, 1997.

d. Applicant: Bangor Hydro Electric Company.

e. Name of Project: Medway Hydroelectric Project.

f. Location: On the West Branch of the Penobscot River in Penobscot County, Maine.

g. Filed Pursuant to: Federal Power Act 16 USC §§ 791(a)-825(r).

h. Applicant Contact: Kathleen C. Billings, Director, Environmental Services & Compliance, Bangor Hydro Electric Company, 33 State Street, Bangor, Maine 04401, (207) 941-6636.

i. FERC Contact: David A. Turner at (202) 219-2844.

j. Description of Project: The existing project consists of: (1) A 120-acre reservoir with no usable storage; (2) the 343-foot-long Medway Dam; (3) a 64-foot-long forebay; (4) the Medway Powerhouse with an installed capacity of 3.44 MW; and (5) other appurtenances.

The applicant proposes to continue to operate the project in a run-of-river mode.

k. Under Section 4.32 (b)(7) of the Commission's regulations (18 CFR), if any resource agency, Indian Tribe, or person believes that the applicant should conduct an additional scientific study to form an adequate factual basis for a complete analysis of the application on its merits, they must file a request for the study with the Commission, not later than 60 days after the application is filed, and must serve a copy of the request on the applicant.

7a. Type of Application: New License for Major Project.

b. Project No.: 2687-014.

c. Date filed: December 20, 1993.

d. Applicant: Pacific Gas & Electric Company.

e. Name of Project: Pit 1 Project.

f. Location: On the Fall River and the Pit River, near the towns of Fall River Mills, McArthur, and Burney, in Shasta County, California.

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

h. Applicant Contact: Jim Holeman, Project Manager, Pacific Gas & Electric Company, Mail Code N11D, P.O. Box 770000, San Francisco, CA 94177, (415) 973-6891.

i. FERC Contact: Mr. Michael Henry, (503) 326-5858 ext. 224.

j. Deadline for comments: see attached paragraph D10.

k. Status of Environmental Analysis: This application is ready for environmental analysis at this time—see attached paragraph D10.

l. Description of Project: The project as licensed consists of: (1) A 15-foot-high concrete diversion structure, with a normal maximum water surface elevation of 3,305.1 feet, on the Fall River forming a small impoundment; (2) a 40-foot-high earthen dam, with a normal maximum water surface elevation of 3,304.8 feet, on the Fall River forming a 222-acre forebay impoundment; (3) an intake structure on each impoundment; (4) a 1,200-foot-long canal carrying water from each intake structure to a tunnel; (5) the 10,076-foot-long, 14-foot-high tunnel; (6) two 1,372-foot-long penstocks, with an inside diameter that varies from 10 feet 9 inches at the upper end to 8 feet at the lower end; (7) a powerhouse containing two generating units with a total installed capacity of 61 megawatts; (8) a 1,150-foot-long concrete and unlined tailrace canal returning water to the Pit River; and (9) appurtenant facilities.

m. Available Locations of Application: A copy of the application, as amended and supplemented, is available for inspection and reproduction at the Commission's Public Reference and Files Maintenance Branch, located at 888 First Street, NE., Washington, DC 20426, or by calling (202) 208-1371. A copy is also available for inspection and reproduction at the offices of Pacific Gas & Electric Company (see address above).

8 a. Type of filing: Notice of Intent to File An Application for a New License.

b. Project No.: 2312.

c. Date filed: March 28, 1997.

d. Submitted By: James River Paper Company, Inc., current licensee.

e. Name of Project: Great Works.

f. Location: On the West Branch of the Penobscot River, in the Town of Old Town, Penobscot County, Maine.

g. Filed Pursuant to: Section 15 of the Federal Power Act, 18 CFR 16.6 of the Commission's regulations.

h. Effective date of current license: April 1, 1962.

i. Expiration date of current license: March 31, 2002.

j. The project consists of: (1) A 20-foot-high, 777-foot-long rock-filled log

and plank dam with a 225-foot-long concrete and stone capped wing-section; (2) a reservoir; (3) a fishway; (4) a log sluice; (5) a spillway; (6) eleven operating sluice gates; (7) a powerhouse having eleven generating units with a total installed capacity of 7,655-kW; and (8) appurtenant facilities;

k. Pursuant to 18 CFR 16.7, information on the project is available at: James River Paper Company, Inc., Contact: Stan Higgins, Human Resources Office—Jameson Street, Old Town, Maine 04468, (207) 827-0620.

l. FERC contact: Charles T. Raabe (202) 219-2811.

m. Pursuant to 18 CFR 16.8, 16.9, and 16.10 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by March 31, 2000.

Standard Paragraphs

A5. 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.

A7. 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.

A9. 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.

A10. 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.

B. 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.

C. 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, NE., Washington, DC 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.

C1. 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, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. 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.

D10. Filing and Service of Responsive Documents—The application is ready for environmental analysis at this time, and the Commission is requesting comments, reply comments, recommendations, terms and conditions, and prescriptions.

The Commission directs, pursuant to Section 4.34(b) of the Regulations (see Order No. 533 issued May 8, 1991, 56 FR 23108, May 20, 1991) that all comments, recommendations, terms and conditions and prescriptions concerning the application be filed with the Commission within 60 days from the issuance date of this notice (June 10, 1997 for Project No. 2687-014). All reply comments must be filed with the Commission within 105 days from the date of this notice (July 25, 1997 for Project No. 2687-014).

Anyone may obtain an extension of time for these deadlines from the Commission only upon a showing of good cause or extraordinary circumstances in accordance with 18 CFR 385.2008.

All filings must (1) bear in all capital letters the title "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 submitting the filing; 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. Any of these documents must be filed

by providing the original and the number of copies required by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Project Review, Office of Hydropower Licensing, Federal Energy Regulatory Commission, at the above address. Each filing must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b), and 385.2010.

Dated: April 18, 1997, Washington, DC.

Lois D. Cashell,

Secretary.

[FR Doc. 97-10716 Filed 4-24-97; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Establishment of Performance Review Board: Names of Board Members

April 21, 1997.

Section 4314(c) of Title 5, United States Code requires that the Federal Energy Regulatory Commission (FERC) establish one or more Performance Review Boards to review, evaluate, and make final recommendations on performance appraisals assigned to members of the Senior Executive Service in the Commission. The Performance Review Board also makes written recommendations to the FERC Chair regarding Senior Executive Service performance bonuses, awards and performance-related activities.

Section 4314(c) of Title 5, United States Code requires that notices of appointment of Performance Review Board members be published in the **Federal Register**. The following persons have been appointed to serve on the Performance Review Board standing register for the Federal Energy Regulatory Commission:

Shelton M. Cannon
Kevin P. Madden
Christie L. McGue
Richard P. O'Neill
Rebecca F. Schaffer
Susan Tomasky

Lois D. Cashell,

Secretary.

[FR Doc. 97-10688 Filed 4-24-97; 8:45 am]

BILLING CODE 6717-01-M