

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

h. Applicant Contact: James K. Kerns, Project Manager, Public Service Company of New Hampshire, 780 North Commercial Street, Manchester, NH 03101 (603) 634-2936.

i. FERC Contact: Kristen Murphy (202) 502-6236 or [kristen.murphy@ferc.gov](mailto:kristen.murphy@ferc.gov).

j. This application is not ready for environmental analysis at this time.

k. The existing project consist of: (1) A 275-foot-long, 14.5-foot-high concrete gravity dam with a spillway equipped with 3.5-foot-high wooden flashboards, utilized year-round; (2) a 20-acre reservoir with a gross storage capacity of approximately 200 acre-feet; (3) an intake structure with a 12.5-foot-wide, 12-foot-high timber gate leading to; (4) a 1,360-foot-long, 9-foot-diameter wood stave penstock; (5) two 21.3-foot-high, 15.3-foot-diameter steel surge tanks; (6) a powerhouse with one generating unit with an installed capacity of 1,100 kW; and (8) appurtenant facilities. The

estimated average annual generation of the project is 7,300 megawatt-hours.

The project is voluntarily operated in a run-of-river mode. Further, a total minimum flow of 136 cfs or inflow, whichever is less, is released downstream of the dam, with 50 cfs released through the 1,600-foot-long bypassed reach and the remaining 86 cfs released through the project turbine. As proposed, the project would continue to be operated in a run-of-river mode. Further, a total minimum flow of 165 cfs or inflow, whichever is less, would be released downstream of the project dam through the bypassed reach.

l. Locations of the Application: 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 "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 item (h) above.

m. You may also register online at <http://www.ferc.gov/esubscribenow.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. Procedural Schedule: The application will be processed according to the following Hydro Licensing Schedule. The Commission staff proposes to issue a single Environmental Assessment (EA) rather than issuing a draft and final EA. The schedule allows 30 days for entities to comment on the EA, and 60 days for agencies to file modified mandatory terms and conditions. Staff will take into consideration all comments and terms and conditions received on the EA before final action is taken on the license application. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Notice of Acceptance and Ready for Environmental Analysis .....	September 28, 2007.
Filing interventions, comments, recommendations, preliminary terms and conditions, and fishway prescriptions .....	November 27, 2007.
Notice of availability of the EA .....	March 26, 2008.
Filing comments on EA .....	April 25, 2008.
Filing modified terms and conditions .....	June 24, 2008.

o. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of the notice of ready for environmental analysis.

Kimberly D. Bose,  
Secretary.  
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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RP07-504-000]

**Algonquin Gas Transmission, LLC; Notice of Technical Conference**

August 13, 2007.

The Commission's July 30, 2007, Order in the above-captioned proceeding<sup>1</sup> directed that a technical conference be held to address issues raised by Algonquin Gas Transmission, LLC's proposed gas quality and interchangeability specifications.

Take notice that a technical conference will be held on Tuesday, August 21, 2007, at 9:30 a.m., in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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 202-502-8659 (TTY), or send a fax to 202-208-2106 with the required accommodations.

All interested parties and staff are permitted to attend. For further information please contact Sandra Elliott at (202) 502-8694 or e-mail [Sandra.elliott@ferc.gov](mailto:Sandra.elliott@ferc.gov).

Kimberly D. Bose,  
Secretary.  
[FR Doc. E7-16235 Filed 8-17-07; 8:45 am]  
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**DEPARTMENT OF ENERGY**

**Federal Energy Regulatory Commission**

[Docket No. RM98-1-000]

**Records Governing Off-the-Record Communications; Public Notice**

August 10, 2007.

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part

<sup>1</sup> Algonquin Gas Transmission, LLC, 120 FERC ¶ 61,114 (2007).

of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record

communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the

Commission. The communications listed are grouped by docket numbers in ascending order. These filings 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 eLibrary 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.

Docket number	Date received	Presenter or requester
Prohibited:		
1. RP07-34-000 .....	7-31-07	James Keegan.
Exempt:		
1. CP06-54-000, CP07-55-000 .....	8-7-07	James Martin for Lavinia DiSanto (Entrix, Inc.).
2. CP07-62-000, <i>et al.</i> .....	7-25-07	Hon. C.A. Dutch Ruppensberger.
3. CP07-208-000 .....	8-6-07	Hon. Charles A. Wilson.
4. ER07-1141-000 .....	8-6-07	Hon. Patricia L. Birkholz.
5. ER07-1141-000 .....	8-6-07	Hon. Jeff Mayes.
6. ER07-1141-000 .....	8-6-07	Hon. Jennifer M. Granholm.
7. Project No. 1971-079 .....	8-3-07	Craig Jones.

**Kimberly D. Bose,**

*Secretary.*

[FR Doc. E7-16251 Filed 8-17-07; 8:45 am]

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## DEPARTMENT OF ENERGY

### Office of Hearings and Appeals

#### Final Procedures for Distribution of Remaining Crude Oil Refunds

**AGENCY:** Office of Hearings and Appeals, Department of Energy.

**ACTION:** Notice of final procedures for the distribution of remaining crude oil overcharge refunds.

**SUMMARY:** The Office of Hearings and Appeals (OHA) of the Department of Energy (DOE) is responsible for the disbursement of crude oil refund monies currently remaining in the DOE crude oil refund escrow account. The preliminary distribution of these monies, approximately 90 percent of the funds, was made pursuant to a January 13, 2006 Notice. This notice announces the procedures to be used in distributing the remaining crude oil refund monies.

**ADDRESSES:** Inquiries should be sent to the Office of Hearings and Appeals, Department of Energy, 1000 Independence Ave., SW., Washington, DC 20585-1615 or submitted electronically to [crudeoilrefunds@hq.doe.gov](mailto:crudeoilrefunds@hq.doe.gov).

#### FOR FURTHER INFORMATION CONTACT:

Richard A. Cronin, Jr., Assistant Director, Office of Hearings and Appeals, 1000 Independence Ave., SW., Washington, DC 20585-1615, (202) 287-1589, [richard.cronin@hq.doe.gov](mailto:richard.cronin@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** In this Notice, we announce the final procedures for the distribution of Subpart V crude oil refunds, and order payments required under a May 1, 2007 settlement agreement between the Department of Energy and certain claimants in the present proceeding (the May 1, 2007 Settlement Agreement).

The Office of Hearings and Appeals (OHA) published a Notice of final procedures for final crude oil refunds in the **Federal Register** on May 21, 2004, 69 FR 29300. In the May 21 notice, we explained that we would be sending notice to all claimants (or their representatives of record) who purchased more than 280,000 gallons of eligible petroleum products during the relevant period. We also stated that claimants would be required, no later than December 31, 2004, to submit verification of the information in our database. Shortly after issuing the May 21 Notice, we sent notice to claimants and received 30,873 timely submissions.

In the May 21 notice, we set forth a plan to make one final round of refund payments, with the intent "to distribute all of the reserved funds to claimants 'insofar as practicable.'" 69 FR at 29302. Since that time, events and proliferating

litigation affecting the windup of this proceeding precluded the Department from proceeding with the calculation of the per-gallon "volumetric" refund amount that was necessary to make a single, final payment of refunds to all qualified applicants. Calculating the volumetric amount requires two fixed numbers: (1) The amount of funds available for distribution ("the numerator"), which is divided by (2) the number of gallons of eligible petroleum products purchased during the controls period by eligible claimants ("the denominator"). However, the ongoing litigation had the potential to affect both the numerator and the denominator of the volumetric calculation.

As a result, in a January 13, 2006 **Federal Register** notice, 71 FR 2195, we announced procedures for an interim round of refunds based upon a volumetric calculated using as a numerator approximately 90% of all available funds, and as a denominator the number of gallons of eligible petroleum products purchased during the controls period by eligible claimants plus the number of gallons claimed in an application denied by OHA that was then the subject of pending litigation. Finally, we stated that, in view of the uncertainties posed by the outstanding litigation, we were not in a position to commit ourselves to additional refunds until all pending litigation was resolved.

The prudence of this approach was confirmed when on January 26, 2005 the