

385.214. 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", "PROTESTS", AND/OR "MOTIONS TO INTERVENE", as applicable, and the Docket 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 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.

**Philis J. Posey,**

*Acting Secretary.*

[FR Doc. E7-6205 Filed 4-3-07; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2621-004]

#### Milliken and Company, Inc.; Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process

March 29, 2007.

*a. Project No.:* 2621-004.

*b. Date Filed:* January 30, 2007.

*c. Submitted by:* Milliken and Company, Inc.

*d. Name of Project:* Pacolet River Hydroelectric Project.

*e. Location:* The project is located on the Pacolet River, in Spartanburg County, South Carolina.

*f. Filed Pursuant to:* 18 CFR 5.5 and 5.6 of the Commission's regulations.

*g. Potential Applicant Contact:* Mr. Bryan Stone, Business Manager, Lockhart Power Company, P.O. Box 10, 420 River Street, Lockhart, South Carolina 29364, (800) 368-1289.

*h. FERC Contact:* Lee Emery at (202) 502-8379; or e-mail at [lee.emery@ferc.gov](mailto:lee.emery@ferc.gov).

*i. Pursuant to 18 CFR 5.3(a)(2),* Milliken and Company, Inc. filed its Notice of Intent to File License Application using the Traditional Licensing Process on January 30, 2007. With this notice, the Director of the Office of Energy Projects approves Milliken and Company, Inc.'s request to use the Traditional Licensing Process.

*j. With this notice, we are initiating informal consultation with:* (a) The U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency consultation at 50 CFR, part 402; (b) NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920; and (c) the South Carolina Historic Preservation Officer, as required by Section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

*k. With this notice, we are designating* Milliken and Company, Inc. as the Commission's non-federal representative for carrying out informal consultation, pursuant to Section 7 of the Endangered Species Act, Section 305 of the Magnuson-Stevens Fishery Conservation and Management Act, and Section 106 of the National Historic Preservation Act.

*l. Milliken and Company, Inc. filed a* Pre-Application Document (PAD) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

*m. The licensee states its unequivocal intent to submit an application for a new license for Project No. 2197. Pursuant to 18 CFR 16.8, 16.9, and 16.10 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 January 31, 2010.*

*n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<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 or toll free at 1-866-208-3676, or for TTY, at (202) 502-8659. A copy is also available for inspection and reproduction at the address in paragraph g.*

Register online at <http://ferc.gov/esubscribenow.htm> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC OnLine Support.

**Philis J. Posey,**

*Acting Secretary.*

[FR Doc. E7-6208 Filed 4-3-07; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Southeastern Power Administration

#### Proposed Rate Adjustment, Public Forum, and Opportunities for Public Review and Comment for Georgia-Alabama-South Carolina System of Projects

**AGENCY:** Southeastern Power Administration, DOE.

**ACTION:** Notice of proposed rate.

**SUMMARY:** Southeastern Power Administration (Southeastern) proposes to revise existing schedules of rates and charges applicable to the sale of power from the Georgia-Alabama-South Carolina System of Projects effective for a 5-year period, October 1, 2007, through September 30, 2012. Additionally, opportunities will be available for interested persons to review the present rates, the proposed rates and supporting studies, to participate in a forum and to submit written comments. Southeastern will evaluate all comments received in this process.

**DATES:** Written comments are due on or before July 3, 2007. A public information and comment forum will be held in Atlanta, Georgia, at 10 a.m., on May 10, 2007. Persons desiring to speak at the forum should notify Southeastern at least three (3) days before the forum is scheduled, so that a list of forum participants can be prepared. Others may speak if time permits.

**ADDRESSES:** Written comments should be submitted to: Administrator, Southeastern Power Administration, Department of Energy, 1166 Athens Tech Road, Elberton, Georgia 30635-6711. The public information and comment forum for the Georgia-Alabama-South Carolina System of Projects will be at the Hilton Garden Inn Atlanta Airport/Millennium Center, 2301 Sullivan Road, College Park, Georgia 30337 (404) 766-0303.

**FOR FURTHER INFORMATION CONTACT:** Leon Jourolmon, Assistant Administrator, Finance & Marketing, Southeastern Power Administration,

Department of Energy, 1166 Athens Tech Road, Elberton, Georgia 30635, (706) 213-3800.

**SUPPLEMENTARY INFORMATION:** The Federal Energy Regulatory Commission (FERC) by order issued November 3, 2004 (109 FERC § 61,133), confirmed and approved on a final basis Wholesale Power Rate Schedules SOCO-1-B, SOCO-2-B, SOCO-3-B, SOCO-4-B, ALA-1-K, MISS-1-K, Duke-1-B, Duke-2-B, Duke-3-B, Duke-4-B, Santee-1-B, Santee-2-B, Santee-3-B, Santee-4-B, Pump-1-A, Pump-2, Regulation-1 and Replacement-1 applicable to Georgia-Alabama-South Carolina System of Projects' power for a period ending September 30, 2007.

*Discussion:* Existing rate schedules are predicated upon a July 2003 repayment study and other supporting data contained in FERC Docket No. EF03-3011-000. The current repayment study prepared in March 2007 shows that existing rates are not adequate to recover all costs required by present repayment criteria. Southeastern is proposing to establish rates that will recoup these unrecovered costs.

A revised study with a revenue increase of \$13,045,000 in fiscal year 2008 and all future years over the current repayment study shows that all costs are repaid within their service life. Therefore, Southeastern is proposing to revise the existing rates to generate this additional revenue. The increase is due to increased operating expenses, including Corps Operation & Maintenance Expense and SEPA Marketing Expense.

Southeastern is proposing the following rate schedules to be effective for the period from October 1, 2007 through September 30, 2012.

**Rate Schedule SOCO-1-C**

Available to public bodies and cooperatives in Georgia, Alabama, Mississippi, and Florida to whom power may be wheeled and scheduled pursuant to contracts between the Government and Southern Company Services, Incorporated.

**Rate Schedule SOCO-2-C**

Available to public bodies and cooperatives in Georgia, Alabama, Mississippi, and Florida to whom power may be wheeled pursuant to contracts between the Government and Southern Company Services, Incorporated. The customer is responsible for providing a scheduling arrangement with the Government.

**Rate Schedule SOCO-3-C**

Available to public bodies and cooperatives in Georgia, Alabama,

Mississippi, and Florida to whom power may be scheduled pursuant to contracts between the Government and Southern Company Services, Incorporated. The customer is responsible for providing a transmission arrangement.

**Rate Schedule SOCO-4-C**

Available to public bodies and cooperatives in Georgia, Alabama, Mississippi, and Florida. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

**Rate Schedule ALA-1-L**

Available to the Alabama Electric Cooperative, Incorporated.

**Rate Schedule MISS-1-L**

Available to the South Mississippi Electric Power Association to whom power may be wheeled pursuant to contract between the Government and Alabama Electric Cooperative, Inc.

**Rate Schedule Duke-1-C**

Available to public bodies and cooperatives in North Carolina and South Carolina to whom power may be wheeled and scheduled pursuant to contracts between the Government and Duke Power Company.

**Rate Schedule Duke-2-C**

Available to public bodies and cooperatives in North Carolina and South Carolina to whom power may be wheeled pursuant to contracts between the Government and Duke Power Company. The customer is responsible for providing a scheduling arrangement with the Government.

**Rate Schedule Duke-3-C**

Available to public bodies and cooperatives in North Carolina and South Carolina to whom power may be scheduled pursuant to contracts between the Government and Duke Power Company. The customer is responsible for providing a transmission arrangement.

**Rate Schedule Duke-4-C**

Available to public bodies and cooperatives in North Carolina and South Carolina served through the transmission facilities of Duke Power Company. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

**Rate Schedule Santee-1-C**

Available to public bodies and cooperatives in South Carolina to whom power may be wheeled and scheduled

pursuant to contracts between the Government and South Carolina Public Service Authority.

**Rate Schedule Santee-2-C**

Available to public bodies and cooperatives in South Carolina to whom power may be wheeled pursuant to contracts between the Government and South Carolina Public Service Authority. The customer is responsible for providing a scheduling arrangement with the Government.

**Rate Schedule Santee-3-C**

Available to public bodies and cooperatives in South Carolina to whom power may be scheduled pursuant to contracts between the Government and South Carolina Public Service Authority. The customer is responsible for providing a transmission arrangement.

**Rate Schedule Santee-4-C**

Available to public bodies and cooperatives in South Carolina served through the transmission facilities of South Carolina Public Service Authority. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

**Rate Schedule SCE&G-1-C**

Available to public bodies and cooperatives in South Carolina to whom power may be wheeled and scheduled pursuant to contracts between the Government and South Carolina Electric & Gas Company.

**Rate Schedule SCE&G-2-C**

Available to public bodies and cooperatives in South Carolina to whom power may be wheeled pursuant to contracts between the Government and South Carolina Electric & Gas Company. The customer is responsible for providing a scheduling arrangement with the Government.

**Rate Schedule SCE&G-3-C**

Available to public bodies and cooperatives in South Carolina to whom power may be scheduled pursuant to contracts between the Government and South Carolina Electric & Gas Company. The customer is responsible for providing a transmission arrangement.

**Rate Schedule SCE&G-4-C**

Available to public bodies and cooperatives in South Carolina served through the transmission facilities of South Carolina Electric & Gas Company. The customer is responsible for providing a scheduling arrangement with the Government and for providing a transmission arrangement.

**Rate Schedule Pump-1-A**

Available to all customers of the Georgia-Alabama-South Carolina System and applicable to energy from pumping operations at the Carters and Richard B. Russell projects.

**Rate Schedule Pump-2**

Available to public bodies and cooperatives who provide their own scheduling arrangement and elect to allow Southeastern to use a portion of their allocation for pumping.

**Rate Schedule Regulation-1**

Available to public bodies and cooperatives in Georgia, Alabama,

Mississippi, Florida, South Carolina, or North Carolina to whom regulation service is provided pursuant to contracts between the Government and the customer.

**Rate Schedule Replacement-1**

Available to all customers in the Georgia-Alabama-South Carolina System and applicable to replacement energy.

The proposed rates for capacity, energy, and generation services are as follows:

- Capacity:* \$3.75 per kw per month.
- Energy:* 9.43 mills per kwh.

*Generation Services:* \$0.12 per kw per month.

Under this scenario, 75 per cent of generation revenues are recovered from capacity sales and 25 per cent are recovered from energy sales. These rates are expected to produce an average revenue increase of \$13.0 million in FY 2008 and all future years.

The rates for transmission, scheduling, reactive supply, and regulation and frequency response apply to all four scenarios and are illustrated in Table 1.

SOUTHEASTERN POWER ADMINISTRATION PROPOSED RATES FOR TRANSMISSION SCHEDULING, REACTIVE, AND REGULATION CHARGES

Rate schedule	Transmission charge \$/KW/month	Scheduling charge \$/KW/month	Reactive charge \$/KW/month	Regulation charge \$/KW/month
SOCO-1-C	2.17	0.0806	0.11	0.0483
SOCO-2-C	2.17	N/A	0.11	N/A
SOCO-3-C	N/A	0.0806	N/A	0.0483
SOCO-4-C	N/A	N/A	N/A	N/A
ALA-1-L	N/A	N/A	N/A	N/A
MISS-1-L	2.25	N/A	N/A	N/A
Duke-1-C	0.87	N/A	N/A	N/A
Duke-2-C	0.87	N/A	N/A	N/A
Duke-3-C	N/A	N/A	N/A	N/A
Duke-4-C	N/A	N/A	N/A	N/A
Santee-1-C	1.06	N/A	N/A	N/A
Santee-2-C	1.06	N/A	N/A	N/A
Santee-3-C	N/A	N/A	N/A	N/A
Santee-4-C	N/A	N/A	N/A	N/A
SCE&G-1-C	0.85	N/A	N/A	N/A
SCE&G-2-C	0.85	N/A	N/A	N/A
SCE&G-3-C	N/A	N/A	N/A	N/A
SCE&G-4-C	N/A	N/A	N/A	N/A
Pump-1-A	N/A	N/A	N/A	N/A
Pump-2	N/A	N/A	N/A	N/A
Regulation-1	N/A	N/A	N/A	0.05
Replacement-1	N/A	N/A	N/A	N/A

The referenced repayment studies are available for examination at 1166 Athens Tech Road, Elberton, Georgia 30635-6711. Proposed Rate Schedules SOCO-1-C, SOCO-2-C, SOCO-3-C, SOCO-4-C, ALA-1-L, MISS-1-L, Duke-1-C, Duke-2-C, Duke-3-C, Duke-4-C, Santee-1-C, Santee-2-C, Santee-3-C, Santee-4-C, SCE&G-1-C, SCE&G-2-C, SCE&G-3-C, SCE&G-4-C, Pump-1-A, Pump-2, Regulation-1, and Replacement-1 are also available.

Dated: March 26, 2007.

**Jon C. Worthington,**

*Administrator.*

[FR Doc. E7-6257 Filed 4-3-07; 8:45 am]

**BILLING CODE 6450-01-P**

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-8295-3]

**Proposed Consent Decree, Clean Air Act Citizen Suit**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or "Act"), 42 U.S.C. 7413(g), notice is hereby given of a proposed consent decree, to address a lawsuit filed by Rocky Mountain Clean Air Action and Jeremy Nichols (collectively "Plaintiffs"): *Rocky Mountain Clean Air Action, et al. v. Johnson*, No. 06-01992 (D. D.C.). Plaintiffs filed deadline suits

to compel the Administrator to respond to petitions seeking EPA's objection to CAA Title V operating permits filed in 2005 for the Public Service Company's Fort Saint Vrain Power Station ("Ft. St. Vrain Station") in Colorado and in 2006 for the GCC Dacotah cement plant ("GCC Dacotah") in South Dakota. Under the terms of the proposed consent decree, EPA has agreed to respond to the GCC Dacotah petition by June 15, 2007, and the Ft. St. Vrain Station petition is dismissed as moot because EPA took final action on February 5, 2007.

**DATES:** Written comments on the proposed consent decree must be received by May 4, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2007-0267, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred