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**Linwood A. Watson, Jr.,**  
Deputy Secretary.

[FR Doc. 02-28181 Filed 11-4-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP96-359-011]

#### Transcontinental Gas Pipe Line Corporation; Notice of Negotiated Rate

October 30, 2002.

Take notice that on October 24, 2002, Transcontinental Gas Pipe Line Corporation (Transco) tendered for filing with the Commission a copy of an amendment to an executed service agreement between Transco and Williams Energy Marketing & Trading Company that contains a negotiated rate under Rate Schedule FT applicable to the Leidy East Expansion Project. Transco states that the purpose of the instant filing is to comply with requirements specified in the Commission's October 25, 2001, "Order Issuing Certificate," in Docket No. CP01-389 which required Transco, among other things, to file, not less than 30 days prior to the commencement of service of the Leidy East Expansion Project, the negotiated rate agreements or tariff sheets reflecting the essential elements of its negotiated rate agreements. The proposed effective date of the amendment submitted herein is November 1, 2002, the anticipated in-service date of the Leidy East project.

Transco states that copies of the filing are being mailed to its affected customers and interested State Commissions. Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with Section 154.210 of the Commission's Regulations. 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 proceedings. Any person wishing to become a party must file a motion to intervene. This 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 "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. Comments, protests and interventions 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 under the "e-Filing" link.

**Linwood A. Watson, Jr.,**  
Deputy Secretary.

[FR Doc. 02-28182 Filed 11-4-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP02-436-000]

#### Northern Natural Gas Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Project Max and Request for Comments on Environmental Issues

October 30, 2002.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of Project MAX involving construction and operation of facilities by Northern Natural Gas Company (Northern) in several counties of Minnesota.<sup>1</sup> These facilities would consist of about 4.6 miles of 8-inch-diameter pipeline, a new compressor station, and modifications to 10 different town border stations. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about

<sup>1</sup> Northern's application was filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice Northern provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet Web site ([www.ferc.gov](http://www.ferc.gov)).

#### Summary of the Proposed Project

The incremental capacity attained by the proposed facilities (summarized below) would be utilized to serve high priority residential, commercial, and industrial customer market growth in Northern's Market Area. The construction of the proposed facilities would increase the peak day capacity on Northern's Market Area mainline by approximately 16,200 million cubic feet per day. These facilities are required to meet shipper requests for firm capacity that Northern received during its open season. Northern's proposed facilities are as follows:

- (1) Construct 4.6 miles of 8-inch-diameter loop on its Alexandria Branchline in Morrison County, Minnesota;
- (2) Relocate existing tie-over and blowdown valves from the end of the existing Alexandria Branchline Loop to the end of the proposed branchline loop in Morrison County Minnesota;
- (3) Construct a new electric compressor station on its Minnesota Interconnecting Line MNB 77501 near Popple Creek, in Benton County, Minnesota;
- (4) Install a new regulator and valve at its Farmington Compressor Station in Dakota County, Minnesota;
- (5) Upgrade 10 existing town border stations (TBS) in Douglas, Wright, Stearns, Dakota, Sherburne and Pope counties of Minnesota; and
- (6) Install a valve operator on the existing C to B tie-over valve located at the St. Paul TBS #1T in Washington County, Minnesota.

The general location of the project facilities is shown in appendix 1.<sup>2</sup> If you are interested in obtaining detailed maps of a specific portion of the project, send your request to Micheal T. Loeffler, Director, Certificates and Community Relations, Northern Natural Gas Company, 111 South 103rd Street, Omaha, Nebraska 68124-1000.

### Land Requirements for Construction

Construction of the proposed facilities would require about 59.7 acres of land. Following construction, about 15.9 acres would be maintained as new operational right-of-way and aboveground facility sites. The remaining 43.8 acres of land would be restored and allowed to revert to its former use.

### The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us<sup>3</sup> to discover and address concerns the public may have about proposals. This process is referred to as "scoping". The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils
- Land use
- Water resources, fisheries, and wetlands
- Cultural resources
- Vegetation and wildlife
- Air quality and noise

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available on the Commission's Web site at the "FERRIS" link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE, Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to FERRIS refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>3</sup> "We", "us", and "our" refer to the environmental staff of the Office of Energy Projects (OEP).

- Endangered and threatened species
- Hazardous waste
- Public safety

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

### Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative locations/routes), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send an original and two copies of your letter to: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First St., NE., Room 1A, Washington, DC 20426.
- Label one copy of the comments for the attention of Gas 2 Branch.
- Reference Docket No. CP02-436-000.
- Mail your comments so that they will be received in Washington, DC on or before November 29, 2002.

Please note that we are continuing to experience delays in mail deliveries from the U.S. Postal Service. As a result, we will include all comments that we receive within a reasonable time frame in our environmental analysis of this project. However, the Commission strongly encourages electronic filing of any comments or interventions or protests to this proceeding. 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 and the link to the User's Guide. Before you can file comments you will need to create a free account which can be created by clicking on "Login to File" and then "New User Account."

We may mail the EA for comment. If you are interested in receiving it, please return the Information Request (appendix 4). If you do not return the Information Request, you will be taken off the mailing list.

### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor". Intervenors play a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 2).<sup>4</sup> Only intervenors have the right to seek rehearing of the Commission's decision.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

### Environmental Mailing List

This notice is being sent to individuals, organizations, and government entities interested in and/or potentially affected by the proposed project. It is also being sent to all identified potential right-of-way grantors. By this notice we are also asking governmental agencies, especially those in appendix 3, to express their interest in becoming cooperating agencies for the preparation of the EA.

### Additional Information

Additional information about the project is available from the

<sup>4</sup> Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.

Commission's Office of External Affairs, at 1-866-208-FERC or on the FERC Internet Web site ([www.ferc.gov](http://www.ferc.gov)) using the FERRIS link. Click on the FERRIS link, enter the docket number excluding the last three digits in the Docket Number field. Be sure you have selected an appropriate date range. For assistance with FERRIS, the FERRIS helpline can be reached at 1-866-208-3676, TTY (202) 502-8659, or at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov). The FERRIS link on the FERC Internet Web site also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

[FR Doc. 02-28168 Filed 11-4-02; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Intent To File Application for a New License

October 30, 2002.

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

- a. *Type of filing:* Notice of Intent To File an Application for New License.
- b. *Project No.:* 2085.
- c. *Date filed:* October 9, 2002.
- d. *Submitted By:* Southern California Edison Company.
- e. *Name of Project:* Mammoth Pool Project.
- f. *Location:* Mammoth Pool is located on the main stem of the Upper San Joaquin River, bordering Madera and Fresno Counties, California.
- g. *Filed Pursuant to:* Section 15 of the Federal Power Act, 18 CFR 16.6.
- h. Pursuant to Section 16.19 of the Commission's regulations, the licensee is required to make available the information described in Section 16.7 of the regulations. Such information is available from the licensee at the Northern Hydro Regional Office, 54205 Mountain Poplar Road, Big Creek, California 93605.
- i. *FERC Contact:* James Fargo, 202-502-6095, [james.fargo@ferc.gov](mailto:james.fargo@ferc.gov).
- j. *Expiration Date of Current License:* November 30, 2007.
- k. *Project Description:* A storage dam, reservoir, dam outlet works including a 938 kilowatts(kw) fishwater generator, tunnel and penstock, and a powerhouse containing two turbines with two 95,000kw generators.

l. The licensee states its unequivocal intent to submit an application for a new license for Project No. 2085 Pursuant to 18 CFR 16.9(b)(1), each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by November 30, 2005.

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 "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, For assistance, please contact FERC Online Support at [fercolinesupport@ferc.gov](mailto:fercolinesupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

**Linwood A. Watson, Jr.,**

*Deputy Secretary.*

[FR Doc. 02-28170 Filed 11-4-02; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Joint Application To Amend License and Soliciting Comments, Motions To Intervene, and Protests

October 30, 2002.

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

- a. *Type of Application:* Joint Application to Amend License.
- b. *Project No.:* 5-072.
- c. *Date Filed:* October 15, 2002.
- d. *Applicant:* PPL Montana, LLC (PPLM) and the Confederated Salish and Kootenai Tribes of the Flathead Nation (Tribes).
- e. *Name of Project:* Kerr Hydroelectric Project.
- f. *Location:* On the Flathead River in Lake and Flathead Counties, Montana.
- g. *Filed Pursuant to:* 16 U.S.C. 799.
- h. *Applicant Contacts:* David R. Poe, LeBoeuf, Lamb, Greene & MacRae, L.L.P., 1875 Connecticut Avenue, NW., Washington, DC 20009, (202) 986-8039 and Joe Hovenkotter, Tribal Legal Department, Flathead Reservation, 51383 Highway 93 North, Pablo, Montana 59855, (406) 675-2700, ext. 1169.

i. *FERC Contact:* Any questions on this notice should be addressed to Robert H. Grieve, [Robert.Grieve@ferc.gov](mailto:Robert.Grieve@ferc.gov), (202) 502-8752.

j. *Deadline for filing comments, motions to intervene and protests:* November 29, 2002.

All documents (original and seven copies) should be filed with: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper, *see* 18 CFR 385.2002(a)(1)(iii) and instructions on the Commission's web site under the "e-filing" link. The Commission strongly encourages electronic filings. Please include the project number (P-5-072) on any comments or motions filed.

The Commission's rules of Practice and Procedure require all intervenors 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 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. *Description of Application:* Applicants request to amend the Kerr Project license in order to resolve the respective obligations of PPLM and the Tribes for performance of certain fish and wildlife mitigation measures that currently appear in several numbered articles in the project license. The articles at issue were originally submitted by the Department of the Interior pursuant to its authority under Section 4(e) of the Federal Power Act, 16 U.S.C. 797(e), and thereafter adopted by the Commission in its orders of June 25, 1997, October 30, 1998, and December 14, 2000. Applicants seek a similar resolution of obligations under a license article that was included in the project license in the December 14, 2000 order in response to a biological opinion prepared by the U.S. Fish and Wildlife Service pursuant to the Endangered Species Act.

l. *Locations of the Application:* Copies of this filing are 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 "FERRIS" link. Enter the docket number, excluding the last three digits 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. Copies