

with the Commission and is available for public inspection:

- a. Type of Application: Notice of Intent to File An Application For a Subsequent License.
- b. *Project No.*: 6059.
- c. *Date filed*: November 24, 1997.
- d. *Submitted By*: Hydro Development Group, Inc., current licensee.
- e. *Name of Project*: Fowler #17 Hydroelectric Project.
- f. *Location*: On the Oswegatchie River in St. Lawrence County, New York.
- g. *Filed Pursuant to*: 18 CFR 16.19 of the Commission's regulations.
- h. *Effective date of current license*: April 1, 1962.
- i. Expiration date of current license September 30, 2002.
- j. The project consists of: (1) Three concrete dam sections spanning the river and connecting two small islands, comprising: (a) a 75-foot-long, 25-foot-high dam equipped with 10-inch-high flashboards; (b) a 192-foot-long, 2-foot-high dam equipped with 22-inch-high flashboards; (c) a 154-foot-long, 15-foot-high dam equipped with 17-inch-high flashboards; (2) a 3-acre reservoir with a normal water surface elevation of 542.0 feet msl; (3) a 55-foot-long, 24-foot-wide, 20-foot-deep flume; (4) a powerhouse containing three generating units with a total installed capacity of 900 kW; (5) 450-foot-long transmission line; and (6) Appurtenant facilities.
- k. Pursuant to 18 CFR 16.7, information the project is Available at: Hydro Development Group, Inc., c/o CHI Energy Inc., P.O. Box 58, Route 12F, Airport Road, Dexter, NY 13634, (315) 639-6700.
- l. *FERC contact*: Tom Dean (202) 219-2778.
- m. Pursuant to 18 CFR 16.9 and 16.20 each application for a new or subsequent license and any competing

license applications must be filed with the Commission on least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by September 30, 2000.

Lois D. Cashell,
Secretary.

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DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders During the Week of September 15 Through September 19, 1997

During the week of September 15 through September 19, 1997, the decisions and orders summarized below were issued with respect to appeals, applications, petitions, or other requests filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW, Washington, D.C. 20585-0107, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf reporter system. Some decisions and orders are available on the Office of Hearings and Appeals World Wide Web site at <http://www.oha.doe.gov>.

Dated: December 2, 1997.

George B. Breznay,
Director, Office of Hearings and Appeals.

Department of Energy

Office of Hearings and Appeals

[Decision List No. 51]

Week of September 15 through September 19, 1997

Appeal

William H. Payne, 9/19/97, VFA-0326

The Department of Energy (DOE) issued a Decision and Order (D&O) granting in part a Freedom of Information Act (FOIA) Appeal that was filed by William H. Payne. In his Appeal, Mr. Payne contested a determination made by the DOE's Albuquerque Operations Office that portions of two legal invoices should be withheld pursuant to the attorney work-product privilege component of Exemption 5, and Exemption 4. In the Decision, the OHA found that Albuquerque properly withheld portions of the documents under Exemption 5, but that Albuquerque had failed to adequately explain its reasons for withholding portions of the invoices under Exemptions 4. The OHA therefore remanded the matter to Albuquerque for the issuance of a new determination concerning the information withheld under Exemption 4.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Moore Planting Co., Inc. Parker Transfer	RF272-57035	9/16/97
	RF272-98742	
Newmann Medical Center Catholic Health Initiatives	RK272-0841	9/19/97
	RK272-04577	
Pepsi-Cola Bottling Co.	RK272-4581	9/17/97
Roger Zetocha et al	RK272-3097	9/16/97

Dismissals

The following submissions were dismissed.

Name	Case No.
Central Valley Cooperative	VEE-0031
Givaudan-Roure Corp.	RR272-00245
Personnel Security Hearing	VSO-0162
Robert Bruce, Inc.	RF272-57073
Robin Villarreal-Neidner	VFA-0334
Schultz Bottled Gas	VEE-0022

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