

j. *Deadline for filing comments, protests, and motions to intervene:* October 2, 2006.

All documents (original and eight 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 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link. The Commission strongly encourages electronic filings. Please include the project number (P-12719-000) 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. *Competing Application:* Project No. 12661-000, Date Filed: March 31, 2006, Notice Issued: April 27, 2006, Due Date: June 27, 2006.

l. *Description of Project:* The proposed project would consist of: (1) A proposed directional tunnel and rock tap to the lake, (2) an existing reservoir having a surface area of 449 acres and a storage capacity of 14,500 acre-feet with a normal water surface elevation of 3,160 feet mean sea level, (3) a proposed 6,200-foot-long, 22-inch-diameter penstock, (4) a proposed powerhouse containing one or two generating units having a total installed capacity of 7,000-kilowatts, (5) a proposed open channel tailrace, (6) a proposed 5.8-mile-long, 14.4/24.9-kilovolt transmission line, and (7) appurtenant facilities. The proposed project would have an average annual generation of 56.8 gigawatt-hours, which would be sold to a local utility.

m. *Locations of Applications:* A copy of the application is available for inspection and reproduction at the Commission in the Public Reference Room, located at 888 First Street, NE., Room 2A, Washington DC 20426, or by calling (202) 502-8371. This filing may also 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, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY,

call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h above.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *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.

p. *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.

q. *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.

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.

r. *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. E6-14956 Filed 9-8-06; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Petition for Declaratory Order and Soliciting Comments, Motions To Intervene, and/or Protests

August 31, 2006.

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

a. *Application Type:* Petition for Declaratory Order.

b. *Docket No:* D106-3-000.

c. *Date Filed:* August 14, 2006.

d. *Applicant:* Kauai Island Utility Cooperative.

e. *Name of Project:* Upper and Lower Waiahi Hydroelectric Project.

f. *Location:* The Upper and Lower Waiahi Hydroelectric Project is located on the South Branch North Fork Wailua River, Waikoko Stream, Waiaka Stream, Iliiliua Stream and Waiahi Stream, Lihue District Lihue Koloa Forest Reserve near Lihue, Kauai County, Hawaii. The project is not located on Federal land.

g. *Filed Pursuant to:* Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b).

h. *Applicant Contact:* Gary W. Peers, Projects Engineer, Kauai Island Utility Cooperative, 4463 Pahee Street, Lihue, Kauai, Hawaii, 96766; Telephone: (808) 246-8220; FAX: (808) 246-4344; E-mail: [gpeers@kiuc.coop](mailto:gpeers@kiuc.coop).

i. *FERC Contact:* Any questions on this notice should be addressed to Henry G. Ecton (202) 502-8768, or E-mail: [henry.ecton@ferc.gov](mailto:henry.ecton@ferc.gov).

j. *Deadline for filing comments and/or motions:* October 2, 2006.

All documents (original and eight 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. Any questions, please contact the Secretary's Office. See, 18 CFR 385.2001(a)(1)(iii) and the

instructions on the Commission's Web site at: <http://www.ferc.gov>.

Please include the docket number (DI06-3-000) on any protests, comments or motions filed.

k. *Description of Project:* The project consists of the Upper and Lower Waiahi Hydro projects. The Upper Waiahi Hydro project includes: (1) A 37-inch-diameter, 833-foot-long steel penstock, and a 21-inch-diameter, 21-foot-long steel penstock; (2) a 500-kW Pelton dual runner, single shaft turbine and a 625-kVA, 2300 V AC generator; (3) a powerhouse; and (4) appurtenant facilities. The Lower Waiahi Hydro Project includes: (1) A 37-inch-diameter, 783-foot-long steel penstock, with 25-inch-diameter, 8-foot-long steel penstock; (2) a 780-kW turbine and a 1,000 kVA, 2300 V AC generator; (3) a powerhouse; and (4) appurtenant facilities.

When a Petition for Declaratory Order is filed with the Federal Energy Regulatory Commission, the Federal Power Act requires the Commission to investigate and determine if the interests of interstate or foreign commerce would be affected by the project. The Commission also determines whether or not the project: (1) Would be located on a navigable waterway; (2) would occupy or affect public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) if applicable, has involved or would involve any construction subsequent to 1935 that may have increased or would increase the project's head or generating capacity, or have otherwise significantly modified the project's pre-1935 design or operation.

l. *Locations of the application:* Copies of this filing are on file with the Commission and are available for public inspection. This filing may be viewed on the Web 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 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", "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.

Magalie R. Salas,  
Secretary.

[FR Doc. E6-14958 Filed 9-8-06; 8:45 am]

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepting for Filing and Soliciting Motions To Intervene, Protests and Comments

September 5, 2006.

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

a. *Type of Application:* Preliminary Permit.

b. *Project No.:* 12717-000.

c. *Date filed:* July 19, 2006.

d. *Applicant:* Northern Illinois Hydropower Corporation.

e. *Name of Project:* Brandon Road Project.

f. *Location:* On Des Plaines River, near Joliet, Will County, Illinois.

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

h. *Applicant Contacts:* Mr. Dennis Cohil, 801 Oakland Ave., Joliet, IL 60435, (815) 723-6314. Damon Zdunich, 519 N. Reed Street, Joliet, IL 60435, (815) 744-3741.

i. *FERC Contact:* Etta Foster, (202) 502-8769.

j. *Deadline for filing comments, protests, and motions to intervene:* 60 days from the issuance date of this notice.

All documents (original and eight copies) should be filed with Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Please include the project number (P-12717-000) on any comments, protests, or motions filed.

k. *Description of Project:* The proposed project would consist of: The existing U.S. Army Corps of Engineers' Brandon Road Lock and Dam; (1) An existing reservoir; (2) a proposed powerhouse containing two generating units with a total generating capacity of 6.6 MW; (3) a proposed 1.5 mile-long, 34-kVA overhead transmission line; (4) a proposed switchyard; (5) a tailrace, and (6) appurtenant facilities.

The project would have an estimated annual generation of approximately 55,166,000 KWh. The applicant plans to sell the generated energy.

l. *Location of Application:* A copy of the application is available for inspection and reproduction at the Commission in the Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also 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, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item h. above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Competing Preliminary Permit:* Anyone desiring to file a competing application for preliminary permit for a proposed project must submit the competing application itself, or a notice of intent to file such an application, to the Commission on or before the specified comment date for the particular application (see 18 CFR 4.36). Submission of a timely notice of intent allows an interested person to file the competing preliminary permit application no later than 30 days after the specified comment date for the particular application. A competing preliminary permit application must conform with 18 CFR 4.30(b) and 4.36.