

EL03-5-000 and ER02-1069-001; EL03-13-000 and ER02-2243-002, the refund effective date will be 60 days from the date on which this order is published in the **Federal Register**.

3. Other IA-Related Complaints

11. We will also partially grant the complaints filed by Wrightsville Power Facility, L.L.C. (Wrightsville Power) in Docket No. EL02-88-000 and by Kinder Morgan Michigan, LLC (Kinder Morgan) in Docket No. EL03-12-000. We find that, because the agreements at issue contain provisions that allow either party unilaterally to request changes to them under section 205 or 206 of the FPA, the just and reasonable standard applies, consistent with *Duke Hinds II*, and thus the agreements must be modified to be consistent with Commission policy. Accordingly, we will direct modifications to the IAs in these proceedings within 30 days of the date of this order.

12. In order to give maximum protection to consumers, we will establish the refund date at the earliest date allowed. For Docket No. EL02-88-000, because Wrightsville Power filed a complaint on its own motion, we will establish the refund date as July 19, 2002, 60 days after it filed the complaint. For Docket No. EL03-12-000, because Kinder Morgan filed a complaint on its own motion, we will establish the refund date as December 16, 2002, 60 days after it filed the complaint.

The Commission orders:

(A) The requests for rehearing in Docket Nos. ER02-1330-002, ER02-1472-001, ER02-1151-001, and ER02-1069-001 are hereby partially granted, as discussed in the body of this order.

(B) The request for rehearing in Docket No. ER02-2243-002 is hereby granted.

(C) The complaints filed by Wrightsville Power Facility, L.L.C. (Wrightsville Power) in Docket No. EL02-88-000 and by Kinder Morgan Michigan, LLC (Kinder Morgan) in Docket No. EL03-12-000 are hereby partially granted, as discussed in the body of this order.

(D) The transmission providers in the instant dockets are hereby directed to modify their IAs, as discussed in the body of this order, within 30 days of the date of this order.

(E) The Secretary shall promptly publish this order in the **Federal Register**.

(F) This order is hereby effective as discussed in the body of this order.

By the Commission.
Magalie R. Salas,
Secretary.
 [FR Doc. 03-3113 Filed 2-6-03; 8:45 am]
BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

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

January 31, 2003.

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.:* 12385-000

c. *Date filed:* October 3, 2002

d. *Applicant:* Universal Electric Power Corporation

e. *Name and Location of Project:* The Grenada Dam Hydroelectric Project would be located on the Yalobusha River in Grenada County, Mississippi. The project would utilize the U.S. Army Corps of Engineers' existing Grenada Dam and Reservoir.

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

g. *Applicant Contact:* Mr. Raymond Helter, Universal Electric Power Corporation, 1145 Highbrook Street, Akron, OH 44301, (330) 535-7115.

h. *FERC Contact:* James Hunter, (202) 502-6086.

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

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.

j. *Description of Project:* The proposed project, using the Corps' existing Grenada Dam and Reservoir, would consist of: (1) Two 80-foot-long, 96-inch-diameter steel penstocks, (2) a powerhouse containing five generating units with a total installed capacity of 12.75 megawatts, (3) a 3-mile-long, 14.7-kilovolt transmission line connecting to an existing substation, and (4) appurtenant facilities. The project

would have an average annual generation of 78 gigawatthours.

k. This filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail ferconlineSupport@ferc.gov. For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item g. above.

l. *Competing 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.

m. *Competing Development Application—* 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.

n. *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.

o. *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.

p. 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.

q. 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", 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 an original and eight copies to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, 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.

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. The Commission strongly encourages electronic filings. Please include the project number (P-12385-000) on any comments or motions filed.

r. 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.

Magalie R. Salas,

Secretary.

[FR Doc. 03-3119 Filed 2-6-03; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6637-4]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 or <http://www.epa.gov/compliance/nepa>. Weekly receipt of Environmental Impact Statements filed January 27, 2003, through January 31, 2003, pursuant to 40 CFR 1506.9.

EIS No. 030046, DRAFT EIS, BLM, WY, South Powder River Basin Coal Project, Proposed Application for Leasing of Five Federal Coal Tracts: NARO North/South (North Antelope/Rochelle Mine Complex), Little Thunder (Black Thunder Mine) West Roundup (North Rochelle Mine) and West Antelope (Antelope Mine), Campbell and Converse Counties, WY, Comment Period Ends: April 08, 2003, Contact: Nancy Doelger (307) 261-7627.

This document is available on the Internet at: <http://www.wyblm.com>.

EIS No. 030047, DRAFT EIS, AFS, MI, Interior Wetlands Project, Proposal to Harvest Timber, Prune White Pine Trees, Adjust the Growth System, Create and Maintain Wildlife Openings and Improve Transportation System, Hiawatha National Forest, Eastside Administrative Unit, Chippewa County, MI, Comment Period Ends: April 08, 2003, Contact: Martha Sjogren (906) 643-7900.

This document is available on the Internet at: <http://www.fs.fed.us/r9/hiawatha>.

EIS No. 030048, DRAFT EIS, DOD, CA, AS, AK, HI, WA, Ground-Based Midcourse Defense (GMD) Extended Test Range (ETR) Project, Proposal to Construct and Operate Additional Launch and Test Facilities including the Sea Based X-Band Radar, Comment Period Ends: March 24, 2003, Contact: David Hasley (256) 955-4170.

Amended Notices

EIS No. 030034, DRAFT EIS, AFS, CA, Stream Fire Restoration Project, Implementation, Plumas National Forest, Mt. Hough Ranger District, Plumas County, CA, Comment Period

Ends: March 17, 2003, Contact: Rich Bednarski (530) 283-7641.

Revision of FR Notice Published on 1/31/2003: Correction to Telephone number.

Dated: February 4, 2003.

Joseph C. Montgomery,

Director, NEPA Compliance Division, Office of Federal Activities.

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6637-5]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 564-7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the **Federal Register** dated April 12, 2002 (67 FR 17992).

Draft EISs

ERP No. D-AFS-F65034-WI Rating LO, Northwest Howell Project, Timber Harvest, Wildlife Openings Maintenance, Aspen and Jack Pine Types Regeneration, Hardwood and Conifer Tree Seedlings Protection, Lakes Habitat Improvements and Transportation System Development, Eagle-Florence District, Chequamegon-Nicolet National Forest, Forest and Florence Counties, WI.

Summary: EPA has no objections to this vegetation management plan since the design features in the project should function to avoid and reduce potential impacts.

ERP No. D-AFS-F65035-WI Rating LO, Cayuga Project Area, Various Resource Management Projects, Chequamegon-Nicolet National Forest, Great Divide Ranger District, Ashland County, WI.

Summary: EPA has no objections to the preferred alternative, we believe Alternative 4 is environmentally preferable because of its emphasis on long-term ecosystem health over the desires of forest resource consumers.

ERP No. D-AFS-G65085-NM Rating EC2, Sacramento, Dry Canyon and Davis Grazing Allotments, Authorization of Livestock Grazing Activities, Lincoln