

preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.

l. **Competing Development Application**—Any qualified development applicant desiring to file a competing development application must submit to the Commission, on or before a specified comment date for the particular application, either a competing development application or a notice of intent to file such an application. Submission of a timely notice of intent to file a development application allows an interested person to file the competing application no later than 120 days after the specified comment date for the particular application. A competing license application must conform with 18 CFR 4.30(b) and 4.36.

m. **Notice of Intent**—A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit, if such an application may be filed, either a preliminary permit application or a development application (specify which type of application). A notice of intent must be served on the applicant(s) named in this public notice.

n. **Proposed Scope of Studies under Permit**—A preliminary permit, if issued, does not authorize construction. The term of the proposed preliminary permit would be 36 months. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on the results of these studies, the Applicant would decide whether to proceed with the preparation of a development application to construct and operate the project.

o. **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.

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 "e-

filing" link. The Commission strongly encourages electronic filing.

p. **Filing and Service of Responsive Documents**—Any filings must 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. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The 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.

q. **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.

**Magalie R. Salas,**  
Secretary.

[FR Doc. E5-1717 Filed 4-12-05; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application for Non-Project Use of Project Lands and Waters and Soliciting Comments, Motions to Intervene, and Protests

April 5, 2005.

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

- a. *Application Type*: Non-project use of project lands and waters.
- b. *Project No.*: 2165-021.
- c. *Date Filed*: March 7, 2005.
- d. *Applicant*: Alabama Power Company.
- e. *Name of Project*: Warrior River Hydroelectric Project, which includes the Lewis Smith and Bankhead Developments.

f. *Location*: The proposed action will take place at the Lewis Smith development, located in northwestern Alabama in the headwaters of the Black

Warrior River on the Sipsey Fork in Cullman, Walker, and Winston counties.

g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. 791 (a) 825(r) and 799 and 801.

h. *Applicant Contact*: Mr. R.M. Akridge, Hydro General Manager; Alabama Power Company; P.O. Box 2641; Birmingham, AL; 35291-8180; (205) 257-1398.

i. *FERC Contact*: Any questions on this notice should be addressed to Isis Johnson at (202) 502-6346, or by e-mail: [Isis.Johnson@ferc.gov](mailto:Isis.Johnson@ferc.gov).

j. *Deadline for Filing Comments and or Motions*: May 6, 2005.

All documents (original and eight copies) should be filed with: Ms. Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington DC 20426. Please include the project number (P-2165-021) on any comments or motions filed. 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 e-filings.

k. *Description of Request*: Alabama Power, licensee for the Warrior River Hydroelectric Project, has requested Commission approval to permit the Duncan Bridge Resort (applicant) to install three new boat docks for private use by the owners of 56 condominiums currently being built on non-project lands above the project boundary. The property is located on the west bank of the Sipsey Fork of Smith Lake in Winston County, Alabama. The applicant proposes three docks accommodating 20 boats each, for a total of 60 slips. The docks will occupy the same area as previous structures from the Huey Marina which closed in 1999; all existing facilities have been removed. The docks and walkways will be constructed of galvanized steel with floatation conforming to the licensee's floating requirements.

l. *Location of the Application*: This filing is available for review at the Commission 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 Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659.

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", "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. 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 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.

Magalie R. Salas,  
Secretary.

[FR Doc. E5-1718 Filed 4-12-05; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RP05-164-000]

#### Equitrans, L.P.; Notice of Technical Conference

April 5, 2005.

Take a notice that the Commission will convene a technical conference on Tuesday, April 12, 2005, at 1 p.m., in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

The purpose of the Commission is to discuss the issues raised by Equitrans' proposed Rate Schedule for Appalachian Gathering Service (AGS), and the deletion of Rate Schedules for Interruptible Gathering Service (IGS) and Appalachian Pooling Service (APS), Equitrans' proposal for compliance with Order Nos. 637 and 587, as well as any other non-rate issues the parties raised with respect to Rate Schedule AGS. In addition, the proposed Rate Schedule PS, filed on March 30, 2005, will be discussed. The Commission directed its staff to convene this technical conference in a February 28, 2005 Order.<sup>1</sup>

FERC conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations please send an e-mail to [accessibility@ferc.gov](mailto:accessibility@ferc.gov) or call toll free (866) 208-3372 (voice) or 202-208-01659 (TTY), or send a FAX to 202-208-2106 with the required accommodations.

All interested persons are permitted to attend. For further information please contact Christy Walsh at (202) 502-6523 or e-mail [christy.walsh@ferc.gov](mailto:christy.walsh@ferc.gov).

Magalie R. Salas,

Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket Nos. RM01-10-006, EL01-118-005, and RM03-10-002]

#### Standards of Conduct for Transmission Providers; Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations; Amendments to Blanket Sales Certificate; Notice of Technical Conference and Workshop

April 5, 2005.

The Federal Energy Regulatory Commission (Commission) will hold a technical conference and workshop on Standards of Conduct for Transmission Providers and Market Behavior Rules on May 6, 2005, at the Millennium Knickerbocker Hotel in Chicago, Illinois. The meeting will begin at 10 a.m. (CST) and conclude late afternoon. All interested persons are invited to attend.

The purpose of the conference and workshop is to discuss: (1) Critical steps and best practices for complying with

the Standards of Conduct for Transmission Providers under Order No. 2004<sup>1</sup>; and (2) the impact of the market behavior rules<sup>2</sup> on wholesale energy markets and steps that must be taken by entities subject to the market behavior rules to ensure compliance. The conference and workshop will address, but not be limited to, the following general topics:

- The duties and responsibilities of a Chief Compliance Officer.
- Techniques for ensuring separation of transmission function employees from energy and marketing affiliate employees required by the Standards of Conduct.
- Best practices for complying with the information sharing prohibitions of the Standards of Conduct.
- Impact of the market behavior rules on energy markets.
- Best practices for implementing and ensuring compliance with the market behavior rules.

The Commission is hosting this conference and workshop to help provide guidance on complying with the Standards of Conduct that have been in effect since September 2004 and the market behavior rules that have been in effect since December 2003. Interested persons are invited to submit specific questions that they would like to be addressed at the conference and workshop or other suggestions for the content of the program. Prospective attendees and participants are urged to watch for further notices; a detailed agenda will be issued in advance of the conference and workshop.

Hotel rooms at the Millennium Knickerbocker Hotel, 163 East Walton Place, Chicago, Illinois, can be reserved by calling 1 (800) 621-8140 or 1 (312) 751-8100.

There is no registration fee to attend this conference. However, we request that those planning to attend the conference register online on the Commission's Web site at <http://www.ferc.gov/whats-new/registration/comp-05-06-form.asp>

Prospective participants and interested parties are encouraged to

<sup>1</sup> *Standards of Conduct for Transmission Providers*, Order No. 2004, FERC Stats. & Regs., Regulations Preambles ¶ 31,155 (2003), *order on reh'g*, Order No. 2004-A, III FERC Stats. & Regs. ¶ 31,161 (2004), 107 FERC ¶ 61,032 (2004), *order on reh'g*, Order No. 2004-B, III FERC Stats. & Regs. ¶ 31,166 (2004), 108 FERC ¶ 61,118 (2004), *order on reh'g*, Order No. 2004-C, 109 FERC ¶ 61,325 (2004), *order on reh'g*, Order No. 2004-D, 110 FERC ¶ 61,320 (2005).

<sup>2</sup> *Order Amending Market-Based Rate Tariffs and Authorizations*, 105 FERC ¶ 61,218 (2003), *reh'g denied*, 107 FERC ¶ 61,175 (2004); Order No. 644, *Amendment to Blanket Sales Certificates*, FERC Stats. & Regs. ¶ 31,153 (2003), *reh'g denied*, 107 FERC ¶ 61,174 (2004).

<sup>1</sup> Equitrans, L.P., 110 FERC ¶ 61,194 (2005).