

Item 3

Other Federal Projects

Federal Register, Vol. 69, No. 40, Page 9610, March 1, 2004, Oswego River Project

**FERC Notice of Settlement Agreement and Soliciting Comments, Oswego River Project,
Feb. 24, 2004**

**Dept. of the Interior, Fish and Wildlife Service, Oswego River Hydroelectric Project,
March 4, 2004**

**FERC Notice of Request under Blanket Authorization, Steuben Gas Storage Company,
June 18, 2004**

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. E4-422 Filed 2-27-04; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 12062-001]

Symbiotics, LLC; Notice of Surrender of Preliminary Permit

February 23, 2004.

Take notice that Symbiotics, LLC, permittee for the proposed Sun River Diversion Hydroelectric Project, has requested that its preliminary permit be terminated. The permit was issued on September 28, 2001, and would have expired on August 31, 2004. The proposed project would have been located on an existing federally-owned dam administered by the U.S. Bureau of Reclamation, on the Sun River in Teton County, Montana.

The permittee filed the request on February 13, 2004, and the preliminary permit for Project No. 12062 shall remain in effect through the 30th day after issuance of this notice unless that day is a Saturday, Sunday, or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR part 4, may be filed on the next business day.

Magalie R. Salas,
Secretary.

[FR Doc. E4-421 Filed 2-27-04; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2474-004]

Oswego River Project; Notice of Settlement Agreement and Soliciting Comments

February 24, 2004.

Take notice that following settlement agreement has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Settlement agreement on resolution of issues related to licensing of the Oswego River Project.

b. *Project No.:* P-2474-004.

c. *Date filed:* February 19, 2004.

d. *Applicant:* Erie Boulevard, L.P.

e. *Name of Project:* Oswego River Project.

f. *Location:* On the Oswego River in Oswego County, New York.

g. *Filed Pursuant to:* Rule 602 of the Commission's rules of practice and procedure, 18 CFR 385.602

h. *Applicant Contact:* Jerry L. Sabattis, Reliant Energy, 225 Greenfield Parkway, Suite 201, Liverpool, New York, 13088, (315) 413-2787.

FERC Contact: John Costello, (202) 502-6119, john.costello@ferc.gov.

j. *Deadline for Filing Comments:* 20 days from the issuance date of this notice; reply comments are due 30 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.

The Commission's rules of practice require all interveners filing documents with the Commission to serve a copy of that document on each person on the official service list for the Project. Further, if an intervener 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.

Comments 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.

k. Reliant Energy filed on behalf of Erie Boulevard, L.P. (Erie) and the Adirondack Mountain Club, Izaak Walton League, New York Rivers United, New York State Conservation Council, New York State Department of

Environmental Conservation, Trout Unlimited, U.S. Department of the Interior, Fish and Wildlife Service, and U.S. Department of the Interior, National Park Service a settlement agreement on the resolution of issues related to the licensing proceeding for the Oswego River Project. The settlement includes measures for enhancing aquatic habitat, fish movement and fishing opportunities, riparian vegetation, wetland and wildlife, and recreational access. In addition, the settlement includes an agreement among the parties to modify the terms and conditions of the upstream Oswego Falls Project, No. 5984, license so that it will be compatible with the various protection, mitigation, and enhancement measures pertaining to the Oswego River Project. Erie intends to file an application to amend the license for the Oswego Falls Project within 90 days of the date of the settlement agreement.

1. A copy of the settlement agreement 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 or toll-free at 1-866-208-3676, or 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://ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Magalie R. Salas,
Secretary.

[FR Doc. E4-424 Filed 2-27-04; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2194-020]

FPL Energy Maine Hydro LLC; Notice of Application Accepted for Filing a Soliciting Motions To Intervene and Protest

February 24, 2004.

Take notice that the following hydroelectric application has been filed

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Oswego River Project

Project No. 2474-004

NOTICE OF SETTLEMENT AGREEMENT AND SOLICITING COMMENTS

(February 24, 2004)

Take notice that following settlement agreement has been filed with the Commission and is available for public inspection.

- a. Type of Application: Settlement Agreement on Resolution of Issues Related to Licensing of the Oswego River Project.
 - b. Project No.: P-2474-004
 - c. Date filed: February 19, 2004
 - d. Applicant: Erie Boulevard, L.P.
 - e. Name of Project: Oswego River Project
 - f. Location: On the Oswego River in Oswego County, New York
 - g. Filed Pursuant to: Rule 602 of the Commission's Rules of Practice and Procedure, 18 CFR 385.602
 - h. Applicant Contact: Jerry L. Sabattis, Reliant Energy, 225 Greenfield Parkway, Suite 201, Liverpool, New York, 13088, (315) 413-2787
- FERC Contact: John Costello, (202) 502-6119, john.costello@ferc.gov
- j. Deadline for Filing Comments: 20 days from the issuance date of this notice; reply comments are due 30 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.

The Commission's Rules of Practice require all interveners filing documents with the Commission to serve a copy of that document on each person on 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.

Comments 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.

k. Reliant Energy filed on behalf of Erie Boulevard, L.P. (Erie) and the Adirondack Mountain Club, Izaak Walton League, New York Rivers United, New York State Conservation Council, New York State Department of Environmental Conservation, Trout Unlimited, U.S. Department of the Interior, Fish and Wildlife Service, and U.S. Department of the Interior, National Park Service a settlement agreement on the resolution of issues related to the licensing proceeding for the Oswego River Project. The settlement includes measures for enhancing aquatic habitat, fish movement and fishing opportunities, riparian vegetation, wetland and wildlife, and recreational access. In addition, the settlement includes an agreement among the parties to modify the terms and conditions of the upstream Oswego Falls Project, No. 5984, license so that it will be compatible with the various protection, mitigation, and enhancement measures pertaining to the Oswego River Project. Erie intends to file an application to amend the license for the Oswego Falls Project within 90 days of the date of the settlement agreement.

l. A copy of the settlement agreement is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website 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 or toll-free at 1-866-208-3676, or 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://ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Magalie R. Salas
Secretary



United States Department of the Interior
OFFICE OF THE SECRETARY

FISH AND WILDLIFE SERVICE

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3817 Luker Road
Cortland, NY 13045

**FEDERAL ENERGY
REGULATORY COMMISSION :**



March 4, 2004

Magalie Salas, Secretary
Federal Energy Regulatory Commission
Mail Code: DLC, HL-11.2
888 First St., NE
Washington, DC 20426

ORIGINAL

RE: Oswego River Hydroelectric Project (FERC #2474)
Review of Notice of Settlement Agreement and Soliciting Comments

Dear Ms. Salas:


The U.S. Fish and Wildlife Service (Service) has reviewed the February 24, 2004, Notice of Settlement Agreement and Soliciting Comments for the Oswego River Hydroelectric Project, located on the Oswego River in Oswego County, New York. The Licensee, Erie Boulevard Hydro Power, LP (Erie), filed the Settlement Agreement (Settlement) on February 18, 2004. The Service signed the Settlement on April 18, 2003.

The Service participated in the relicensing of this project from approximately 1985 until the filing of the Settlement. The protection, mitigation, and enhancement measures incorporated into the Settlement supercede the recommendations, terms, and conditions provided by the Service in the U.S. Department of the Interior's (Department) March 26, 1996, letter in response to the Federal Energy Regulatory Commission's (FERC) Notice of Application Ready for Environmental Analysis. The Settlement measures will provide equal or better protection and enhancement of the fish and wildlife resources than the original measures filed under Section 10(j) of the Federal Power Act (FPA). The Service recommends that the FERC incorporate the entire Settlement into the FERC license as specified in Section 2 of the Settlement.

The Department also filed a Preliminary Fishway Prescription under Section 18 of the FPA as part of the March 26, 1996, filing. On February 27, 2001, following opportunity for comment, the Department filed a Modified Prescription and Administrative Record, including Responses to Comments. The fish passage and protection measures and the implementation schedule identified in Section 3.5 of the Settlement should be considered by the FERC to supercede the measures incorporated in the February 27, 2001, Modified Prescription, and the Settlement should be considered to be part of the Administrative Record for this project.

The Service looks forward to a prompt issuance of a license to Erie consistent with the terms of the Settlement. If you have any questions or need additional information, contact Steve Patch at 607-753-9334.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Stilwell". The signature is written in a cursive style with a large, sweeping initial "D".

David A. Stilwell
Field Supervisor

cc: Service List

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Steuben Gas Storage Company

Docket No. CP04-361-000

NOTICE OF REQUEST UNDER BLANKET AUTHORIZATION

(June 18, 2004)

Take notice that on June 14, 2004, Steuben Gas Storage Company (Steuben), 535 Boylston Street, 12th Floor, Boston, MA 02116, filed in Docket No. CP04-361-000, a request pursuant to its blanket certificate issued July 28, 1995 under Docket Nos. CP95-119-000 and CP95-119-001, for authority under Section 157.214 of the Commission's Regulations (18 CFR 157.214) to increase the natural gas volume and the maximum stabilized reservoir pressure at the Adrian gas storage field, located in Steuben County, New York.

Any questions regarding this application should be directed to David A. T. Donohue, President, Steuben Gas Storage Company, 535 Boylston Street, 12th Floor, Boston, Massachusetts 02116, at (617) 536-0202.

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, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or call toll-free at (866) 208-3676, or for TTY, contact (202) 502-8659. Protests, comments 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 interveners to file electronically.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Magalie R. Salas
Secretary

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Niagara Mohawk Power Corporation) Project No. 2474-004

NOTICE OF FILING OF APPLICATION

(December 16, 1991)

Take notice that on December 6, 1991, the Niagara Mohawk Power Corporation filed an application to relicense the Oswego River Hydroelectric Project No. 2474-004.

The Oswego River Project is located on the Oswego River, in Oswego County, New York. The project consists of 3 existing developments, with an installed capacity of 18.05 MW. The licensee proposes to rewind and refurbish the turbine/generators at the Varick and Minetto developments to increase the installed capacity by 4.7 MW. The current operating license expires December 31, 1993.

If any resource agency, Indian tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merits, a request for the study, together with justification for such request in accordance with Section 4.32 of the Commission's regulations, must be filed no later than 60 days after the date of filing.

Lois D. Cashell
Secretary