

filing requirements to allow the tariff sheets to become effective as of the date of the Virginia State Corporation Commission's (SCC) final order in Case No. PUE-2003-00118.

Dominion Virginia Power states that copies of the filing were served upon Dominion Virginia Power's customers under its OATT, the SCC and the North Carolina Utilities Commission.

*Comment Date:* April 23, 2004.

## 12. Florida Power & Light Company—New England Division

[Docket No. ER04-714-000]

Take notice that on April 1, 2004, Florida Power & Light Company—New England Divisions (FPL-NED), pursuant to section 205(c) of the Federal Power Act and section 35.13 of the Commission's regulations, tendered for filing its Open Access Transmission Tariff. FPL-NED states the purpose of this local network service tariff is to set forth the terms and conditions of local network service over FPL-NED's non-Pool Transmission Facilities located in the New England Power Pool (NEPOOL) control area, and to establish the rates for local network service.

*Comment Date:* April 22, 2004.

### Standard Paragraph

Any person desiring to intervene or to protest this filing should file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with rules 211 and 214 of the Commission's rules of practice and procedure (18 CFR 385.211 and 385.214). 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 proceeding. Any person wishing to become a party must file a motion to intervene. All such motions or protests should be filed on or before the comment date, and, to the extent applicable, must be served on the applicant and on any other person designated on the official service list. 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 "FERRIS" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call (202) 502-8222 or TTY, (202) 502-8659. 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 electronic filings.

**Magalie R. Salas,**  
*Secretary.*

[FR Doc. E4-856 Filed 4-14-04; 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 9, 2004.

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.:* 1490-034.

c. *Date Filed:* March 24, 2004.

d. *Applicant:* Brazos River Authority.

e. *Name of Project:* Morris Sheppard Hydroelectric Project.

f. *Location:* The project is located on the Possum Kingdom Reservoir on the Brazos River in Palo Pinto County, Texas. This project does not occupy any Federal or tribal lands.

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

h. *Applicant Contact:* Mr. Gary Gwyn, Brazos River Authority, P.O. Box 7555, 4400 Cobbs Drive, Waco, Texas, 76714, (817) 776-1441.

i. *FERC Contact:* Any questions on this notice should be addressed to Brittany Schoenen at (202) 502-6097, or e-mail address: [bschoenen@ferc.gov](mailto:bschoenen@ferc.gov).

j. *Deadline for Filing Comments and or Motions:* May 10, 2004.

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-1490-034) 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:* Brazos River Authority (Authority) is seeking Commission approval of the existing 154-slip Bluff Creek Marina and approval to permit the addition of 12 boat slips to the marina. Most of the

boat slips would be available for rental to the public.

1. *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.

**Linda Mistry,**

*Acting Secretary.*

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