

ECC asserts that the Moore Power Plant (MPP) is being built to participate in the newly deregulated Ontario electricity market and will be connected to Hydro One's Lambton Substation. The proposed cross-border power line will be a radial line connecting the MPP only to Detroit Edison's system. Accordingly, ECC requests a determination that open access obligations will not be imposed in connection with this Presidential permit.

Since restructuring of the electric power industry began, resulting in the introduction of different types of competitive entities into the marketplace, DOE has consistently expressed its policy that cross-border trade in electric energy should be subject to the same principles of comparable open access and non-discrimination that apply to transmission in interstate commerce. DOE has stated that policy in export authorizations granted to entities requesting authority to export over international transmission facilities. Specifically, DOE expects transmitting utilities owning border facilities to provide access across the border in accordance with the principles of comparable open access and non-discrimination contained in the FPA and articulated in Federal Energy Regulatory Commission Order No. 888 (Promotion Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities; FERC Stats. & Regs. ¶ 31,036 (1996)), as amended. In furtherance of this policy, on July 27, 1999, (64 FR 40586) DOE initiated a proceeding in which it noticed its intention to condition existing and future Presidential permits, appropriate for third party transmission, on compliance with a requirement to provide non-discriminatory open access transmission service. That proceeding is not yet complete. However, in this docket DOE specifically requests comment on the appropriateness of or comment on whether the open access requirement should be applied to ECC's proposed power line.

Procedural Matters: Any person desiring to become a party to this proceeding or to be heard by filing comments or protests to this application should file a petition to intervene, comment or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the FERC's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with the DOE on or before the date listed above.

Additional copies of such petitions to intervene or protests also should be filed directly with: Eric Le Dain, Enron Canada Corp., 3500 Canterra Tower, 400-3rd Avenue SW., Calgary, Alberta T2P 4H2 and Debbie Chance, Enron Corp., 1400 Smith Street, Mail Stop EB2960E, Houston, TX 77002.

Before a Presidential permit may be issued or amended, the DOE must determine that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system. In addition, DOE must consider the environmental impacts of the proposed actions pursuant to the National Environmental Policy Act of 1969. DOE also must obtain the concurrence of the Secretary of State and the Secretary of Defense before taking final action on a Presidential permit application.

Copies of these applications will be made available, upon request, for public inspection and copying at the address provided above. In addition, the application may be reviewed or downloaded from the Fossil Energy Home Page at: <http://www.fe.doe.gov>. Upon reaching the Fossil Energy Home page, select "Electricity" from the options menu, and then "Pending Proceedings."

Issued in Washington, DC, on July 3, 2001.

Anthony J. Como,

Deputy Director, Electric Power Regulation, Office of Coal & Power Imports/Exports, Office of Coal & Power Systems, Office of Fossil Energy.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2545-071 Washington]

Avista Corporation; Notice of Availability of Environmental Assessment

July 3, 2001.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR Part 380 (Order No. 486, 52 F.R. 47910), the Office of Energy Projects has reviewed Avista Corporation's application to waive for 4.5 months the aesthetic flow requirements at the Monroe Street development of the Spokane River Hydroelectric Project, located on the Spokane River in Lincoln, Stevens, and Spokane Counties, Washington, and Kootenai County, Idaho. Staff in the

Office of Energy Projects has prepared an Environmental Assessment (EA). The Monroe Street development does not occupy any federal or tribal lands.

The EA contains the staff's analysis of the potential environmental impacts of the proposed amendment and concludes that approval of the proposed amendment with staff's modifications would not constitute a major federal action that would significantly affect the quality of the human environment.

The EA is attached to a Commission order issued on July 3, 2001, for the above application. Copies of the EA are available for review at the Commission's Public Reference Room, located at 888 First Street, NE., Washington, DC 20426, or by calling (202) 208-1371. The EA may be viewed on the web at <http://www.ferc.gov> using the "RIMS" link, select "Docket #" from the RIMS Menu and follow the instructions (please call (202) 208-2222 for assistance).

For further information, contact Steve Hocking at (202) 219-2656.

David P. Boergers,

Secretary.

[FR Doc. 01-17179 Filed 7-9-01; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP01-375-000]

East Tennessee Natural Gas Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed TVA Project, Request for Comments on Environmental Issues, and Notice of Site Visit

July 3, 2001.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the potential environmental impacts of the TVA Project. This project involves the construction and operation of facilities by East Tennessee Natural Gas Company (East Tennessee) in Moore, Lewis, Lawrence, Giles, Maury, Marshall, Hickman, and Franklin Counties, Tennessee.¹ These facilities would consist of about 26.5 miles of pipeline loop, a new 3,255-horsepower compressor station, additional compression at an existing compressor station, and other facilities. This EA will be used by the Commission in its decision-making process to determine

¹ East Tennessee's application was filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

whether the project is in the public convenience and necessity.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice East Tennessee provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet website (www.ferc.gov).

Summary of the Proposed Project

East Tennessee wants to expand the capacity of its facilities in Tennessee to render firm natural gas transportation service of 86,000 dekatherms per day (Dth/d) to the Tennessee Valley Authority (TVA). East Tennessee seeks authority to:

- construct approximately 8.74 miles of 20-inch-diameter pipeline loop and 9.63 miles of 16-inch-diameter pipeline loop on its existing pipeline right-of-way and construct approximately 8.09 miles of 20-inch-diameter pipeline loop adjacent to its existing pipeline right-of-way in Moore, Lewis, Lawrence, Giles, Maury, and Franklin Counties;
- hydrostatically test approximately 5.44 miles of 12-inch-diameter pipeline on its existing Line 3200 in Franklin County in order to increase the maximum allowable operating pressure;
- install a 6,270-horsepower (hp) compressor unit and a regulator at its existing Station 3206 in Marshall County; and a regulator at the Elk River Springs Meter Station in Franklin County;
- construct a new 3,255-hp compressor station (Station 3202) in Hickman County;
- replace aerodynamic assemblies for two existing compressor units at Station 3206 and for two existing compressor units at Station 3209, Franklin County; and
- install associated valves, piping, and appurtenant facilities.

The location of the project facilities is shown in appendix 1.²

The TVA would construct approximately 4 miles of 12-inch-diameter pipeline as well as a 510-megawatt combined cycle gas-fired generating plant in Franklin County.

Land Requirements for Construction

Construction of the proposed facilities would disturb about 400.9 acres. Of this total, approximately 27.9 acres would become new permanent right-of-way.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us³ to discover and address concerns the public may have about proposals. We call this "scoping". The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- geology and soils
- water resources, fisheries, and wetlands
- vegetation and wildlife
- endangered and threatened species
- land use
- cultural resources
- air quality and noise
- public safety

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

² The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available on the Commission's website at the "RIMS" link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, DC 20426, or call (202) 208-1371. For instructions on connecting the RIMS refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

³ "We", "us", and "our" refer to the environmental staff of the Office of Energy Projects (OEP).

Our independent analysis of the issues will be presented in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section below.

Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by East Tennessee. This preliminary list of issues may be changed based on your comments and our analysis.

- The location of forty-four residences within 50-feet of the proposed construction right-of-way.
- One federally listed endangered or threatened species may occur in the proposed project area.
- Fifteen wetlands would be crossed by the proposed project.

Also we have made a preliminary decision not to address the impacts of the nonjurisdictional facilities. We will briefly describe their location and status in the EA.

Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative locations), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send an original and two copies of your letter to: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First St., N.E., Room 1A, Washington, DC 20426.
- Label one copy of the comments for the attention of Gas 1, PJ-11.1.

- Reference Docket No. CP01-375-000.
- Mail your comments so that they will be received in Washington, DC on or before August 2, 2001.

Comments may also 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 at <http://www.ferc.gov> under the "e-Filing" link to the User's Guide. Before you can file comments or interventions you will need to create an account which can be created by clicking on "Login to File" and then "New User Account."

We may mail the EA for comment. If you are interested in receiving it, please return the Information Request (appendix 3). If you do not return the Information Request, your name will be taken off the mailing list.

Site Visit

On July 18 through 20, 2001, we will be conducting a site visit to the project area. This will be an on-the-ground inspection, conducted by automobile on public roads, or where access to private property has been granted (specific locations to be determined later). Anyone interested in participating in the site visit may contact the Commission's Office of External Affairs (identified at the end of this notice) for more details and must provide their own transportation.

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor". Intervenor status is a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 2).⁴ Only intervenors have the right to seek rehearing of the Commission's decision.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear

and direct interest in this proceeding which would not be adequately represented by any other parties. You do not need intervenor status to have your environmental comments considered.

Additional information about the proposed project is available from the Commission's Office of External Affairs at (202) 208-1088 or on the FERC website (www.ferc.gov) using the "RIMS" link to information in this docket number. Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222.

Similarly, the "CIPS" link on the FERC Internet website provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings. From the FERC Internet website, click on the "CIPS" link, select "Docket #" from the CIPS menu, and follow the instructions. For assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2474.

David P. Boergers,
Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP01-384-000, and CP01-387-000]

Islander East Pipeline Company, L.L.C., Algonquin Gas Transmission Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Islander East Pipeline Project and Request for Comments on Environmental Issues

July 3, 2001.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Islander East Pipeline Project involving construction and operation of facilities by Islander East Pipeline Company, L.L.C. (Islander East) and related facilities constructed and operated by Algonquin Gas Transmission Company (Algonquin) in New Haven County, Connecticut and Suffolk County, New York.¹ Islander

East's facilities would consist of about 44.8 miles of 24-inch-diameter pipeline, including 22.6 miles offshore in Long Island Sound; 5.6 miles of new 24-inch-diameter lateral; and three new meter stations. In addition, Algonquin would retest and uprate about 27.4 miles of its C-1 and C-1L pipelines, and construct a new 10,310 horsepower (hp) compressor station in New Haven County, Connecticut. This begins a scoping process and the comments received in response to this notice will be used to identify significant environmental issues including whether there is a need to prepare an environmental impact statement (EIS) rather than an EA. The EA (or EIS) will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice Islander East and Algonquin provided to landowners. This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is available for viewing on the FERC Internet website (www.ferc.gov).

Summary of the Proposed Project

Islander East wants to expand the capacity of its facilities in Connecticut and New York to transport an additional 285,000 dekatherms per day of natural gas to one local distribution company and two proposed power plants. Islander East seeks authority to construct and operate:

- 21.2 miles of 24-inch-diameter pipeline in New Haven County, Connecticut, including 11.0 miles offshore in Long Island Sound;
- 23.6 miles of 24-inch-diameter pipeline in Suffolk County, New York, including 11.6 miles offshore in Long Island Sound;

⁴ Interventions may also be filed electronically via the internet in lieu of paper. See the previous discussion on filing comments electronically.

¹ Islander East and Algonquin's applications were filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.