

this filing, with attachments, upon all Midwest ISO Members, Member representatives of Transmission Owners and Non-Transmission Owners, as well as all State commissions within the region. In addition, the filing has been electronically posted on the Midwest ISO's Web site at [www.midwestiso.org](http://www.midwestiso.org) under the heading Filings to FERC for other interested parties in this matter. The Midwest ISO will provide hard copies to any interested parties upon request.

*Comment Date:* April 5, 2004.

#### Standard Paragraph

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's rules of practice and procedure (18 CFR 385.211 and 385.214). 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. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. This filing is available for review at 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 filed to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. 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.

Magalie R. Salas,  
Secretary.

[FR Doc. E4-664 Filed 3-24-04; 8:45 am]

BILLING CODE 6717-01-P

#### DEPARTMENT OF ENERGY

#### Federal Energy Regulatory Commission

#### Notice of Application for Surrender of Exemption and Soliciting Comments, Motions To Intervene, and Protests

March 18, 2004.

Take notice that the following hydroelectric application has been filed

with the Commission and is available for public inspection:

- a. *Application Type:* Surrender of exemption (5 MW or less).
- b. *Project No.:* 8486-001.
- c. *Date Filed:* March 5, 2004.
- d. *Applicant:* The Simeon Company.
- e. *Name of Project:* Union Village Dam.
- f. *Location:* Located on the Branch River, in Carroll County, New Hampshire.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicant Contact:* Dennis P. Strozzi, The Simeon Company, 76 Westbury Park Road, Watertown, Connecticut 06795-0400, (203) 945-4225.
- i. *FERC Contact:* Brittany Schoenen, (202) 502-6097.
- j. *Deadline for Filing Responsive Documents:* 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, motions to intervene, protests, and recommendations for terms and conditions concerning the application be filed with the Commission by April 19, 2004.

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.

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.

k. *Description of Proposed Action:* The existing project consists of: (1) A 15-foot-high, 112-foot-long stone masonry and concrete dam; (2) a 2-acre reservoir; (3) an 80-foot-wide uncontrolled spillway with 2-foot-high flashboards; (4) a 4-foot-diameter, 10-foot-long underground steel penstock; (5) a 75-kW turbine-generator; and (6) appurtenant facilities. The licensee would like to surrender its exemption and cease operation of the facility.

l. *Locations of Application:* A copy of the application is available for inspection and reproduction at the Commission in the Public Reference Room, located at 888 First Street NE.,

Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number, here P-6429, in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

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

n. *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.

o. *Filing and Service of Responsive Documents*—Any filings must bear in all capital letters the title "COMMENTS," "REPLY 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 eight copies to: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to the Director, Division of Hydropower Administration and Compliance, Federal Energy Regulatory Commission, at the above-mentioned address. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. *Agency Comments*—Federal, State, and local agencies are invited to file comments on the described applications. A copy of the applications may be obtained by agencies directly from the Applicant. If any 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. E4-663 Filed 3-24-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2004-075]

#### Holyoke Gas & Electric Department; Notice of Settlement Agreement and Soliciting Comments

March 19, 2004.

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

a. *Type of Application:* Settlement agreement.

b. *Project No.:* 2004-075.

c. *Date Filed:* March 12, 2004.

d. *Applicant:* The City of Holyoke Gas & Electric Department.

e. *Name of Project:* Holyoke Hydroelectric Project.

f. *Location:* Located on the Connecticut River in Hampden, Hampshire, and Franklin Counties, Massachusetts. No Federal lands are occupied by the project works or located with the project boundary.

g. *Filed Pursuant to:* Rule 602 of the Commission's rules of practice and procedure, 18 CFR 385.602.

h. *Applicant Contact:* Mr. Paul S. Duchene, Superintendent of Hydro Operations, City of Holyoke Gas & Electric Department, 99 Suffolk Street, Holyoke, MA 01040; (413) 536-9300.

i. *FERC Contact:* Allan Creamer at (202) 502-8365, or by e-mail at [allan.creamer@ferc.gov](mailto:allan.creamer@ferc.gov).

j. *Deadline for Filing Comments:* The deadline for filing comments on the Settlement Agreement is 20 days from the date of this notice. The deadline for filing reply comments is 30 days from the date of this notice. All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The Commission's rules of practice 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.

Comments may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions of the Commission's Web site (<http://www.ferc.gov>) under the "e-filing" link. After logging into the e-Filing system, select "Comment on Filing" from the Filing Type Selection screen and continue with the filing process. The Commission strongly encourages electronic filing.

k. The City of Holyoke Gas & Electric Department filed the Settlement Agreement on behalf of itself and 7 other stakeholders. The purpose of the Settlement Agreement is to resolve, among the settling parties, all issues presented in the pending requests for rehearing of the Federal Energy Regulatory Commission's August 20, 1999, "Order Issuing New License and Denying Competing Application," for the Holyoke Project. The issues resolved through the settlement relate to run-of-river operations, bypass minimum flows and canal system flows, flow prioritization, and upstream and downstream fish passage. The settlement also addresses compliance issues with plans previously filed and approved by the Commission, pursuant to the 1999 license and the revised 2001 water quality certification. The City of Holyoke Gas & Electric Department and the settling parties request that the Commission, pending completion of formal consultation with NOAA Fisheries on the shortnose sturgeon, approve the Settlement Agreement and incorporate various proposed license articles into modified license articles for the project.

l. A copy of the Settlement Agreement 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 (P-2004) to access the document. For assistance, 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. 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/esubscribenow.htm> to be notified via e-mail of new filings and issuances related to this or other

pending projects. For assistance, contact FERC Online Support.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E4-666 Filed 3-24-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 906-000]

#### Dominion Virginia Power; Notice of Scoping Meetings and Soliciting Scoping Comments

March 19, 2004.

a. *Type of Application:* Initial Consultation Document (ICD) for a new major license.

b. *Project No.:* 906-000.

c. *Date Filed:* ICD filed July 11, 2003; license application anticipated June 15, 2006.

d. *Applicant:* Dominion Virginia Power.

e. *Name of Project:* Cushaw Hydroelectric Project.

f. *Location:* On the James River in Amherst and Bedford Counties, Virginia. The project occupies about 4.0 acres of Federal land administered by the U.S. Forest Service.

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

h. *Applicant Contact:* Mr. James Thornton, Technical Advisor, F & H Operations Support, 5000 Dominion Blvd., 1 N.E., Glen Allen, VA 23060, telephone (804) 273-3257.

i. *FERC Contact:* John Smith, telephone (202) 502-8972, e-mail [john.smith@ferc.gov](mailto:john.smith@ferc.gov).

j. *Deadline for Filing Scoping Comments:* May 24, 2004.

All documents (original and eight copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

Scoping comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-Filing" link.

k. The Cushaw Project consists of the following features: (1) A 1,550-foot-long and 27-foot-high reinforced concrete dam extending diagonally across the James River; (2) a 138-acre reservoir at a surface elevation of 656 feet mean sea level; (3) an integrated powerhouse containing five generating units with a