

EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify Federal and State agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all Federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, 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 14 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.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties.

However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

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:* April 30, 2009.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-8807 Filed 4-16-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13352-000]

#### **Olsen Electric Development Co., Inc.; Notice of Preliminary Permit Applications Accepted for Filing and Soliciting Comment, Motions To Intervene, and Competing Applications**

April 9, 2009.

On January 20, 2009, Olsen Electric Development Co., Inc. filed an application, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Malden Mills Hydroelectric Project, to be located on the Spicket River, in Essex County, Massachusetts.

The proposed Malden Mills Hydroelectric Project consists of: (1) An existing 85-foot-long, 12-foot-high Malden Mills Dam, with new foot-high wooden flashboards; (2) an existing 10-acre head pond having a maximum storage capacity of about 36 acre-feet; (3) a refurbished gatehouse containing two turbine generating units with a total installed capacity of 0.2 megawatts; (4) a direct connection to an existing substation; and (5) appurtenant facilities. The Malden Mills Project would have an average annual generation of 850 megawatt-hours, which would be sold to Polartec, LLC.

*Applicant Contact:* Mr. Jerome A. Olson, Olsen Electric Development Co., Inc., 30r Hampshire Street, Methuen, MA 01844, phone (978) 975-0400.

*FERC Contact:* John Ramer, (202) 502-8969.

Deadline for filing comments, motions to intervene, competing applications

(without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13352) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-8806 Filed 4-16-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13343-000]

#### **Hydro Energy Technologies, LLC; Notice of Preliminary Permit Applications Accepted for Filing and Soliciting Comment, Motions To Intervene, and Competing Applications**

April 9, 2009.

On December 9, 2008, Hydro Energy Technologies, LLC filed an application, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Mosquito Creek Hydroelectric Project, to be located on Mosquito Creek, in Trumbull County, Ohio.

The proposed Mosquito Creek Hydroelectric Project would be located at: (1) the existing U.S. Army Corps of Engineers 5,650-foot-long, 47-foot-high Mosquito Creek Dam; and (2) an existing 8,900-acre reservoir with water surface elevation of 904 feet mean sea level.

The proposed project would consist of: (1) A new powerhouse containing one or more turbine/generators with a total installed capacity of 0.5 megawatts; (2) a new 50-foot-long, 60-inch-diameter penstock; (3) a new 400-foot-long

transmission line; and (4) appurtenant facilities. The Mosquito Creek Project would have an estimated average annual generation of 1,682 megawatts-hours, which would be sold to a local utility.

*Applicant Contact:* Mr. Anthony J. Marra, Managing Partner, Hydro Energy Technologies, LLC, 31300 Solon Rd., Suite 12, Solon, OH 44139, (440) 498-1000.

*FERC Contact:* John Ramer, (202) 502-8969.

*Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications:* 60 days from the issuance of this notice. Comments, motions to intervene, notices of intent, and competing applications may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's Web site located at <http://www.ferc.gov/filing-comments.asp>. More information about this project can be viewed or printed on the "eLibrary" link of Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-13343) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

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

[FR Doc. E9-8804 Filed 4-16-09; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13257-001]

#### Modern Hydro; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approval of Use of the Traditional Licensing Process

April 9, 2009.

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 13257-001.

c. *Dated Filed:* March 2, 2009.

d. *Submitted By:* Modern Hydro.

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

f. *Location:* The project would be located at the Lake Delhi Recreation Association's Lake Delhi Dam on the Maquoketa River in Delaware County, Iowa.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Applicant Contact:* Dwight Shanak, Modern Hydro, N3322 Sunrise Lane, Waupaca, WI 54981, (715) 258-5720.

i. *FERC Contact:* Dr. Nicholas Palso, (202) 502-68854 or [nicholas.palso@ferc.gov](mailto:nicholas.palso@ferc.gov).

j. Modern Hydro filed its request to use the Traditional Licensing Process on March 2, 2009. Modern Hydro filed public notice of its request on March 12, 2009. In a letter dated April 8, 2009, the Director of the Office of Energy Projects approved Modern Hydro's request to use the Traditional Licensing Process.

k. With this notice, we are approving Modern Hydro's request to be designated as the non-federal representative for section 7 of the Endangered Species Act and its request to initiate consultation under section 106 of the National Historic Preservation Act; and recommending that it begin informal consultation with: (a) The U.S. Fish and Wildlife Service; and (b) the Iowa State Historic Preservation Officer, as required by section 106, National Historical Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. Modern Hydro filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

m. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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 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 paragraph h.

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

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

[FR Doc. E9-8803 Filed 4-16-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings # 1

April 9, 2009.

Take notice that the Commission received the following electric corporate filings:

*Docket Numbers:* EC09-66-000.

*Applicants:* Lehman White Creek Wind Holdings LLC, White Creek Wind I Holdings, LLC, White Creek I, LLC, New York Life Insurance Company.

*Description:* Joint Application for Authorization for Disposition of Jurisdictional Facilities and Acquisition of Securities and Request for Confidential Treatment, Certain Waivers, and Expedited Notice and Action by May 15, 2009.

*Filed Date:* 04/08/2009.

*Accession Number:* 20090408-5135.

*Comment Date:* 5 p.m. Eastern Time on Wednesday, April 29, 2009.

Take notice that the Commission received the following electric rate filings:

*Docket Numbers:* ER00-2173-009; ER00-3219-007.

*Applicants:* Northern Indiana Public Service Company; Energy USA-TPC Corp.

*Description:* Supplemental Information/Request of Northern Indiana Public Service Company.

*Filed Date:* 03/24/2009.

*Accession Number:* 20090324-5097.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, April 14, 2009.

*Docket Numbers:* ER09-963-000.

*Applicants:* Midwest Independent Transmission System Operator, Inc.

*Description:* Midwest Independent Transmission System Operator, Inc. submits Original Service Agreement 7224 to FERC Electric Tariff, Third Revised Volume 1; request to terminate the Market Participant Agreement and Service Agreement.

*Filed Date:* 04/07/2009.

*Accession Number:* 20090408-0246.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, April 28, 2009.

*Docket Numbers:* ER09-964-000.

*Applicants:* Midwest Independent Transmission System Operator, Inc.

*Description:* Midwest Independent Transmission System Operator, Inc. submits request to terminate the market participant agreement between the Midwest ISO and the AI Funds, LLC and notice regarding continuing and anticipated default.

*Filed Date:* 04/07/2009.

*Accession Number:* 20090408-0248.