

Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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*Comment Date:* 5 p.m. Eastern Time on Tuesday, March 24, 2009.

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

[FR Doc. E9-5680 Filed 3-16-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP09-58-000]

#### Rockies Express Pipeline LLC; Notice of Intent To Prepare an Environmental Assessment for the Proposed Meeker to Cheyenne Expansion Project and Request for Comments on Environmental Issues

March 10, 2009.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Meeker to Cheyenne Expansion Project involving construction and operation of facilities by Rockies Express Pipeline LLC (REX) in Moffat County, Colorado, and Carbon County, Wyoming. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

This Notice of Intent (NOI) announces the opening of the scoping process we will use to gather input from the public and interested agencies on the project. Your input will help the Commission staff determine which issues need to be evaluated in the EA. Please note that the scoping period will close on April 9, 2009.

This notice is being sent to landowners of property within 2.5 mile of the Big Hole and Arlington Compressor Stations; Federal, State, and local government representatives and

agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. State and local government representatives are asked to notify their constituents of this planned project and encourage them to comment on their areas of concern.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" is available for viewing on the FERC Internet Web site (<http://www.ferc.gov>). This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

#### Summary of the Proposed Project

REX proposes to design, construct, and maintain (a) a new 17,500-horsepower (hp) electric-driven compressor unit at the existing Arlington Compressor Station in Carbon County, Wyoming; and (b) a new 20,500-hp gas-fired compressor unit at the existing Big Hole Compressor Station in Moffat County, Colorado.

Carbon Power and Light, Inc. (CP&L) would construct a 230-kilovolt electric transmission line about three (3) miles long to serve the electric compressor units at the Arlington Compressor Station. The proposed transmission line would begin at the Foot Creek Substation and follow a route to the southwest along Wyoming State Highway 13 to CP&L's planned Arlington substation site adjacent to the Arlington Compressor Station.<sup>1</sup>

The additional compression expansion would provide an additional 200,000 dekatherms per day (Dth/day) of natural gas from the Meeker Hub northward to the Wamsutter Hub and continuing eastward to the Cheyenne Hub as a result of a "ramp-up" contractual agreement with EnCana Marketing USA. If approved, REX proposes to commence construction of the proposed facilities in July 2010.

The general location map of REX's Meeker to Cheyenne Expansion Project and CP&L's facilities are shown in Appendix 1.<sup>2</sup>

<sup>1</sup> This NOI is also being sent to affected landowners along the planned CP&L non-jurisdictional transmission line.

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies of all appendices, other than appendix 1 (maps) are available on the Commissions Web site at the "eLibrary" link or from the Commission's Public Reference Room, 888 First Street, NE., Washington, DC 20426, or call (202) 502-8371. For instruction on connecting to eLibrary, refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

#### Land Requirements for Construction

Construction of the compressor station expansions would occur completely within the fenced property boundaries of the existing 19.4-acre Big Hole and 10.8-acre Arlington Compressor Stations. Land required for operation of the new compressor units would be 0.7 acre within the existing compressor station sites. Existing public roads would be used to access the facilities.

CP&L's planned transmission line would be about 4.2 miles long with a 150-foot wide right of way (ROW). Support structures would be "H-Frame" wooden poles which would be placed every 650 feet apart for a total of about 34 structures. Land disturbance during construction would be approximately 2800 square feet per structure. At each structure there would be a 100-foot by 100-foot area that would be permanently cleared of trees or shrubbery.

#### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. This process is referred to as "scoping." The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this NOI, the Commission staff requests public comments on the scope of the issues to address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

In the EA we<sup>3</sup> will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils.
- Land use.
- Water resources, fisheries, and wetlands.
- Cultural resources.
- Vegetation and wildlife.
- Air quality and noise.
- Endangered and threatened species.
- Public safety.

We will also evaluate possible alternatives to the proposed project or

<sup>3</sup> "We," "us," and "our" refer to the environmental staff of the Office of Energy Projects (OEP).

portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to federal, state, and local agencies; public interest groups; interested individuals; affected landowners; newspapers; libraries; and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission. To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the Meeker to Cheyenne Expansion Project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send in your comments so that they will be received in Washington, DC on or before April 9, 2009.

For your convenience, there are three methods in which you can use to submit your comments to the Commission. In all instances please reference the project docket number CP09-58-000 with your submission. The docket number can be found on the front of this notice. The Commission encourages electronic filing of comments and has dedicated eFiling expert staff available to assist you at 202-502-8258 or [efiling@ferc.gov](mailto:efiling@ferc.gov).

(1) You may file your comments electronically by using the *Quick Comment* feature, which is located on the Commission's Internet Web site at <http://www.ferc.gov> under the link to *Documents and Filings*. A Quick Comment is an easy method for interested persons to submit text-only comments on a project;

(2) You may file your comments electronically by using the *eFiling* feature, which is located on the Commission's Internet website at <http://www.ferc.gov> under the link to *Documents and Filings*. eFiling involves preparing your submission in the same manner as you would if filing on paper, and then saving the file on your computer's hard drive. You will attach

that file as your submission. New eFiling users must first create an account by clicking on "*Sign up*" or "*eRegister*." You will be asked to select the type of filing you are making. A comment on a particular project is considered a "Comment on a Filing;" or

(3) You may file your comments via mail to the Commission by sending an original and two copies of your letter to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1A, Washington, DC 20426.

Label one copy of the comments for the attention of Gas Branch 1, PJ11.1.

### Environmental Mailing List

An effort is being made to send this notice to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project. This includes all landowners who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within distances defined in the Commission's regulations of certain aboveground facilities.

If you do not want to send comments at this time but still want to remain on our mailing list, please return the Information Request (Appendix 2). If you do not return the Information Request, you will be taken off the mailing list.

### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an "intervenor," which is an official party to the proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in a Commission proceeding by filing a request to intervene. Instructions for becoming an intervenor are included in the User's Guide under the "e-filing" link on the Commission's Internet Web site.

### Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site (<http://www.ferc.gov>) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov)

or toll free at 1-866-208-3676, or for TTY, contact (202)502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries and direct links to the documents. Go to <http://www.ferc.gov/esubscribenow.htm>.

Finally, public meetings or site visits will be posted on the Commission's calendar located at <http://www.ferc.gov/EventCalendar/EventsList.aspx> along with other related information.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

### Records Governing Off-the-Record Communications; Public Notice

March 10, 2009.

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

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

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a 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