

requirements and allow the agreements to become effective on September 19, 2000.

*Comment date:* October 10, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 14. Florida Power Corporation

[Docket No. ER00-3702-000]

Take notice that on September 18, 2000, Florida Power Corporation (Florida Power) tendered for filing, a notice of termination of the service agreement for non-firm point-to-point transmission service with Sonat Power Marketing L.P. (now known as El Paso Merchant Energy, L.P.) and Florida Power Corporation (FPC).

*Comment date:* October 10, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 15. Louisville Gas and Electric Company/Kentucky Utilities Company

[Docket No. ER00-3710-000]

Take notice that on September 18, 2000, Louisville Gas and Electric Company (LG&E)/Kentucky Utilities Company (KU) (hereinafter Companies) tendered for filing an unexecuted unilateral Service Sales Agreement between Companies and Merrill Lynch Capital Services, Inc. under the Companies' Rate Schedule MBSS.

*Comment date:* October 10, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 16. Florida Power Corporation

[Docket No. ER00-3711-000]

Take notice that on September 18, 2000, Florida Power Corporation (Florida Power) tendered for filing a service agreement providing for non-firm point-to-point transmission service and a service agreement providing for short term firm point-to-point transmission service by Florida Power to Constellation Power Source, Inc. pursuant to Florida Power's open access transmission tariff.

Florida Power requests that the Commission waive its notice of filing requirements and allow the agreements to become effective on September 19, 2000.

*Comment date:* October 10, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 17. Cinergy Services, Inc.

[Docket No. ER00-3713-000]

Take notice that on September 18, 2000, Cinergy Services, Inc. (Cinergy) tendered for filing a Service Agreement under Cinergy's Resale, Assignment or Transfer of Transmission Rights and Ancillary Service Rights Tariff (the

Tariff) entered into between Cinergy and El Paso Merchant Energy, L.P. (El Paso). This Service Agreement has been executed by both parties and is to replace the existing unexecuted Service Agreement.

*Comment date:* October 10, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 18. Cinergy Services, Inc.

[Docket No. ER00-3714-000]

Take notice that on September 18, 2000, Cinergy Services, Inc. (Cinergy) and Illinova Energy Partners, Inc. are requesting a cancellation of Service Agreements No. 122, under Cinergy Operating Companies, Market-Based Power Sales Tariff—MB, FERC Electric Tariff Original Volume No. 7.

Cinergy requests an effective date of May 31, 2000.

*Comment date:* October 10, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 19. Energy Alternatives, Inc.

[Docket No. ER00-3715-000]

Take notice that on September 18, 2000, Energy Alternatives, Inc. (EA) petitioned the Commission for cancellation of EA Rate Schedule FERC No. 1. EA no longer intends to engage in wholesale electric power and energy purchases and sales as a marketer in the near future. There are no purchasers or other parties affected by this cancellation. EA is a wholly-owned subsidiary of Midwest Energy Systems, a Minnesota corporation, which is a wholly-owned subsidiary of Dakota Electric Association, a Minnesota cooperative corporation.

*Comment date:* October 10, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### 20. NRG Sterlington Power LLC

[Docket No. ER00-3718-000]

Take notice that on September 18, 2000, NRG Sterlington Power LLC tendered for filing a Notice of Succession pursuant to 18 CFR 35.16 of the Commission's regulations in order to reflect the succession of NRG Sterlington Power LLC to the interests of Koch Power Louisiana, L.L.C.

*Comment date:* October 10, 2000, in accordance with Standard Paragraph E at the end of this notice.

#### Standard Paragraph

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211

and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. 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. Copies of these filings are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

**David P. Boergers,**

*Secretary.*

[FR Doc. 00-24928 Filed 9-27-00; 8:45 am]

**BILLING CODE 6717-01-P**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Application Tendered for Filing With the Commission and Soliciting Additional Study Requests

September 22, 2000.

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

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

b. *Project No.:* 2031-046.

c. *Date Filed:* August 30, 2000.

d. *Applicant:* Springville City.

e. *Name of Project:* Bartholomew Hydroelectric Project.

f. *Location:* Northeast of Springville City, within Bartholomew Canyon and on Hobbie Creek, in Utah County, Utah. The project is partially situated on federal lands within the Uinta National Forest, administered by the Forest Service.

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

h. *Applicant Contact:* Matthew Cassel at Psomas Consultants, 2825 East Cottonwood Parkway, #120, Salt Lake City, Utah 84121. Telephone 801-270-5777.

i. *FERC Contact:* Jim Haimes, [james.haimes@ferc.fed.us](mailto:james.haimes@ferc.fed.us), Telephone 202-219-2780.

j. *Deadline for Filing Additional Study Requests:* October 30, 2000.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

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

k. *Status of Environmental Analysis:* This application is not ready for environmental analysis at this time.

l. *Description of the Project:* Situated in a mountainous, mostly undeveloped area east of Springville City, approximately 60 miles south of Salt Lake City, the subject project does not include a dam or reservoir. Instead, it operates using relatively small quantities of water removed from underground springs or small creeks located at high elevations and then transported downhill via underground penstocks to three powerhouses and a powerhouse addition having a combined installed capacity of 2,000 kilowatts (kW). The project produces an average of approximately 4,653,000 kilowatt-hours of energy per year. Much of the project's generation is produced during the high runoff season each spring. Flows used to generate electricity either are diverted to the licensee's water distribution system for domestic and industrial consumption or are released into Hobbler Creek.

The project's generating facility at the highest elevation is Upper Bartholomew powerhouse. Constructed in 1992, it is a 25-foot-long by 17-foot-wide, partially buried, concrete structure containing one turbine with an hydraulic capacity of 10 cubic feet per second (cfs) and a 900-foot head that drives one 200-kW generator. This facility operates using water collected from underground springs located in the left fork Bartholomew Canyon and transported to the powerhouse in a 10-inch-diameter, 55-foot-long, ductile iron pipe to a diversion-head control structure, and then through a 10-inch-diameter, 5,800-foot-long, ductile iron penstock to the powerhouse. Releases from this powerhouse travel through a 20-inch-diameter, 100-foot-long outlet pipe to a surge tank, and then through a 30-inch-diameter, steel pipe to a 1.5 million-gallon-capacity storage tank.

Downhill, at the south end of Bartholomew Canyon, is the project's original generating facility, Lower Bartholomew Powerhouse. Constructed in 1948, this 80-foot-long by 28-foot-wide, brick and masonry structure

contains one turbine with an hydraulic capacity of 16 cfs and a 980-foot head. The turbine powers one 500-kW generator. This unit currently operates intermittently with overflows from the licensee's 1.5 million-gallon-capacity water tank, cited above. This water reaches the turbine in a 16-inch-diameter, 25,250-foot-long penstock, and it exits the powerhouse through a 24-inch-diameter, concrete pipe into a diversion canal, and then into the left fork Hobbler Creek.

Constructed in 1987, Lower Bartholomew Powerhouse Annex is a brick and masonry addition to the original powerhouse containing one turbine having an hydraulic capacity of 28 cfs and a 980-foot head. The turbine drives one 1,000-kW generator. Power is produced using culinary water released from the licensee's 1.5 million-gallon water tank, cited above, and transported downstream in a 20-inch-diameter, 25,250-foot-long, steel penstock.

Inflows to this water tank are obtained from two sources: Releases from the Upper Bartholomew powerhouse, discussed above; and underground springs located at the upper end of the right fork Bartholomew Canyon. This spring water is collected in buried perforated pipes connected to collection boxes and then transported via a 30-inch-diameter, 4,800-foot-long, concrete pipe to the project's 1.5 million-gallon storage tank. After exiting the turbine, flows are transported through a 24-inch-diameter, steel pipe to the licensee's non-project 2.0 million-gallon Hobbler Creek water storage tank for domestic and industrial customers in the Springville area.

The project facility at the lowest elevation is Hobbler Creek powerhouse, located in the lower portion of Hobbler Creek Canyon. Constructed in 1950, this 35-foot-long by 30-foot-wide, masonry structure contains two turbines having a combined hydraulic capacity of 38 cfs and a 135-foot head. These turbines drive one 300-kW generator. The development currently operates with surface flows diverted from the left fork Hobbler Creek by a 5-foot-high, 25-foot-long, concrete diversion structure, and from the right fork Hobbler Creek by a 4-foot-high, 30-foot-long, concrete diversion structure. Flows diverted from these creeks are transported in 14-inch-diameter, steel pipes to a concrete flow-equalizing structure, and then through one 30-inch-diameter, 8,500-foot-long, steel penstock to the powerhouse. Releases from the powerhouse are discharged directly into Hobbler Creek.

The project also includes the following two transmission facilities: (1) A 5.9-mile-long line, which includes

one 1-mile-long, underground segment and a 4.9-mile-long overhead segment, from Upper Bartholomew powerhouse to Hobbler Creek powerhouse; and (2) a 6.9-mile-long, 12.47-kilovolt, underground cable from Hobbler Creek powerhouse to Springville City's electric distribution system.

Although there are no developed recreational facilities within the boundaries of the subject project, Springville City owns and operates a 200-unit campground and a golf course in the project vicinity. In addition, the Forest Service operates two small campgrounds along the right fork Hobbler Creek.

m. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, Room 2A, located at 888 First Street, NE., Washington, DC 20426, or by calling (202) 208-1371. The application may be viewed on the web at <http://www.ferc.fed.us/online/rims.htm> (call (202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

n. With this notice, we are initiating consultation with the State Historic Preservation Officer as required by § 106, National Historic Preservation Act, and the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

o. Under Section 4.32(b)(7) of the Commission's regulations (18 CFR 4.32(b)(7)), if any resource agency, Indian Tribe, or person believes that the applicant should conduct an additional scientific study to form an adequate factual basis for a complete analysis of the application on its merits, they must file a request for the study with the Commission, not later than 60 days after the date the application is filed, and must serve a copy of the request on the applicant.

p. *Procedural schedule and final amendments:* The application will be processed according to the following milestones, some of which may be combined to expedite processing: Notice that the application has been accepted for filing; Notice of NEPA Scoping; Notice that the application is ready for environmental analysis; Notice of the availability of the draft NEPA document; Notice of the availability of the final NEPA document; and Order issuing the Commission's decision on the application.

Final amendments to the application must be filed with the Commission

within 30 days of the notice that the application is ready for environmental analysis.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 00-24879 Filed 9-27-00; 8:45 am]

**BILLING CODE 6717-01-M**

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

#### Regulations Governing Off-the-Record Communications; Public Notice

September 22, 2000.

This constitutes notice, in accordance with 18 CFR 385.2201(h), of the receipt of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or a prohibited off-the-record communication relevant to the merits of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such requests only when it determines that fairness so requires.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt and prohibited off-the-record communications received in the Office of the Secretary within the preceding 14 days. The documents may be viewed on the Internet at <http://www.ferc.fed.us/>

[online/rims.htm](http://online/rims.htm) (call 202-208-2222 for assistance).

#### Exempt

1. Project No. 1864-000, 7-28-00, Randy Kemp
2. CP98-150-000, 9-11-00, Jennifer Kerigan, FERC
3. CP00-14-000, 8-25-00, Todd Mattson

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

[FR Doc. 00-24878 Filed 9-27-00; 8:45 am]

**BILLING CODE 6717-01-M**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6878-6]

### Stakeholder Comment on Preliminary National Enforcement and Compliance Assurance Priorities for Fiscal Years 2002 and 2003

**AGENCY:** Environmental Protection Agency.

**ACTION:** Solicitation of recommendations and comments.

**SUMMARY:** This Notice is a Federal Agency request for the public to comment and provide recommendations on biennial national enforcement and compliance assurance priorities to be addressed for fiscal years 2002 and 2003. This Notice expands Agency efforts to establish national enforcement and compliance assurance priorities by seeking to engage a broader group of stakeholders to identify those environmental problems that should be considered in selecting a focus for future Federal enforcement and compliance resources. The information submitted by commentors will be considered during the priority identification process. Final priority selections will be incorporated into the EPA's Office of Enforcement and Compliance Assurance Memorandum of Agreement Guidance (which provides national program direction for all EPA Regional offices). These priorities will also affect implementation of the enforcement and compliance goals and objectives outlined in the EPA Strategic Plan, as mandated under the Government Performance and Results Act.

**DATES:** The agency must receive comments and recommendations on or before October 30, 2000.

**ADDRESSES:** Submit all electronic comments and recommendations to [docket.oeca@epa.gov](mailto:docket.oeca@epa.gov). Please reference Docket Number EC-2000-006 in the

submission. (Comments may be submitted on disk in WordPerfect 8.0 or earlier versions)

Written comments can be mailed to: Enforcement & Compliance Docket and Information Center (2201A), Docket Number EC-2000-006, Office of Enforcement and Compliance Assurance, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

Comments may be delivered in person to: Enforcement & Compliance Docket and Information Center, U.S. Environmental Protection Agency, Rm 4033, Ariel Rios Bldg., 1200 Pennsylvania Avenue, NW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Frederick Stiehl, Director, Enforcement Planning, Targeting and Data Division; Voice: (202) 564-2290, Fax: (202) 564-0030.

#### SUPPLEMENTARY INFORMATION:

##### Contents

- A. Background
- B. Projected Process Time Frames
- C. Review Information

##### A. Background

The Office of Enforcement and Compliance Assurance (OECA) negotiates a Memorandum of Agreement (MOA) with each of the Agency's ten Regional offices. The MOA guidance, sent out by OECA, establishes national enforcement and compliance assurance priorities and sets short term (two year) program direction. The MOA guidance provides the basis for the individual agreements negotiated between OECA and each Region. These agreements describe Region-specific implementation of the national and local enforcement and compliance priorities as the Agency works to collectively meet its long term goals set forth in the EPA Strategic Plan. The intent of this FR Notice is to solicit stakeholder input during the selection process of potential FY 2002/2003 MOA priorities. Earlier this spring, stakeholders, EPA Regions, States, and Tribes, were asked to comment on current national enforcement and compliance priorities and suggest any changes or potential new priorities for fiscal years 2002 and 2003. The Office of Enforcement and Compliance Assurance analyzed the many excellent comments received thus far using the following criteria:

(a) *Risk Management:* In what specific areas can the Federal enforcement and compliance assurance programs make a significant positive impact on human health or the environment? What are the