

small power production facilities located near Mojave, California is delivered to the utility power purchaser, Southern California Edison Company.

*Comment Date:* May 13, 2003.

### 3. Morgan Stanley Capital Group Inc.

[Docket No. EL03-120-000]

Take notice that on April 17, 2003, Morgan Stanley Capital Group Inc. filed with the Federal Energy Regulatory Commission (Commission) a petition requesting that the Commission issue a declaratory order stating that under section 206 of the Federal Power Act, and sections 9.4 and 22.3(d) of the Western System Power Pool Agreement, a Defaulting Party cannot refuse to pay a Termination Payment based on a pending FPA section 206 proceeding seeking a refund with respect to some of the transactions included in the Termination Payment calculation.

*Comment Date:* May 19, 2003.

### 4. Sagebrush

[Docket No. EL03-121-000]

Take notice that on April 16, 2003, Sagebrush, a California partnership (Sagebrush), filed a Petition for Declaratory Order finding that, under the circumstances described in the Petition: (1) A transmission line currently used to transmit power produced exclusively by a number of wind power qualifying facilities (QFs) under the Public Utility Regulatory Policies Act of 1978 may be used to transmit power produced by non-QF eligible facilities owned by exempt wholesale generators without affecting the QF status of any QF that uses a portion of the line; and (2) such operation will not cause Sagebrush or any party owning a direct or indirect interest in Sagebrush to become subject to any additional regulatory requirements under the Federal Power Act.

*Comment Date:* May 9, 2003.

### 5. Mojave 16/17/18 LLC (Mojave 16 Project)

[Docket No. QF88-365-007]

Take notice that on April 16, 2003, Mojave 16/17/18 LLC (Applicant) filed with the Federal Energy Regulatory Commission (Commission) an Application for Commission Recertification as a Qualifying Small Power Production Facility pursuant to part 292 of the Commission's regulations.

*Comment Date:* May 16, 2003.

### 6. PJM Interconnection, LLC

[Docket No. RT01-2-008]

Take notice that on April 17, 2003, PJM Interconnection, LLC (PJM)

submitted a filing to clarify and supplement its filing of March 20, 2003, in compliance with the Commission's order in this proceeding dated December 20, 2002. PJM states that the instant filing clarifies its March 20 filing with respect to priorities to be applied in PJM's economic planning process and supplements its previous filing with respect to certain issues regarding capacity benefit margin and seams between PJM and other RTO regions.

PJM states that copies of this filing have been served on all parties, as well as on all PJM Members and the state electric utility regulatory commissions in the PJM region.

*Comment Date:* May 19, 2003.

### 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, 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. 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.*

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**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. P-2242-051]

### Eugene Water and Electric Board; Notice of Availability of Environmental Assessment

April 23, 2003.

In accordance with the National Environmental Policy Act of 1969, as amended, and the Federal Energy Regulatory Commission's (Commission) regulations (18 CFR part 380), Commission staff has reviewed plans, filed December 9, 2002, to construct additional emergency spillway capacity at the Carmen-Smith Hydroelectric Project, FERC No. 2242. An environmental assessment (EA) has been prepared on the plans, and is available for public review. The Carmen-Smith Project is located on the McKenzie River in Linn and Lane counties, Oregon.

The project licensee (Eugene Water and Electric Board) plans to construct additional emergency spillway capacity at the project's Trail Bridge Development so that the project can safely pass Probable Maximum Flood (PMF) flows. In accordance with part 12 of the Commission's regulations and the Commission's engineering guidelines, the licensee must construct the additional spillway capacity to ensure the ability to safely pass the PMF. The work is scheduled for the summer of 2003. In the EA, Commission staff has analyzed the probable environmental effects of the work and have concluded that approval of the proposal would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in Public Reference Room 2-A of the Commission's offices at 888 First Street, NE., Washington, DC 20426 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, 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.

**Magalie R. Salas,**

*Secretary.*

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