

p. *Procedural schedule*: Recipients will have 30 days to provide the Commission with any written comments on the EA. All comments filed with the Commission will be considered in the Order taking final action on the application. However, should substantive comments requiring re-analysis be received on the EA document, we would consider preparing a subsequent EA document. The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Notice Accepting Application, and Motion to Intervene.	August 2005.
Notice of Paper Scoping Interventions and/or Scoping comments due.	August 2005. October 2005.
Notice Ready for Environmental Analysis/Soliciting Final Comments, Recommendations, Terms and Conditions.	October 2005.
Deadline for Agency Recommendations.	November 2005.
Notice of the availability of the EA.	December 2005.
Public Comments on EA due.	January 2006.
Ready for Commission decision on the application.	February 2006.

q. Final amendments to the application must be filed with the Commission no later than 60 days from the issuance date of this notice.

**Magalie R. Salas,**

*Secretary.*

[FR Doc. E5-4816 Filed 9-1-05; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Accepted For Filing and Soliciting Motions To Intervene, Protests, and Comments

August 26, 2005.

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.*: 12590-000.

c. *Date filed*: May 9, 2005.

d. *Applicant*: Historic Hydro, LLC.

e. *Name of Project*: Holliday Project.

f. *Location*: On the west Fork of the White River, in Hamilton County, Indiana. The dam is owned by PSI Energy.

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

h. *Applicant Contact*: Mr. Robert L. Aram, Holliday Hydro, LLC, 8802E 141st Street, Noblesville, IN 46060, (317) 773-0128.

i. *FERC Contact*: Robert Bell, (202) 502-6062.

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

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. *Description of Project*: The proposed project would consist of; (1) An existing 10-foot-high, 350-foot-long concrete gravity dam, (2) an existing impoundment having a surface area of 28 acres, with negligible storage and normal water surface elevation of 764 feet mean seas level, (3) an existing powerhouse containing two generating units having a total installed capacity of 350 kilowatts, (4) a proposed 1000-foot-long transmission line, and (5) appurtenant facilities. The project would have an annual generation of 1.5 gigawatt-hours that would be sold to a local utility.

l. *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.

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.

o. *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.

p. *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.

q. *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.

r. *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.

s. 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.

t. 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.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2216-066]

#### New York Power Authority; Notice of Application Tendered for Filing With the Commission, Notice of Offer of Settlement, and Establishing Procedural Schedule for Relicensing and a Deadline for Submission of Final Amendments

August 26, 2005.

Take notice that the following hydroelectric application and offer of settlement have been filed with the

Commission and are available for public inspection.

a. *Type of Application*: New Major License.

b. *Project No.*: P-2216-066.

c. *Date Filed*: August 18, 2005 for application; August 19, 2005 for offer of settlement.

d. *Applicant*: New York Power Authority.

e. *Name of Project*: Niagara Power Project, which consists of the Lewiston Pump Generating Plant and the Robert Moses Niagara Power Plant.

f. *Location*: The Niagara Power Project is located on the Niagara River in the City of Niagara Falls and the Towns of Niagara and Lewiston, in Niagara County, New York.

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

h. *Applicant Contact*: Frederick E. Chase, Executive Director of Hydropower Relicensing, Power Authority of the State of New York, 30 South Pearl Street, Albany, NY 12207-3425, (518) 433-6738 or [chase.f@nypa.gov](mailto:chase.f@nypa.gov).

i. *FERC Contact*: Steve Kartalia, (202) 502-6131 or [stephen.kartalia@ferc.gov](mailto:stephen.kartalia@ferc.gov).

j. *Cooperating agencies*: We are asking Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the environmental document. Agencies who would like to request cooperating status should follow the instructions for filing such requests described in item k below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. See, 94 FERC ¶ 61,076 (2001).

k. *Deadline to request cooperating agency status*: September 19, 2005.

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.

Requests for cooperating agency status may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov>) under the "e-Filing" link.

l. This application has not been accepted for filing. We are not soliciting motions to intervene, protests, or final terms and conditions at this time. However, a number of entities filed motion to intervene prior to the application being filed in this case. Although these motions must be rejected because there was no

proceeding in which to intervene when they were filed, once an application has been filed, the Commission does accept motions to intervene filed before public notice of the application being accepted is issued (see 75 FERC ¶ 61,318).

m. *Description of Project*: The existing project has a conventional development and a pumped storage development for a total current installed capacity of 2,538 megawatts consisting of: (a) Two 700-foot-long intake structures located on the upper Niagara River about 2.6 miles upstream from the American Falls; (b) two 4.3-mile-long, 46-foot-wide by 66.5-foot-high concrete underground water supply conduits; (c) a forebay; (d) the 974-foot-long by 240-foot-wide by 160-foot-high Lewiston Pump-Generating Plant; (e) the 1,900-acre Lewiston Reservoir at a maximum water surface elevation of 658 feet United States Lake Survey Datum; (f) the Robert Moses Niagara power plant, including an 1,100-foot-long by 190-foot-wide by 100-foot-high intake structure; (g) a switch yard; and (h) appurtenant facilities.

n. 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.

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

o. Procedural schedule and final amendments: At this time we anticipate preparing a draft environmental impact statement (DEIS). Recipients will have 45 days to provide the Commission with any written comments on the DEIS. All comments filed with the Commission will be considered in the final environmental impact statement (FEIS). The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Notice of Acceptance of Application: October 2005.

Notice of Application Ready for Environmental Analysis: December 2005.