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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*—All filings must (1) bear in all capital letters the title "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. All documents (original and eight copies) should be filed with: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. 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 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.

q. *e-Filing*: 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 at <http://www.ferc.gov> under the "e-Filing" link.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E9-4179 Filed 2-26-09; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP09-63-000]

#### Tennessee Gas Pipeline Company; Notice of Application

February 20, 2009.

Take notice that on February 9, 2009, Tennessee Gas Pipeline Company (Tennessee), 1001 Louisiana Houston, Texas 77002, filed in the above referenced docket an abbreviated application pursuant to section 7(b) of the Natural Gas Act (NGA) and Part 157 of the Commission's regulations, for an order approving the abandonment of three pipeline segments that cross the Mississippi River in East Carroll Parish, Louisiana, and Issaquena County, Mississippi. The project named The Mississippi River Levee Abandonment Project includes the abandonment and removal of an associated side valve and aboveground appurtenances, all as more fully set forth in the application which is on file with the Commission and open to public inspection. The 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 "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, (866) 208-3676 or TTY, (202) 502-8659.

Specifically, Tennessee proposes to (a) abandon in place the portion of the pipeline segments that lie between the east and west levees and across the Mississippi River, and (b) abandon by removal the portion of the pipeline segments that lie within the east and west levees, as well as a side valve and associated aboveground piping located within the east levee. The overall length of each line to be abandoned by removal

and in place is approximately 4.17 miles.

Any questions concerning this application may be directed to Susan T. Halbach, Senior Counsel, Tennessee Gas Pipeline Company, 1001 Louisiana Houston, Texas 77002, phone: (713) 420-5751, fax: (713) 420-1601, e-mail: [susan.halbach@elpaso.com](mailto:susan.halbach@elpaso.com) or Kathy Cash, Principal Analyst, Rates and Regulatory Affairs, Tennessee Gas Pipeline Company 1001 Louisiana Houston, TX 77002, phone: (713) 420-3290, fax: (713) 420-1605, e-mail: [kathy.cash@elpaso.com](mailto:kathy.cash@elpaso.com).

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or EA for this proposal. The filing of the 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 commentors 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 commentors will not be required to serve copies of filed documents on all other parties. However, the non-party commentors 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.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

*Comment Date:* March 13, 2009.

**Kimberly D. Bose,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Combined Notice of Filings #1

February 19, 2009.

Take notice that the Commission received the following exempt wholesale generator filings:

*Docket Numbers:* EG09-28-000.

*Applicants:* RPL Holdings, Inc.

*Description:* RPL Holdings, Inc.

submits notice of Self-Certification of Exempt Wholesale Generator Status.

*Filed Date:* 02/17/2009.

*Accession Number:* 20090218-0171.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, March 10, 2009.

*Docket Numbers:* EG09-29-000.

*Applicants:* Reliant Energy Florida, LLC.

*Description:* Reliant Energy Florida, LLC submits a Notice of Self-Certification of Exempt Wholesale Generator Status.

*Filed Date:* 02/17/2009.

*Accession Number:* 20090218-0170.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, March 10, 2009.

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

*Docket Numbers:* ER98-4512-006.

*Applicants:* Consolidated Water Power Company.

*Description:* Consolidated Water Power Co. submits supplements to their request to replace the FERC Electric Tariff, Original Volume 1, Second Revised Sheet 1 *et al.*

*Filed Date:* 02/12/2009.

*Accession Number:* 20090218-0135.

*Comment Date:* 5 p.m. Eastern Time on Friday, February 27, 2009.

*Docket Numbers:* ER03-428-008.

*Applicants:* ConocoPhillips Company.

*Description:* ConocoPhillips Company submits an updated market power analysis for the Southeast Region.

*Filed Date:* 02/17/2009.

*Accession Number:* 20090218-0151.

*Comment Date:* 5 p.m. Eastern Time on Monday, April 20, 2009.

*Docket Numbers:* ER03-563-065.

*Applicants:* Devon Power LLC.

*Description:* ISO New England, Inc. *et al.* submits their Compliance Statement re New England's capacity market design.

*Filed Date:* 02/17/2009.

*Accession Number:* 20090218-0153.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, March 10, 2009.

*Docket Numbers:* ER06-787-007.

*Applicants:* Idaho Power Company.

*Description:* Idaho Power Co. submits revisions to its rate schedule reflecting

the Commission's findings in the 1/15/09 Order.

*Filed Date:* 02/17/2009.

*Accession Number:* 20090218-0166.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, March 10, 2009.

*Docket Numbers:* ER07-1356-004; ER07-1112-003; ER07-1113-003; ER07-1115-003; ER07-1116-003; ER07-1117-003; ER07-1358-004; ER07-1118-003; ER07-1119-003; ER07-1120-003; ER07-1122-003; ER00-2885-019; ER01-2765-018; ER02-1582-016; ER08-148-003; ER05-1232-011; ER02-1582-016; ER02-2102-018; ER03-1283-013.

*Applicants:* BE Alabama LLC; BE Allegheny LLC; BE CA LLC; BE Colquitt LLC; BE Ironwood LLC; BE KJ LLC; BE Louisiana LLC; BE Rayle LLC; BE Red Oak LLC; BE Satilla LLC; BE Walton LLC; Cedar Brakes I, L.L.C.; Cedar Brakes II, LLC; Mohawk River Funding IV, L.L.C.; CENTRAL POWER & LIME INC; J.P. Morgan Ventures Energy Corporation; Mohawk River Fund IV, L.L.C.; Utility Contract Funding, L.L.C.; Vineland Energy LLC.

*Description:* JP Morgan Companies submits response to recent request from Commission Staff re the updated compliance filing that was submitted on 11/13/08.

*Filed Date:* 02/04/2009.

*Accession Number:* 20090210-0040.

*Comment Date:* 5 p.m. Eastern Time on Monday, March 2, 2009.

*Docket Numbers:* ER09-539-001.

*Applicants:* Aspire Capital Management LLC.

*Description:* Aspire Capital Management LLC submits Amended Petition for Acceptance of Initial Tariff, Waiver and Blanket Authority *et al.*

*Filed Date:* 02/17/2009.

*Accession Number:* 20090218-0054.

*Comment Date:* 5 p.m. Eastern Time on Tuesday, March 10, 2009.

*Docket Numbers:* ER09-687-000.

*Applicants:* Florida MSW LLC.

*Description:* Florida MSW, LLC submits petition for acceptance of their FERC Electric Tariff, Original Volume 1.

*Filed Date:* 02/13/2009.

*Accession Number:* 20090218-0165.

*Comment Date:* 5 p.m. Eastern Time on Friday, March 06, 2009.

*Docket Numbers:* ER09-688-000.

*Applicants:* Florida MSW5 LLC.

*Description:* Florida MSW5, LLC submits petition for acceptance of their FERC Electric Tariff, Original Volume 1.

*Filed Date:* 02/13/2009.

*Accession Number:* 20090218-0164.

*Comment Date:* 5 p.m. Eastern Time on Friday, March 6, 2009.

*Docket Numbers:* ER09-689-000.

*Applicants:* Florida MSW3 LLC.