

permit issued pursuant to Executive Order 10485, as amended.

**Procedural Matters:** Any person desiring to become a party to these proceedings or to be heard by filing comments or protests to this application should file a petition to intervene, comment, or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each comment, petition, and protest should be filed with DOE on or before the dates listed above.

All filings in this proceeding should be clearly marked with Docket No. EA-350. Additional copies are to be filed directly with Allison P. Duensing, Assistant General Counsel, The Saracen Group of Companies, Five Greenway Plaza, Suite 1310, Houston, TX 77040 and Daniel E. Frank, Sutherland Asbill & Brennan LLP, 1275 Pennsylvania Avenue, NW., Washington, DC 20004-2415.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of these applications will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program Web site at <http://oe.energy.gov/permits.htm>, or by e-mailing Odessa Hopkins at [odessa.hopkins@hq.doe.gov](mailto:odessa.hopkins@hq.doe.gov).

Issued in Washington, DC, on February 23, 2009.

**Anthony J. Como,**

*Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.*

[FR Doc. E9-4216 Filed 2-26-09; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 13313-000]

#### **BPUS Generation Development LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications**

February 20, 2009.

On October 31, 2008, BPUS Generation Development LLC (BPUS

Generation) filed an application, pursuant to section 4(f) of the Federal Power Act, proposing to study the feasibility of the Lake Roosevelt Pumped Storage Project. The project would be located on federal lands in Ferry, Grant and Okanogan Counties in Washington State, approximately 40 miles northwest of the Town of Nespelem, Washington, and 38 miles southwest of the Town of Northport, Washington, and would utilize the U.S. Bureau of Reclamation's Lake Roosevelt Dam.

The proposed project would use the U.S. Bureau of Reclamation's Lake Roosevelt Dam as its lower reservoir and would consist of: (1) An upper reservoir with a surface area of approximately 123 acres at a normal water surface elevation ranging from 2,780 to 2,880 feet m.s.l.; (2) a proposed powerhouse containing 4 generating units having a total installed capacity of 1,310 megawatts, (3) a proposed intake structure, (4) a proposed 50-mile-long, 500 kV transmission line, and (5) appurtenant facilities. The project would have an annual generation of approximately 3,750 gigawatt-hours that would be sold to a local utility.

**Applicant Contact:** BPUS Generation—Mr. Jeffrey M. Auser, P.E., BPUS Generation Development LLC, 225 Greenfield Parkway, Suite 201, Liverpool, NY 13088; phone: 315-413-2821. **FERC Contact:** Tom Papsidero, 202-502-6002.

Deadline for filing comments, motions to intervene, competing applications, 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-13313-000) in the docket number field to access the document.

For assistance, call toll-free 1-866-208-3372.

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

[FR Doc. E9-4162 Filed 2-26-09; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 12751-006]

#### **Finavera Renewables Ocean Energy, Ltd.; Notice of Application for Surrender of License and Soliciting Comments, Motions To Intervene, and Protests**

February 20, 2009.

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

a. *Application Type:* Surrender of License.

b. *Project No.:* 12751-006.

c. *Date Filed:* February 6, 2009.

d. *Applicant:* Finavera Renewables Ocean Energy, Ltd.

e. *Name of Project:* Makah Bay Offshore Wave Energy Pilot Project.

f. *Location:* The project is located in the Pacific Ocean in Makah Bay, about 1.9 nautical miles offshore of Waatch Point in Clallam County, Washington.

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

h. *Applicant Contact:* Mr. Thomas C. Jensen, Sonnenschein Nath & Rosenthal LLP, 1301 K Street, NW., Suite 600 East, Washington, DC 20005, (202) 408-6400, e-mail [tjensen@sonnenschein.com](mailto:tjensen@sonnenschein.com).

i. *FERC Contact:* Patricia W. Gillis, Telephone (202) 502-8735.

j. *Deadline for filing comments, motions to intervene, and protests:* 45 days from the issuance date of this notice. All documents (original and eight copies) should be filed with: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

k. *Description of Request:* The licensee filed an application to surrender its license for the unconstructed Makah Bay Offshore Wave Energy Pilot Project. The Licensee has not commenced construction of the project. No ground disturbing activities have occurred. Additionally, no work or construction on the conversion buoys or the shore station, roads, or transmission facilities has commenced.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the

Commission's 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 excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, call 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*—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