

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket No. RP00-107-000]

**Williston Basin Interstate Pipeline
Company; Notice of Proposed
Changes in FERC Gas Tariffs**

December 3, 1999.

Take notice that on December 1, 1999, Williston Basin Interstate Pipeline Company (Williston Basin), tendered for filing revised tariff sheets to its FERC Gas Tariff, Second Revised Volume No. 1 and Original Volume No. 2 to become effective January 1, 2000.

Williston Basin states that the base tariff rates reflected on the proposed tariff sheets listed on Appendix A to the filing, are based on a cost of service for the twelve months ended July 31, 1999, as adjusted for changes which are known and measurable with reasonable accuracy during a nine month adjustment period ending April 30, 2000. Williston Basin further states that the proposed base tariff rates, when compared with the rates filed on November 12, 1999, in Docket Nos. RP92-236-000, *et al.*, are designed to produce an annual jurisdictional revenue increase of approximately \$13.4 million.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with section 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with section 154.210 of the Commission's Regulations. 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 proceedings. 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 in the Public Reference Room. This filing may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

Linwood A. Watson, Jr.,*Acting Secretary.*

[FR Doc. 99-31865 Filed 12-8-99; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission[Project No. 2232-383, North and South
Carolina]**Duke Energy Corporation; Notice of
Availability of Final Environmental
Assessment**

December 3, 1999.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR part 380 (Order No. 486, 52 FR 47910), the Office of Hydropower Licensing has prepared a final environmental assessment (FEA) for a proposal to grant an easement to Sailview Properties, LLC to construct and use commercial/residential piers and a community marina with a total of 186 boat slips. The proposed action would be located at the existing Sailview Subdivision in Catawba Springs Township along the western shoreline of Lake Norman near the intersection of NC State Road 1377 and NC State Road 1376 in Lincoln County, North Carolina.

The FEA is attached to a Commission order issued on November 30, 1999 for the above application. Copies of the FEA can be obtained by calling the Commission's Public Reference Room at (202) 208-1371. This filing may be viewed on <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance). In the FEA, staff concludes that approval of the licensee's proposal would not constitute a major Federal action significantly affecting the quality of the human environment. For further information, please contact the project manager, Brian Romanek at (202) 219-3076.

Linwood A. Watson, Jr.,*Acting Secretary.*

[FR Doc. 99-31841 Filed 12-8-99; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission**Notice of Application and Applicant
Prepared Environmental Assessment
Accepted for Filing; Requesting
Interventions and Protests;
Establishing Procedural Schedule and
Final Amendment Deadline;
Requesting Comments, Final Terms
and Conditions, Recommendations
and Prescriptions; Requesting Reply
Comments**

December 3, 1999.

Take notice that the following hydroelectric application has been filed with the Commission. An Applicant-Prepared Environmental Assessment (APEA) for the Upper Menominee River Basin Projects, which includes the project below, has been filed with the Commission. Both documents are available for public inspection.

a. *Type of Application:* Surrender of License.

b. *Project No.:* 2471-005.

c. *Date filed:* October 1, 1999.

d. *Applicant:* Wisconsin Electric Power Company (Wisconsin Electric).

e. *Name of Project:* Sturgeon.

f. *Location:* The project is located on the Sturgeon River, a tributary of the Menominee River, in Dickinson County, Michigan. The project does not utilize Federal or tribal lands.

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

h. *Applicant Contacts:* Ms. Rita L. Hayen, P.E., Project Manager, Hydro Licensing, Wisconsin Electric Power Company, 231 West Michigan Street, P.O. Box 2046, Milwaukee, WI 53201-2046, (414) 221-2413, rita.hayen@wepco.com or David K. Porter, Senior Vice President, Wisconsin Electric Power Company, 231 West Michigan Street, P.O. Box 2046, Milwaukee, WI 53201-2046, (414) 221-2500.

i. *FERC Contact:* Any questions on this notice should be addressed to Tom Papsidero at (202) 219-2715, or e-mail address: Thomas.Papsidero@ferc.fed.us.

j. *Deadline for filing motions to intervene, protests, comments, final terms and conditions, recommendations, and prescriptions:* 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 St. NE, Washington, DC 20426. Please include the project number (2471-005) on any filings.

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 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, the intervenor must also serve a copy of the document on that resource agency.

k. *Status of Environmental Analysis:* On March 25, 1996, the Director, Office of Hydropower Licensing, approved Wisconsin Electric's use of the Alternative Licensing Process. Scoping, pursuant to the National Environmental Policy Act of 1969 as amended, for the project was conducted through scoping documents issued in July 1996 and January 1997, and in public scoping meetings on September 16 and 17, 1996. The draft license application and APEA were distributed by the applicant for comment on October 20, 1998.

The Commission staff has reviewed the license application and APEA and has determined that the application is acceptable for processing and no additional information or studies are needed to prepare the Commission's environmental assessment. Comments as indicated above, are being requested from interested parties. The applicant will have 45 days following the end of this period to respond to those comments, or may elect to seek a waiver of this deadline.

l. *Description of Project:* The project consists of the following: (1) a 217-foot-long, 53-foot-high concrete arch dam, a 14-foot-wide pen stock intake, and a 7.5-foot-wide trash gate; (2) a reservoir of 248 acres; (3) a 240-foot-long, 7-foot-diameter tunnel which connects to a 48-foot-long, 7-foot-diameter penstock; (4) a 34-foot long by 21-foot-wide power house with an installed capacity of 800kW; (5) a transmission line connection; and (6) appurtenant facilities.

m. *Description of Action:* Wisconsin Electric requests to surrender the license for this constructed project for economic reasons and as an enhancement of river resources, as part of a negotiated settlement concerning resource management and power generation issues in the Upper Menominee River Basin. The licensee is also requesting an order directing the removal of the Sturgeon Project within seven years.

n. *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, N.E., Room

2A, Washington, DC 20426, or by calling (202) 208-1371. The application may be viewed on the web at www.ferc.fed.us. Call (202) 208-2222 for assistance. A copy is also available for inspection and reproduction at the address in item h above.

o. *Protests or Motions to Intervene—*Anyone may submit a protest or a motion to intervene in accordance with the requirements of the Rules of Practice and Procedures, 18 CFR 385.210, 385.211, 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 and APEA.

p. *Filing and Service of Responsive Documents—*The Commission is requesting comments, recommendations, terms and conditions, prescriptions, and reply comments.

The Commission directs, pursuant to 18 CFR 4.34(b) of the regulations, that all comments, recommendations, terms and conditions, and prescriptions concerning the application and APEA be filed with the Commission within 60 days from the issuance date of this notice. All reply comments must be filed with the Commission within 105 days from the date of this notice.

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.

q. All filings must: (1) bear in all capital letters the title "PROTEST," "MOTION TO INTERVENE," "COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," "PRESCRIPTIONS," or "REPLY COMMENTS;" (2) set forth in the heading the name of the applicant and the project number of the application and APEA 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 and APEA 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: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. An additional copy must be sent to: Director, Division of Licensing and Compliance, 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.

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

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.

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.

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. 99-31838 Filed 12-8-99; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2928]

Merrimac Paper Company Inc.; Notice of Authorization for Continued Project Operation

December 3, 1999.

On September 29, 1997, Merrimac Paper Company Inc., licensee for the Merrimac Project No. 2928, filed an application for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's regulations thereunder. Project No. 2928 is located along the South Canal on the Merrimack River within the City of Lawrence, Essex County, Massachusetts.

The license for Project No. 2928 was issued for a period ending November 30, 1999. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year to year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of Section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 2928 is issued to Merrimac Paper Company Inc. for a period effective December 1, 1999, through November 30, 2000, or until the issuance of a new license for the project or other disposition under

the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before November 30, 2000, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to Section 15 of the FPA, notice is hereby given that Merrimac Paper Company Inc. is authorized to continue operation of the Merrimac Project No. 2928 until such time as the Commission acts on its application for subsequent license.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99-31839 Filed 12-8-99; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

Regulations Governing Off-the-Record Communications; Public Notice

December 3, 1999.

This constitutes notice, in accordance with 18 CFR 385.2201(h), of the receipt of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or a prohibited off-the-record communication relevant to the merits of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such requests only when it determines that fairness so requires.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt and prohibited off-the-record communications received in the Office of the Secretary within the preceding 14 days. The documents may be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

Exempt

1. CP98-150-000 and CP98-151-000: 11/23/99, Jeff Shenot.

2. Project Nos. 2699 and 2019: 11/22/99, Don L. Klima.

3. Project No. 1962: 11/29/99, Robert J. Baiocchi.

4. CP99-94-000: 11/22/99, Carol Ann Reed.

5. CP98-150-000: 11/22/99, John Lacey.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 99-31866 Filed 12-8-99; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Western Area Power Administration

Applications for the 2005 Resource Pool Power Allocations, Central Valley Project

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of Extension.

SUMMARY: The Western Area Power Administration (Western), a Federal power marketing administration of DOE, published a Call for 2005 Resource Pool Applications in the **Federal Register** pursuant to the 2004 Power Marketing Plan (Marketing Plan) for the Sierra Nevada Customer Service Region (Sierra Nevada Region). This notice extends the filing date for applications for a percentage of the Sierra Nevada Region's 2005 Resource Pool by 30 days.

DATES: Entities interested in applying for an allocation of Western power must submit applications to Western's Sierra Nevada Customer Service Regional Office at the address below.

Applications must be received by 4 p.m., PST, on January 19, 2000. Applicants are encouraged to hand-deliver or use certified mail to deliver applications. Applications will be accepted via regular mail through the United States Postal Service if