

must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: May 9, 2012.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2012-11737 Filed 5-15-12; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[ Docket No. CP12-455-000]

#### Pivotal Utility Holdings, Inc. d/b/a Elkton Gas; Notice of Application

Take notice that on May 4, 2012, Pivotal Utility Holdings, Inc. d/b/a Elkton Gas (Elkton Gas), 125 B East High Street, Elkton, Maryland 21921, filed an abbreviated application pursuant to Section 7(f) of the Natural Gas Act (NGA) and Part 157 of the Commission's Regulations seeking a service area determination to include 744 feet of pipe and appurtenant facilities extended from Maryland border into Delaware. Elkton Gas also requests: (i) A finding that Elkton Gas continues to qualify as a local distribution company (LDC) in Maryland, for purposes of section 311 of the Natural Gas Policy Act of 1978 (NGPA); and (ii) a waiver of the Commission's accounting and reporting requirements and other regulatory requirements ordinarily applicable to natural gas companies under the NGA and NGPA. The filing may also be viewed on the 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.

In early 2012, Elkton Gas has determined that its Maryland LDC system includes 744 feet of pipe and appurtenant facilities crossing Maryland/Delaware border in order to reach a gate station owned and operated by Eastern Shore Natural Gas Company (Eastern Shore), known as the North Gate Station. Elkton Gas does not provide service in Delaware and is not subject to regulation by the Delaware Public Service Commission. Elkton Gas

does not contemplate any changes in its operations as a result of this change in regulatory status. The purpose of owning facilities in Delaware is to bring gas to Maryland to serve Elkton Gas' customers in Maryland.

Any questions regarding this application should be directed to Shannon Pierce, Senior Counsel, AGL Resources Inc., Ten Peachtree Place, Suite 1000, Atlanta, GA 30309; phone number (404) 584-3394; or email: [spierce@aglresources.com](mailto:spierce@aglresources.com).

Any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the below listed comment date, 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 original and 7 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

Motions to intervene, protests and comments 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.

*Comment Date:* 5:00 p.m. Eastern Time on May 31, 2012.

Dated: May 10, 2012.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2012-11828 Filed 5-15-12; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13011-003]

#### Shelbyville Hydro LLC; Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Major License.

b. *Project No.:* 13011-003.

c. *Date filed:* October 28, 2011.

d. *Applicant:* Shelbyville Hydro LLC (Shelbyville Hydro), a wholly-owned subsidiary of Symbiotics LLC.

e. *Name of Project:* Lake Shelbyville Dam Hydroelectric Project.

f. *Location:* On the Kaskaskia River, in Shelby County, Illinois at an existing dam owned and operated by the U.S. Corps of Engineers (Corps). The project would occupy 3.24 acres of federal lands managed by the Corps.

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

h. *Applicant Contact:* Mr. Brent L. Smith, Chief Operating Officer, Symbiotics LLC, 371 Upper Terrace, Suite 2, Bend, OR 97702; Telephone (541)-330-8779.

i. *FERC Contact:* Lesley Kordella, (202) 502-6406 or

[Lesley.Kordella@ferc.gov](mailto:Lesley.Kordella@ferc.gov).

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

All documents may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. 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, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The Commission's Rules of Practice and Procedures require all intervenors filing documents with the Commission to serve a copy of that document on each person 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, they must also serve a copy of the document on that resource agency.

k. This application has been accepted for filing, but is not ready for environmental analysis at this time.

l. *Project Description:* The project would be located at an existing dam owned and operated by the Corps (St.

Louis District). The existing Lake Shelbyville Dam was constructed in 1963 for the purposes of flood control, recreation development, water supply, navigation release, and fish and wildlife conservation. In August of 1970, the Corps closed the gates to start the initial filling of the lake. The West Okaw and Kaskaskia rivers were inundated for 17 miles upstream of the dam.

The Lake Shelbyville Dam is an earthen embankment with an elevation of 643 feet above mean sea level (MSL). The dam is 3,025 feet long and rises 108 feet above the river bed. The concrete spillway is located at 593 feet MSL and is topped by three Tainter gates that are approximately 45-feet-wide by 37-feet-high. The two regulating outlet structures release water through the face of the spillway. The impoundment above the Lake Shelbyville Dam, referred to as Lake Shelbyville, varies according to flood control operations controlled by the Corps. Lake Shelbyville has a maximum storage capacity of 684,000 acre-feet. Of the 684,000 acre-feet of storage, 474,000 acre-feet have been designated for flood control. The average depth of the reservoir is 16 feet and the maximum is 67 feet.

The proposed Lake Shelbyville Project would consist of: (1) A trash rack with 4-inch spacing integrated into the Corps' existing west intake structure; (2) a steel liner installed in the Corps' existing west outlet chamber transitioning to a bifurcation; (3) a 13-foot-diameter bifurcation and a river release valve installed at the west outlet structure; (4) a 13-foot-diameter penstock at the bifurcation after which it reduces to a 12-foot-diameter, 570-foot-long steel penstock; (5) a 60-foot-long, 40-foot-wide, 68.5-foot-high reinforced concrete powerhouse containing a 6.8-megawatt Kaplan turbine-generator with a flow of 130 to 1,500 cubic feet per second (cfs) at a net head of 33 to 77 feet; (6) an approximately 25-foot-wide, 25-foot-long draft tube; (7) a 25 to 105-foot-wide, 49-foot-long tailrace; (8) a 12.47-kilovolt, 407-foot-long buried transmission line connecting the project to an existing Shelby Electric Cooperative substation located 900 feet downstream of the dam; and (9) appurtenant facilities. The project boundary would include 3.24 acres of Federal lands owned by the Corps. The annual average energy production is estimated to be 20.3 gigawatt-hours.

The project would operate in a run-of-release mode utilizing releases from Lake Shelbyville as they are dictated by the Corps, with no proposed change to the Corps' facility operation. Power

generation would be seasonally variable as flow regimens and pool levels are set forth by the Corps. The project would generate power using flows between 130 and 1,500 cfs. When flows are below 130 cfs, all flows would be passed through the Corps' existing outlet structure and the project would then be offline. When flows are greater than 1,500 cfs, excess flow would be passed through the existing outlet structure.

m. *Scoping*: Commission staff completed the scoping process for the proposed project, including a site visit and public meeting, by letter issued on March 12, 2010. Commission staff does not intend to conduct additional scoping.

n. A copy of the application 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 "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support. A copy is also available for inspection and reproduction at the address in item h above.

You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. Any qualified applicant desiring to file a competing application must submit to the Commission, on or before the specified intervention deadline date, a competing development application, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing development application no later than 120 days after the specified intervention deadline date. Applications for preliminary permits will not be accepted in response to this notice.

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 a development application. A notice of intent must be served on the applicant(s) named in this public notice.

Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 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.

When the application is ready for environmental analysis, the Commission will issue a public notice requesting comments, recommendations, terms and conditions, or prescriptions.

All filings must (1) bear in all capital letters the title "PROTEST" or "MOTION TO INTERVENE," "NOTICE OF INTENT TO FILE COMPETING APPLICATION," or "COMPETING APPLICATION;" (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 protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

Dated: May 10, 2012.

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

[FR Doc. 2012-11837 Filed 5-15-12; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP12-285-000]

#### Southern Star Central Gas Pipeline, Inc.; Notice of Application

Take notice that on April 27, 2012, Southern Star Central Gas Pipeline, Inc. (Southern Star), 4700 Highway 56, Owensboro, Kentucky 42304, filed in Docket No. CP12-285-000 an application pursuant to section 7 of the Natural Gas Act (NGA), as amended, for authorization to expand the existing certificated boundary and buffer zone by 160 acres at Southern Star's existing McLouth Gas Storage Field in Jefferson and Leavenworth Counties, Kansas, 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 David N. Roberts, Staff Analyst, Regulatory Affairs, Southern Star Central Gas Pipeline, Inc. (Southern Star), 4700 Highway 56, Owensboro, Kentucky 42304, or call at 270-852-4654.